PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 411

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2002–03

COMPRISING PERIOD
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14 October 2003

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 411**

EIGHTEENTH VOLUME OF SESSION 2002–2003

House of Commons

Tuesday 14 October 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

MERSEY TUNNELS BILL *(By Order)*
Order for further consideration, as amended, read.
To be further considered on Tuesday 21 October.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

European Union

1. **Mr. Wayne David** (Caerphilly): If he will make a statement about the EU's political relationship with countries that will border the expanded European Union. [131998]

The Minister for Europe (Mr. Denis MacShane): We want the European Union's new neighbours to develop positive political and economic links with the EU, and in my visits, including a recent one to Ukraine, I encouraged them along those lines. The British Government took the lead a year ago to propose that the EU upgrade its relationships with its new neighbours and we shall pursue that policy energetically.

Mr. David: I thank the Minister for his reply. Does he agree that the new European security strategy, outlined by High Representative Solana, shows a positive step forward on the basis of real security for the new Europe? Does he also agree that the new developing political geography of Europe offers great opportunities for the countries entering the EU, enabling a better and more positive relationship with countries to the east?

Mr. MacShane: My hon. Friend is right. Mr. Solana's policy document on security is an important step forward, bringing Europe and the United States together. He is also right—and I can confirm it—that all my visits to new neighbours in eastern Europe show that the younger, reforming, modernising, progressive, intelligent, business-oriented politicians all look to the European Union and reject the strategy of saying no to Europe that we hear occasionally in the House.

Mr. Julian Brazier (Canterbury): Could I suggest that the Minister would do better to respond to the substantive question rather than make cheap jibes? The plain fact is that practical measures are what matters for countries bordering the future EU. What steps are the Government taking to ensure that the Polish-Ukrainian border is not closed by the Schengen arrangements, which would have a disastrous effect not only on the Ukrainian economy but on that of the Soviet Union?

Mr. MacShane: I do not want to make cheap jibes, but that country is called Russia now. If the hon. Gentleman visited the Polish-Ukrainian border, he would see both Warsaw and Kiev making concrete efforts to ensure that local border arrangements are in place to allow local trade to continue. The British Government and the EU have helped our Polish partners to establish adequate border arrangements. On my visit to Kiev last month, the issue highlighted by the

hon. Gentleman was not raised. We must maintain trade and a border that allows Ukrainian and other reforming neighbours to look to the EU for future political relationships.

Huw Irranca-Davies (Ogmore): Having spent a good part of my spare time during the summer reading a 600-page tome on the history of Europe, may I ask whether the Minister agrees that the expansion of the EU, and, I hope, the inclusion of other countries in future, is nothing to be scared of? Rather, it is a matter of back to the future.

Mr. MacShane: I commend my hon. Friend's summer reading and wish that Conservative Members read something on Europe other than the *Daily Mail* with its isolationist, anti-European traditions. My hon. Friend, who is referring to the excellent book by Professor Norman Davies, is right. Our historic chance in the present House of Commons is to make enlargement work and show our new European neighbours that the EU is a force for good, for progress and for stability and security in this troubled world.

Mr. Richard Spring (West Suffolk): Does the Minister agree that, in view of Turkey's stalwart support for our defence interests over many decades and its position as a bridge between two continents, every encouragement should be given to make Turkey ready for EU accession? Does he also agree that an important aspect of that task is resolution of the problem of Cyprus? What measures does the Minister propose to advance that?

Mr. MacShane: I could not agree more with the hon. Gentleman and I am glad that there is one narrow area of terrain over which we see eye to eye. He is quite right. The Government want Turkey to look west and prepare itself for EU membership. A major contribution to that would be for Turkey to put pressure on the northern Cypriot-Turkish communities and leaders, so that a united Cyprus can enter the European Union on 1 May next year. Under the Annan plan, that would mean that one of its two leaders would be a Turkish Cypriot, Turkish would become an official language of the Union and Turkey would be dealing and negotiating with a partner that understood her language and culture. It is in Ankara's interests to do everything now to support a united Cyprus, under the Annan plan, joining the European Union.

Middle East

2. **Mike Gapes** (Ilford, South): If he will make a statement on prospects for a comprehensive peace settlement in the Middle East. [131999]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With partners in the European Union, the United States, Russia and the United Nations, we continue to work for a comprehensive settlement based on the quartet road map. That sets out clearly what needs to be done to establish two states, Israel and Palestine, which can then live side by side in peace and with security. However, prospects for a comprehensive settlement have been set back recently by severe internal dissension within the Palestinian Authority, unlawful actions by Israel—including assassinations and the building of the security wall on Palestinian land—and, above all, by continued terrorism by rejectionist groups.

Mike Gapes: Today, we have seen a report that secret negotiations have been going on for two and a half years between leading Palestinian and Israeli politicians, including Yossi Beilin, Yasser Abed Rabbo and Amram Mitzna. Will my right hon. Friend take this opportunity to welcome all contacts between Israelis and Palestinians designed to get out of the useless and terrible cycle of violence and back to politics, negotiation and compromise?

Mr. Straw: I will indeed, and I commend the courage of all of those involved, especially Yossi Beilin and Yasser Abed Rabbo, whom my hon. Friend mentioned. The plan provides a realistic two-state solution, on the basis of land for peace. It is similar to that which was negotiated at Taba, under a different Israeli Cabinet and Government, and it deserves support. The fact that it may not receive support illustrates one of the profound frustrations of the current situation, in which solid majorities in both communities are desperate for peace and security, but neither side's political leaders know how to get there at present. We recognise our duty to assist them in every way we can, but the auguries are not encouraging at the moment.

Mr. Crispin Blunt (Reigate): On the security wall, is the Foreign Secretary familiar with the Israeli military order issued on 2 October, which closes all the land between the security wall and the 1967 border? The order states that free access to the closed zone will only be allowed to Israelis, defined as Israeli citizens, Israeli residents and anyone allowed to immigrate to Israel. However it requires Palestinian residents of the closed zone to obtain permits to live in their homes, farm their land and travel. Is not such behaviour by the Israeli Government not only outrageous, but self-defeating in terms of achieving peace? Will the Foreign Secretary make his concerns known directly to the Israeli ambassador?

Mr. Straw: I have already said that we regard the building of the wall on Palestinian land as unlawful. No one can have any objection to any sovereign state building a wall or fence along its international border, but that is wholly different from building a wall or fence on someone else's territory. It is Palestinian land, and the building of the wall will have many of the consequences that the hon. Gentleman mentioned. Anybody who is unconcerned about the building of the wall and its effects needs to look at a map of the route that it has taken. We have indeed made our concerns well known, both to the Israeli ambassador and to the Israeli Government.

James Purnell (Stalybridge and Hyde): I welcome the efforts that my right hon. Friend has made to prevent

funding from reaching Hamas. Is Syria continuing to fund terrorist groups and what more can be done to reduce such funding?

Mr. Straw: I am grateful to my hon. Friend. Following a lead given by Germany and ourselves, we were able to secure an asset freeze against Hamas across the European Union, in addition to action that we have taken in this country under the Terrorism Act 2000. However, we remain concerned about the overt and covert support given to rejectionist terrorist groups by the Government of Syria. It is unacceptable and is not in Syria's long-term interests.

Mr. Alan Duncan (Rutland and Melton): Following what the Foreign Secretary has just said and as my right hon. Friend the Member for Devizes (Mr. Ancram) can confirm from his days as a Northern Ireland Minister, the hard and unpalatable truth of conflict of that nature is that it makes sense to develop direct contacts with organisations deemed to be terrorist. Even with the collapse of the road map—or, even more crucially, because of it—it may be useful to talk to Hamas and Islamic Jihad. Will the Foreign Secretary comment on newspaper reports that efforts by the UK and EU to maintain a dialogue with such organisations have been terminated? Will he confirm that any successful path to peace requires dialogue and discussion at all levels and with all parties involved in the dispute, however uncomfortable that might feel?

Mr. Straw: Of course, if we are to resolve a conflict, we have to bring the parties who wish to resolve it to the negotiating table. That is what we did in Northern Ireland, and we have also assisted the Norwegian Government to do that in respect of Sri Lanka. However, there is no point in having a dialogue with groups that make it clear that they have murderous intent and which are seeking simply to blow up any prospect of peace. There was every opportunity for Hamas, Islamic Jihad and Hezbollah to support the road map for peace and their own Palestinian Authority when that was promulgated at the end of June. They failed to do so, and displayed a wilful desire to disrupt and undermine the elected Palestinian Government. However, their planting of terrorist bombs in Jerusalem on 19 August was the single most important cause of the breakdown of progress on the road map.

Richard Burden (Birmingham, Northfield): I welcome what my right hon. Friend has said about the security wall. It is not only illegal—it runs counter to the road map and to the Geneva accords announced yesterday. Given that, and the fact that Israel is continuing to build the wall, what can be done in practice to put pressure on the Sharon Government to cease that work? If construction continues on the route that is currently planned, peace agreements will be made irrelevant. We must not allow that to happen.

Mr. Straw: As I have made clear, we disagree with the Israeli Government's decision to build the wall. We consider its building on Palestinian land to be unlawful and unacceptable, but it must be understood that the decision to build the wall was not an abstract one. It arose from a profound sense of fear among people in Israel and from their belief that they have to protect their security. That does not make the decision lawful or justifiable in our view, but it does explain it. If we want to see an end to such actions and to get the road map back on track, the first and essential precondition is for Hamas, Islamic Jihad and the other rejectionist terrorist groups to announce a ceasefire and give up the idea that it will be possible to help the Palestinians to achieve a peaceful and secure future through the sort of terrible and rejectionist terror that those groups adopt. I also make it clear that the rejectionist terror adopted by Hamas and Islamic Jihad undermines very significantly the 90 per cent. or so of people in the occupied territories who support the Palestinian Authority and who want a peaceful route through.

Iraq

3. **Mr. George Osborne** (Tatton): When he last discussed the situation in Iraq with the US Secretary of State. [132000]

4. **Ross Cranston** (Dudley, North): If he will make a statement on the UN's role in Iraq. [132001]

7. **Jim Knight** (South Dorset): If he will make a statement on the numbers and dispositions of troops from countries other than the UK and the USA operational in Iraq. [132004]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I discuss Iraq with Colin Powell almost daily, including this morning. The security situation, especially in Baghdad and the Sunni triangle, remains unsatisfactory, but there has been good progress in many other respects, with ambassador Bremer reporting last week that there are now 40,000 police in post and 400 courts in operation, and that electrical power generation is above the pre war average. Universities, schools and hospitals are all working, with significant increases in pay for teachers and doctors. In addition, 14,000 km of irrigation canals have now been cleared, and the country has a free press and effective local government in most areas. In addition to the US and UK forces, 16,000 troops from 30 nations, including 11 EU and accession states, are operating on the ground.

On the role of the UN, a new draft Security Council resolution, co-sponsored by the US, Spain, the Cameroons and the UK, was published in New York at 2.30 pm our time. A copy has been placed in the Library and made available to the Opposition Front-Bench spokesmen. The aim of the resolution is to confirm the goal of transferring power to the Iraqis as soon as possible and, among other things, to enhance as far as practical the UN role in the process through a partnership between the coalition, the UN and, in particular, the Iraqis. I very much hope that it will attract support in the Security Council.

Mr. Osborne: What the Foreign Secretary says is welcome news, but does he agree that attempts to reconstruct Iraq continue to be overshadowed by the controversy surrounding the decision to go to war? I know that he is a keen student of political diaries, so what does he make of the diary of the former Foreign

Secretary, the right hon. Member for Livingston (Mr. Cook), and his claim that the Prime Minister no longer believed by March that Saddam Hussein had weapons of mass destruction that he could fire within 45 minutes?

Mr. Straw: My right hon. Friend is a man for whom I have very great respect—

Mr. David Cameron (Witney): But—

Mr. Straw: But he was simply and completely wrong about that.

Ross Cranston: My right hon. Friend knows, as he was intimately involved in its drafting, that UNSCR 1500 conferred a legitimacy on the Iraqi governing council. He also knows that the Arab League has added to and bolstered that legitimacy. He knows, too, that resolution 1500 said that the establishment of the council was a step towards a democratic Iraq. Can my right hon. Friend give the House the benefit of his thinking about the timetable—perhaps the draft resolution says something about it—for, first, the completion of a constitution and, secondly, the holding of elections?

Mr. Straw: The draft resolution places responsibility for coming forward with a time scale, for both the drafting of a new constitution and the holding of democratic elections under that constitution, on the governing council working in co-operation with the coalition provisional authority and, as circumstances permit, the special representative of the Secretary-General. The resolution requires that the time scale should be produced by the governing council by 15 December this year. That is a reasonable time scale to expect, and one that should ensure that more rapid progress is made to the achievement both of the constitution and of elections.

Jim Knight: Last year, I was able to visit Kabul and see the good work of the international security assistance force—ISAF—in restabilising and rebuilding that city. It is clear that a number of countries, which are not included in the impressive list of those involved in Iraq, have useful skills and experience to offer. Can the Foreign Secretary give us some indication as to whether there is any willingness among nations such as Finland, France and Germany, which have such useful skills, built up in Kabul, in Kosovo and so on, to help out with that important work in Iraq?

Mr. Straw: We welcome all nations with the capabilities and commitment to join us on the ground in Iraq and, as I have indicated, 30 have done so already, including 11 EU and accession states. Both France and Germany have made it clear that they will not be putting any troops into Iraq; they could have done so, if they had wished to, under existing resolutions. I am not aware that Finland has proposals to do so, but the resolution—if it is passed—should create an even better climate, in which states that may have been reluctant to provide troops in the past could then do so.

Dr. Julian Lewis (New Forest, East): Does the Foreign Secretary think that it would ever be sensible or practicable for coalition forces in Iraq to hand over power while Saddam Hussein remains at large?

Mr. Straw: I do not make that a precondition for transfer of power, nor does the resolution. The precondition for a transfer of power is that there should be an effective, operating sovereign Government in Iraq with security forces at their disposal. One of the good things that has happened in the past six months is the build-up of security forces: there are now 40,000 police officers and many more are in training, and there are at least 20,000 other security officers. Battalions of the Iraqi army are also in training.

Mr. Menzies Campbell (North-East Fife): Does the Foreign Secretary agree that any multinational force under unified command, which the current draft resolution envisages, must be answerable to, and obliged to report to, the Security Council? Can he tell the House what objections Her Majesty's Government have to a transition to democracy in Iraq wholly managed by the United Nations?

Mr. Straw: The multinational force needs to be authorised by the United Nations and, indeed, that is proposed in the resolution. In any event, the authority for the occupying powers—the United States and the United Kingdom—derives from Security Council resolution 1483. On managing the transition, the simple fact is that the UN has never sought an exclusive role in respect of Iraq; what it seeks is a partnership. The resolution takes account of both the wish of the UN to be more heavily involved and the reluctance of the UN secretariat under Kofi Annan to put too many more of its own officials into the field until they are satisfied about security. Meanwhile, the responsibility has to rest with the governing council and the coalition provisional authority, but working, as the resolution says, in many respects as far as is practicable—in other words, at the call of the Secretary-General of the United Nations—with the UN.

Mr. Peter Kilfoyle (Liverpool, Walton): To consolidate support in the House for the initiatives that the Foreign Secretary has adumbrated today, does he not think that it is now time for the Government to apologise for the dodgy dossier, which misled the House on Iraq in the first place?

Mr. Straw: No, because that dossier—the one published on 24 September last year—has been shown, after very careful scrutiny by the Intelligence and Security Committee, to be accurate in all material respects, as were the contents of the dossier published in February.

Mr. Michael Ancram (Devizes): I welcome the new draft resolution, and I hope that, this time, it will secure the support of the Security Council, including from France.

On a slightly different matter, has the Foreign Secretary discussed with Secretary Powell the information on the basis of which the Prime Minister told the Liaison Committee on 8 July that he had

"absolutely no doubt that we will find evidence of"

weapons of mass destruction

"programmes"—

later explained by his official spokesman as

"including concrete evidence of the product of these programmes as well".

Where is that evidence, which has apparently so far eluded the international survey group? Or should we put as much faith in the Prime Minister's assertions on weapons of mass destruction as in his now totally discredited assertion—as we learned yesterday—that he had nothing to do with the naming of Dr. Kelly?

Mr. Straw: I think that that is one of the more incredible observations that I have heard from those on the Conservative Front Bench, given their position on 18 March. I think I am going to buy the right hon. Gentleman a pair of open sandals and a false beard, and he can join the Liberal Democrats.

Ann Clwyd (Cynon Valley): I want to pay tribute to the chief police adviser in Iraq, who is British, and the role being played by Britain in retraining the Iraqi police. The visible evidence of police on the streets of places such as Baghdad sends a very important signal to the Iraqi people, but at the same time the chief police adviser says that he cannot continue to operate unless he gets more personnel. When does my right hon. Friend intend to strengthen the number of British advisers and support staff for that post?

Mr. Straw: When I saw the report this morning in respect of the comments by Deputy Chief Constable White, I asked for them to be investigated, and I am still pursuing that. Meanwhile, I can tell my hon. Friend that I understand that, from this week, DCC White will be supported in his work by six Ministry of Defence police officers. However, my investigations into his anxieties continue, and I will place before the House the results of those inquiries and write to my hon. Friend about them.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the Foreign Secretary tell the House his best estimate of the cost of the United Kingdom involvement in Iraq, by which I mean incurred cost, promised costs and anticipated costs? Can we have a total figure? If the Foreign Secretary does not have one to hand, a letter put in the Library would be most helpful.

Mr. Straw: I have not got the figure to hand, but I will do better than asked: I will publish a written ministerial statement on the record. I was very pleased to announce yesterday that we will make available a further €550 million at the forthcoming donors' conference in Madrid at the end of next week.

Uganda

6. **Valerie Davey** (Bristol, West): What plans he has for the United Kingdom to have a mediation role in resolving the conflict in northern Uganda. [132003]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): We do not consider that there is a role for UK mediation at this stage, nor has the Ugandan Government requested it. We are, however, providing support to a number of civil society groups engaged on peace issues, including the Acholi religious leaders, who we believe are best placed to act as mediators. We will continue to work with our development partners in urging both the Government and Lord's Resistance Army to demonstrate their commitment to dialogue. We welcome President Museveni's reaffirmation of his readiness for dialogue during his independence day speech on 9 October.

Valerie Davey: May I thank my hon. Friend for his and the Government's commitment to northern Uganda? In the light of the increasingly violent and volatile situation reported again only this week, can he say what opportunity remains for the international community to take some action?

Mr. Mullin: My hon. Friend is right to draw attention to what is an extremely serious situation in northern Uganda. The prospect of peace in Sudan, which the LRA often uses as a safe haven, will make it easier to put pressure on that organisation. We are also anxious to encourage dialogue between the Government of Uganda and the LRA, which is rather difficult given that the LRA does not have negotiable demands. That is the only way forward, however, because, as my hon. Friend knows, a military solution has been tried, and it has not worked—it has only led to a great deal more suffering. We continue to remain closely engaged with both the Ugandan Government and the Acholi leaders, and our high commissioner is in northern Uganda today.

Richard Ottaway (Croydon, South): Does the Minister agree that, in effect, the conflict in northern Uganda is between the Islamic values of the Sudan and the Christian values of Uganda? What we are seeing there is a microcosm of the conflict between the two religions that we find elsewhere in the world.

Mr. Mullin: I had not heard that explanation of the difficulties in northern Uganda. It is a very serious and complex situation, but it would be difficult for followers of any religion to justify the terrible atrocities that the LRA has been carrying out against innocent people in northern Uganda.

Mr. Tom Clarke (Coatbridge and Chryston): I have just returned from a visit with the all-party group on the great lakes region and genocide prevention, and I declare the appropriate interest. May I say that there was a great regard for the role of my right hon. Friend the Foreign Secretary in seeking to influence Uganda

and Rwanda in particular towards peace? That influence was never more necessary if genocide and conflict is to be avoided.

Mr. Mullin: I am grateful to my right hon. Friend for his kind remarks. We all understand that a great deal more work remains to be done before we see peace and the rule of law restored to that area, but there has been some progress.

Michael Fabricant (Lichfield): The Minister is right, of course, to condemn the LRA. He will be aware that it has abducted something of the order of 20,000 children in northern Uganda over the last five years. He will also be aware, however, that President Museveni has requested that signals intelligence and other intelligence aid be provided to the Government and army of Uganda to assist them in their fight to protect the people of Uganda from that terrible terrorist organisation. What precisely are the Government doing, or what will they do, to assist President Museveni and the people of Uganda?

Mr. Mullin: We have already done a great deal as regards helping Uganda to recover from the dreadful situation that President Museveni inherited when he took office some years ago, and he is the first to acknowledge that. I do not think that the hon. Gentleman will expect me to get involved with the precise details of any military assistance that we are giving to Uganda, but I repeat what I said earlier: ultimately, there is no military solution. Some way will have to be found of establishing contact with the LRA and of putting an end to this dreadful rebellion. The military solution has been tried, but it has not worked.

Afghanistan

8. **David Cairns** (Greenock and Inverclyde): What assessment he has made of the size of this year's poppy harvest in Afghanistan. [132005]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The United Nations Office on Drugs and Crime has not yet published the results of its 2003 poppy cultivation survey in Afghanistan. However, we would expect the results to be broadly similar to last year, with a small increase in both production and cultivation likely. That is in line with expectations based on previous experience in Thailand and Pakistan and our own expectations. We want to do more, however, to engage the international community in countering narcotics in Afghanistan. To that end, we will be organising a major international conference in Kabul in early 2004.

David Cairns: I am grateful for my hon. Friend's answer and look forward to the publication of that report later this month. Does he agree that two things need to happen? First, there must be targeted assistance to Afghan farmers to wean them off this horrible crop, and secondly—and more importantly—ISAF's mandate must now be extended beyond Kabul, which, as we have heard, is relatively secure, and out to the provinces and regions of Afghanistan, which is where the poppies are actually grown and where the will of the warlords, not that of the international community, holds sway? We can only smash the trade once and for all if we do that.

Mr. Rammell: I thank my hon. Friend for that question and pay tribute to his long-standing work in this area. He is absolutely right that, as well as the other activities that we undertake, we need to pursue the matter of alternative livelihoods. If we are to persuade farmers in Afghanistan to move away from poppy production, they will need an alternative source of livelihood, so we need to work on that. I also agree with my hon. Friend about the security situation beyond Kabul. Clearly, the security situation has been better in Kabul, and yesterday's announcement at the Security Council, for which we pushed strongly, to extend ISAF's remit beyond Kabul to the outlying regions is significant, and indicative of a step change in our efforts that will undoubtedly help to beef up our counter-narcotics activity.

Bob Spink (Castle Point): What help will the Government give to neighbouring countries such as Kazakhstan to cut off the supply route of the drugs?

Mr. Rammell: The hon. Gentleman raises an interesting point because we have a 10-year strategy to eradicate poppy production in Afghanistan, but if that simply results in cultivation in other countries, we need to address that issue. The matter is being examined in great detail by the cross-departmental Whitehall international drugs taskforce. We are also committing significant funding to some neighbouring countries to help the effort.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): The Minister will be aware that one of the main drug smuggling routes is north through Osh in the Kyrgyz Republic. At the conference that he mentioned, will he discuss ways in which the UK could help the Kyrgyz Republic to tackle its border security problems and give advice, help, training and assistance with its communications system to help the Kyrgyz Government to close their border to drug smuggling, which inevitably has an impact on Europe and the UK?

Mr. Rammell: My hon. Friend raises a valid and interesting point. We clearly need not only to tackle poppy cultivation in Afghanistan but to consider carefully how drugs are taken abroad and what the trafficking routes are. Interdiction at border areas—the Kyrgyz Republic is a key area—is important and we need to do more to cut off those routes.

European Constitution

9. **Mr. David Atkinson** (Bournemouth, East): What the Government's policy is on the proposed incorporation of the European charter of fundamental rights in the draft European constitution. [132006]

The Minister for Europe (Mr. Denis MacShane): The draft EU constitutional treaty explicitly states that the charter does not extend EU competences and makes it clear that the charter applies primarily to the EU institutions. The charter would apply to member states

only when they are implementing EU law. The Government will reach a final decision about incorporation of the charter in the context of the intergovernmental conference.

Mr. Atkinson: Does the Minister recall that his predecessor, the hon. Member for Leicester, East (Keith Vaz), told the House that the EU charter of fundamental rights would have no more legal significance than a copy of the *Beano*? Why does it now form article 6 of the EU draft constitution and threaten to undermine the Human Rights Act 1998 in this country and the authority of the European Court of Human Rights in Strasbourg and the European convention on human rights? Will Britain veto the EU charter of fundamental rights at the intergovernmental conference?

Mr. MacShane: I read the *Beano* many years ago—I especially read about the character Dennis the Menace. However, I must say that Desperate Dave—or Desperate Dan—from Bournemouth is at the end of his wits. Article 9 of the charter of fundamental rights supports the family, article 10 supports the right to religion, article 16 supports the right to conduct a business and article 17 supports the right to own property. When I was reading the *Beano*, the Conservative party supported property, believed in business, loved the family and went to church. Now that we have European rules to introduce that into our law, it should support the sound and conservative charter. Conservative Members have been overtaken by malevolent forces that have driven them toward a fanatical anti-European position, which does them no credit at all.

Mr. Terry Davis (Birmingham, Hodge Hill): But given that it is more than two years since Members drew the Government's attention to the risk of conflicting judgments by two courts based on the same facts affecting human rights, when will they get to grips with the issue?

Mr. MacShane: My right hon. Friend, who refers to the European Court of Human Rights and who plays a distinguished role at the Council of Europe, is right to draw attention to the fact that there are now three ways in which such law is declared: in the European Court of Human Rights, by our incorporation of the European convention on human rights into British law and as a result of the charter of fundamental rights. It is important to realise that the charter applies to EU institutions. It will not replace the French or German constitution. It is clear that the horizontal articles—this is technical language—under articles 51 and 52 maintain the rights of countries to carry on their own business in terms of national law. I am certainly not going to stand at the Dispatch Box and condemn an important set of principles that the vast majority of European citizens—except perhaps those on the Conservative Benches—will welcome and support.

Mr. Michael Ancram (Devizes): Does not the incorporation of the charter of fundamental rights constitute a fundamental change to the relationship between the European Union and its member states? By the Government's own criteria, should not its inevitable incorporation, which they now appear to support, trigger a referendum to secure the consent of the British people before it is ratified?

Mr. MacShane: No.

Mr. Ancram: I am astounded by that answer from someone who proclaims himself a European. Why cannot the Minister agree with French Premier Raffarin, who this week said:

"a real European cannot not want a referendum",

or President Chirac, who said that a referendum

"would be the only legitimate way",

or the Spanish, Portuguese, Danes and the Irish, who are going to allow their people to decide? Why do the Government have such contempt for the intelligence of the British people that they will not allow us to decide? Why do they not come clean and allow us to have a referendum now?

Mr. MacShane: It is a pleasure to hear the right hon. Gentleman pray in aid France in an argument for the first time during his tenure of office as shadow Foreign Secretary. President Chirac has not made up his mind. The majority of EU nations do not intend to hold referendums at the moment. However, there is a fundamental divide between those of us who will defend the right of Parliament and the House of Commons to debate and ratify international treaties and those who want to tear up 500 years of British parliamentary history to hold their populist plebiscite. The right hon. Gentleman can splutter as much as he wants, but until he removes the malevolent forces that have made the Conservative party a byword for hostility to Europe—even if today he praises France in passing—his party will not be taken seriously ever again.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Surely everyone, including the shadow Foreign Secretary, should welcome the extension of human rights provision to the United Kingdom, especially for those who are being persecuted? Will the Minister admit, however, that that will offer no protection for Tory MPs invited by their Chief Whip for career development interviews?

Mr. MacShane: Article II.52.4 says:

"Insofar as this Charter recognises fundamental rights . . . these rights shall be interpreted in harmony with those traditions."

The trouble is that the Conservative party once believed in human rights and the rule of law internationally, and supported Europe. It is the malevolent forces that now control it that make the right hon. Member for Devizes (Mr. Ancram) stand on his head because he is a closet European. It is time he came out of his closet and let his party reconnect with the British people, who will never vote for the manic anti-Europeanism that the Conservative party represents.

Mr. Richard Shepherd (Aldridge-Brownhills): But there is a serious point, which the Minister touched on, concerning the competence of the European Court of Human Rights, as opposed to judgments that will be

made on the European constitution's charter of fundamental rights. Which one will prevail when it comes to the areas of direct conflict of competence?

Mr. MacShane: That point was well raised by my right hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis). To anyone who knows how Europe works, the answer is fairly clear. The European Court of Human Rights hands down its judgments from Strasbourg. The European Court of Justice will be charged with implementing and upholding European Union law. As I said, the charter of fundamental rights applies to EU institutions. It will not tear up domestic constitutions, domestic law and so on. If the hon. Gentleman thinks that France, Germany or almost any EU member state with its own constitution will allow those to be overridden or abolished, he does not understand how Europe works. We want a charter of fundamental rights incorporated on terms that we are happy with, in a way that upholds the principles and values that the House has always held dear.

Ms Gisela Stuart (Birmingham, Edgbaston): The charter of fundamental rights will protect religious institutions and the relationship between church and state. Assuming that the IGC can find a formulation that would allow the British Government to accept the incorporation of the charter, can my hon. Friend confirm that we would consequently and subsequently see no further reference to God or Christianity in the preamble? That would be not only inappropriate, but unnecessary.

Mr. MacShane: There is no reference to God or Christianity in the preamble. There is a reference, I think, to the important religious and humanist traditions that have shaped our common European home. The Government believe that we should leave it at that.

Iran

10. **Mr. David Ruffley** (Bury St. Edmunds): What recent discussions he has had with the Government of Iran about their civil nuclear programme; and if he will make a statement. [132007]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I spoke most recently to the Iranian Foreign Minister about nuclear matters on 3 October. The United Kingdom Government have frequent contact with the Government of Iran on this subject, and we have made clear our serious concerns. We have also made clear our wish that Iran should maintain complete transparency about its nuclear programme, and comply fully with the demands set out in the International Atomic Energy Agency board of governors resolution on 12 September.

Mr. Ruffley: The IAEA has imposed a strict deadline of 31 October by which Iran must fully disclose the nature and extent of its uranium enrichment programme, yet the Iranian ambassador to the agency has refused to recognise that deadline as binding. Will the Foreign Secretary therefore confirm that if Iran does not comply, he will continue to rule out the threat of military sanctions of any kind against Iran?

Mr. Straw: We wish to see the matter resolved peacefully. I will not predict what will happen, except to say that we have adopted a consistent approach in respect of Iran. It was partly through our action that we were able to secure a consensus resolution 34:1—a tough resolution—in the IAEA board in mid-September. Dr. el-Baradei, the head of the agency, is going back to Iran to ensure that the Iranians comply with the demands made by the board. We look forward to his report to the IAEA board, which is to be made on 7 November.

Mr. Jon Owen Jones (Cardiff, Central): On the subject of consistency, the British position with regard to Iran may be consistent, but how is it consistent for the United States to threaten action against Iran for developing nuclear power, while at the same time covertly helping Israel develop marine-launched nuclear weapons?

Mr. Straw: The Government of the United States supported the IAEA resolution that was passed in mid-September, which, with the full support of the US Government, recognised the basic and inalienable right of all member states to develop atomic energy for peaceful purposes. That is not the issue here.

Mr. Mark Prisk (Hertford and Stortford): Given the recent reports that Russia is supplying various elements of nuclear technology to Iran, what representations have the Government made to ensure that we do not find ourselves on a collision course with Russia, and to ensure that Russia is making a positive contribution to a crucial issue?

Mr. Straw: I had positive and constructive discussions about exactly that matter with my Russian opposite number, Igor Ivanov, in a bilateral meeting at the United Nations General Assembly in New York three weeks ago. Russia voted for the IAEA resolution in mid-September. We are working very closely with our European Union partners, the United States and Russia to ensure that that consensus is maintained.

Liberia

11. **Mr. Russell Brown** (Dumfries): If he will make a statement on the situation in Liberia. [132008]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): Liberia has suffered more than a decade of bloody civil war. There is now a comprehensive peace agreement; Charles Taylor has gone; and UN peacekeepers have been deployed. The new transitional national Government is being inaugurated today. We welcome those important steps, but there is still much work to be done.

Mr. Brown: I thank my hon. Friend for that response. I hope that he agrees that the degree of US military force

that we witnessed during August was welcome. Is there anything that he can do to urge the Bush Administration to remain committed to the peace process in Liberia?

Mr. Mullin: My hon. Friend is right that the presence in August of United States troops, albeit mainly offshore, was very helpful in stabilising Liberia. We are in no doubt that the Americans remain committed. Indeed, they have made a substantial contribution to the costs of the humanitarian effort and of funding some of the other peace forces that are involved in the UN operation that has already started.

Sir Sydney Chapman (Chipping Barnet): The Minister will know that 15,000 UN troops are stationed in Liberia and that under the peace agreement elections should be held by 2005. Is it the intention to keep those troops, or a goodly proportion of them, in Liberia until the elections have been held?

Mr. Mullin: So far, there are only about 4,500 UN troops in Liberia, but their number should go up to about 15,000 by March next year. The intention is that all or most of them should be kept there until the country has stabilised.

Hugh Bayley (City of York): What progress has been made on Kofi Annan's proposal to set up a college of peacekeeping studies in west Africa? Given that the plague of violence in west African states has spread, does my hon. Friend agree that the situation would be much better if the Economic Community of West African States was in a position to provide the region with peacekeeping troops of its own? What help will the British Government give to the initiative?

Mr. Mullin: The Kofi Annan proposal is going ahead; I believe that it will be based in Ghana. My hon. Friend is right that it is a very important initiative, because the conflicts in west Africa are ultimately a west African problem that can best be solved by the intervention of well-trained west African troops. He can be assured that we shall support the initiative.

Diamond Trade

12. **Mr. Stephen O'Brien** (Eddisbury): If he will make a statement on the role of the United Nations in ending the illegal trade in diamonds in Africa. [132009]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The United Nations has helped to break the link in Africa between illicit sales of rough diamonds and armed conflict through a combination of embargoes on the diamond trade and the deployment of peacekeeping operations in countries such as Angola, Liberia and Sierra Leone, as well as through several resolutions in support of the Kimberley process certification scheme for rough diamonds – a scheme that this Government pushed for strongly.

Mr. O'Brien: The Minister will have read the UN report on the illegal exploitation of natural resources in the Democratic Republic of the Congo that was published a full year ago in October 2002. Does he agree that the trade in so-called dirty diamonds is one of the greatest evils blighting large parts of the African continent? Can he therefore assure the House that if there is any evidence of a British person being involved in that evil trade, firm and effective action will immediately be taken to deal with that person and that trade?

Mr. Rammell: I share the hon. Gentleman's concern about the diamond trade—that is why we have initiated and supported the Kimberley diamond process certification scheme. I believe that he refers to the Democratic Republic of the Congo expert panel on natural resources. If substantiated evidence comes forward, we shall investigate it and take action. We remain willing to investigate the panel's allegation when such evidence becomes available. I understand that further information and analysis is expected in the panel's next report in late October. One of the worries about the process is the time it takes the United Nations committee to come up with substantiating evidence.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Minister knows that attempts to stop the trade will be strongly supported in the House. However, does he agree that it is vital that the genuine trade of African countries that produce diamonds and are utterly dependent on that is not damaged? Such damage is unacceptable.

Mr. Rammell: I understand and share my hon. Friend's concern. That is why the Kimberley process certification scheme has been structured as it has, with the participation of the African states. It ensures that the legitimate diamond trade can continue to provide resources and funds to help rebuild those countries that so desperately need it.

European Constitution

13. **Ann Winterton** (Congleton): If he will consult the people of the United Kingdom on the draft European constitution. [132010]

The Minister for Europe (Mr. Denis MacShane): Yes.

Ann Winterton: It appears that only Ministers believe that the European Union constitution will not affect the sovereignty and integrity of the United Kingdom as a nation state. Most people believe the opposite. When will the Government, who have not hitherto shied away from referendums, stop being so arrogant, hold a referendum on this vital issue and let the people decide?

Mr. MacShane: Most people who have examined the draft constitutional treaty, including most of those on the continent, accept that it constitutes a good result for Britain. I congratulate the Convention members who took part in the process. I am confident that the final constitutional treaty that is brought to the House will strengthen the role of the nation state and Britain's standing in Europe. However, I also firmly believe – that is why I was elected to the House – that Parliament should debate and determine such matters.

Dr. Nick Palmer (Broxtowe): Does the Minister agree that, in practice, we cannot reject the proposed

constitution without casting doubt on the European Union's ability to operate in its expanded form, and that rejection would therefore call into question our membership of the European Union?

Mr. MacShane: Clearly, my hon. Friend has a point. However, the rules exist and if the constitutional treaty is not ratified by any one of the 25 member states, we shall carry on as before. Undoubtedly, all the incoming states—our friends—want the constitutional treaty to be ratified and operated. One of the saddest aspects of the debate is the way in which the malevolent forces that control the Conservative party's European politics have sent their key henchmen into east Europe to campaign against enlargement. We want an enlarged Europe that works. The constitutional treaty, when it is finally negotiated, should therefore be brought to the House, where I hope that hon. Members will overwhelmingly support it.

Angus Robertson (Moray): Will the Minister for Europe confirm that only five days remain for European Union member states to table amendments to non-institutional questions in the planned European Union constitution? What questions will the United Kingdom Government table? Will they involve fishing or will the UK Government allow it to become entrenched as an exclusive competence in the European Union?

Mr. MacShane: The hon. Gentleman mentions fishing, which is of great concern to his constituents, every time the wider issues of Europe are raised. However, he is wrong. We are in an intergovernmental conference—a solemn treaty negotiation between 25 independent, sovereign nation states. Until the last moment, Governments can table whatever matters they want to be decided. That is why it is important to work constructively with our partners and drop primitive anti-Europeanism, which causes great dismay to parties throughout Europe that expect Britain to be a leader in Europe, helping to run it.

Mr. Chris Bryant (Rhondda): May I urge my hon. Friend not to listen to the rabid rantings of the Conservatives, and in particular of the Leader of the Opposition, who last week gave a good performance as Neville Chamberlain on acid—

Mr. Speaker: Order. The hon. Gentleman is out of order.

Zimbabwe

14. **Sir Nicholas Winterton** (Macclesfield): If he will make a statement on the current situation in Zimbabwe. [132011]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The situation in Zimbabwe continues to deteriorate. Last month saw the closure of the only independent daily newspaper, and last week saw the arrest of up to 200 trade unionists for peacefully demonstrating. As this year's meagre crop runs out, half the population will depend on food aid. The Zimbabwean people continue to struggle with hyper-inflation, mass unemployment, and shortages of cash, food and fuel. The source of the problem is clear: bad governance and bad policies. We will continue to support all those working for peaceful change in Zimbabwe and a return to democracy, accountable government and respect for human rights.

Sir Nicholas Winterton: I thank the Minister for that very full reply. Does he not think, however, that the disaster of Zimbabwe is going to become the forgotten tragedy of Africa, particularly as the Inter-Parliamentary Union—which has apparently decided not to hold its conference here next year—is to permit people on the list of those who are not supposed to travel internationally to attend its next conference? Is that not an absolute disaster? What will the Government do to save the people of Zimbabwe from further suffering?

Mr. Mullin: With all due respect, there is not the slightest danger of Zimbabwe becoming a forgotten tragedy. Hardly a day goes by when the subject does not pass through my in-tray one way or the other, and we continue to pursue the issue very seriously indeed, as I hope I made clear in my original reply. As for the IPU conference, it was due to be held here but it is now not going to be, as a result of the Government sticking firmly to their policy.

Member Sworn

The following Member took and subscribed the Oath:

Sarah Teather, for Brent, East.

Ministry of Peace

3.33 pm

John McDonnell (Hayes and Harlington): I beg to move,

That leave be given to bring in a Bill to establish a Ministry of Peace with the function of promoting conflict resolution and the avoidance of military conflict.

The Bill aims to establish a Ministry of Peace, a new Government Department whose sole purpose would be to focus the resources of Government on the promotion of peace and the eventual abolition of war. Let me explain briefly the genesis of the Bill. The history of the last millennium can be viewed as a search by humanity for peace and security. At first, that search was individual, pursued by individuals entering society to seek security and protection under nations, in the context of what the philosopher Thomas Hobbes described as

"the war of all against all".

The next stage of this ceaseless search for peace was the societal attempt to gain safety from aggression between nations through the construction of treaties. Far from avoiding conflict, the treaty system produced the greatest war the world had experienced, which was fought at such human cost in the trenches of Flanders.

From the battlefields of the first world war came the next stage in the pursuit of peace—the foundation of the League of Nations. That first halting attempt to construct a permanent international structure for securing peace floundered in the face of fascist aggression and the ambiguity of the support of the League's founding nations. Nevertheless, it placed on the post-second world war agenda the potential for creating global structures for peace, resulting in the launch of the United Nations, with the aim, made explicit in its founding charter, of saving succeeding generations from the scourge of war. Tragically, since that time, 120 wars have been fought in which more than 25 million people have been killed and 75 million injured. Increasingly the victims of war are non-combatants.

That stark evidence demands that, in this new millennium, humanity move on to a new stage in its search for peace. The first inkling of this new approach has tentatively emerged over the past decade from the intensive deliberations of the thousands of organisations and individuals who participated in the construction of the Hague agenda for peace and justice in the 21st century.

The Hague appeal recognised that the traditional approaches to preventing war and creating the conditions of permanent peace had largely failed, with disastrous consequences. A fundamentally new approach needs to embrace the roles of individuals, civil society, national Governments and supranational institutions, in creating the conditions for guaranteeing peace. Above all else, the Hague appeal is a proclamation that war is not some elemental, climactic force that can defy all control, but something which, being created and prosecuted by mankind, can therefore be eliminated by mankind.

The Hague peace process has engaged in a forensic examination of the root causes of war, and a discussion and promotion of the concrete actions that could be

[John McDonnell]

taken to prevent and, ultimately, eliminate war. That approach advocates the use of "soft power" paths, early intervention to identify the possible sources of conflict, and the use of education, negotiation, coalition building and reconciliation as the means of conflict resolution, which ultimately results in the replacement of the law of force with the force of law.

The Hague process urged the reform of supranational bodies such as the United Nations to enable the realisation of their global potential for securing permanent peace. In September, a draft statute was published to promote a United Nations commission for peace and crisis prevention, with the remit of strengthening the UN's role

"in the peaceful resolution of conflicts and supporting the worldwide strengthening of peace work, peace education and peace research."

In that context, we need to consider the reform not only of international structures, but structures of national Government to respond to this new peace agenda. To their immense credit, the Government have already gone some way in restructuring to promote conflict prevention and resolution. In a little publicised measure in 2001, the Government set up United Kingdom global and African conflict prevention pools. That initiative brought together the conflict prevention work of a series of Government Departments under an interdepartmental committee of Ministers to increase the Government's overall impact in reducing the number of people around the world whose lives are affected by violent conflict.

This Bill builds on that Government initiative. It proposes that we take the next step in strengthening the Government's role in promoting peace by giving greater authority and profile to this work through the establishment of a Ministry of Peace. This is a paving Bill, giving the Government the authority of Parliament to undertake a comprehensive consultation on the potential for establishing a Ministry of Peace. It proposes that the Government report back to Parliament within a designated period, following consultation with statutory bodies, relevant non-governmental organisations, religious groups and the general public.

A Ministry of Peace would perform the following core roles. First, it would provide within Government an expertise in non-violent conflict resolution, through which Government could be advised on how policies can be developed across Government to reduce the potential for conflict. Secondly, it would provide and co-ordinate the application of Government resources to foster greater understanding in Britain and the world of how war can be avoided and peace achieved.

Let me give some practical examples of what a Ministry of Peace could accomplish. If we are to achieve peace, we must understand conflict—how it occurs, and how it can be prevented. A Ministry of Peace would support and promote a renaissance of research in this country into the causes and impacts of conflict, monitoring potential areas of conflict and advancing practical techniques to avoid outbreaks of violence before they arise. That includes identifying the potential for conflict over the scarcity or maldistribution of natural resources, the impact of human rights abuses as a cause of conflict, the potential for reducing and eliminating the arms trade and demonstrating the potential of a variety of techniques for conflict resolution and effective community peace-building activities.

A Ministry of Peace would examine how we can undermine the culture of conflict that has grown up in our society at every level, so that Government could use their resources to educate our children and raise the consciousness of our communities and our international partners to ensure that mediation becomes the automatic response to a problem rather than violence, in the playground or on the battlefield. Our domestic and international policies would be prefaced and tested by the central question of whether they reduce conflict and violence or increase the risk.

Establishing a Ministry of Peace would put the pursuit of peace at the heart of Government. In future, Prime Ministers and Cabinets would be required demonstrably to consult the Ministry of Peace in the event of an impending military conflict, and Ministers across Government would draw on its expertise in the negotiation of international treaties and agreements.

The Bill envisages the establishment of a commission for peace to mobilise the depth of commitment in society, consisting of independent experts in the field drawn together to provide the Ministry of Peace with support and advice on best practice, monitor its activities and report to Parliament on its performance. A peace audit commission could thus engage members of our community in this venture for peace.

If nothing else, the war in Iraq demonstrated starkly the need for a new way to resolve the world's conflicts. Yes, the idea of a Ministry of Peace is idealistic, but it is not unrealistic. The concept is catching the wind of political interest in the United States Congress—a similar Bill has been promoted by Dennis Kucinich—and in the peace movement across China and Japan, and elsewhere. A debate is taking place among the people as well as in Governments.

Given cross-party support for the Bill, we could begin the process of transforming the modern world's first imperial power into the world's leading peace power. Too much depends on our success for us to fail. I urge Members to support the Bill.

Question put and agreed to.

Bill ordered to be brought in by John McDonnell, Mr. Elfyn Llwyd, Mr. Alex Salmond, Mr. John Randall, Dr. Rudi Vis, Alan Simpson, Jeremy Corbyn, Mrs. Alice Mahon and Mr. Kelvin Hopkins.

Ministry of Peace

John McDonnell accordingly presented a Bill to establish a Ministry of Peace with the function of promoting conflict resolution and the avoidance of military conflict: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 163].

Orders of the Day

Crime (International Co-operation) Bill [*Lords*]

New Clause 1

DRIVER LICENSING INFORMATION

'Information held in any form—by the Secretary of State under Part 3 of the Road Traffic Act 1988 (c. 52), or (b) by the Department of the Environment under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I.1)), (licensing of drivers of vehicles) may be disclosed for the purposes of the Schengen information systems (within the meaning of section 81)';—*[Caroline Flint.]*

Brought up, and read the First time.

3.45 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to consider amendment No. 33, in clause 57, page 38, line 25, at end insert

'or in any other State in which the offender has temporarily resided'.

Caroline Flint: As we embark on today's business, I hope that we have all recovered from the party conference season. The insertion of the new clause after clause 81 will provide the necessary statutory authority for the Driver and Vehicle Licensing Agency and Driver and Vehicle Licensing Northern Ireland to enter data required for Schengen purposes on the UK's national section of the Schengen information system. That will ensure that the UK meets the requirements of its Schengen application in relation to the SIS.

The statutory gateway already contained in section 71 of the Criminal Justice and Court Services Act 2000, allowing disclosure of information held by the Secretary of State for the purposes of part 3 of the Road Traffic Act 1988, is not sufficient for the UK's Schengen obligations. It allows information to be disclosed for use by constables only and, in limited circumstances, for further disclosure by them. Furthermore, section 71 does not extend to driving licences issued in Northern Ireland.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I would be very interested to know when the decision was taken to include such greatly expanded information, which carries with it considerable implications. Anyone holding a licence for any vehicle in the United Kingdom now runs the very real risk of that information being transmitted to a foreign Government without their permission.

Caroline Flint: It is necessary to legislate through insertion of the new clause because the sharing of data on driving licences for the purpose of the SIS is not within the scope of existing legislation. There is no power to disclose information that has been collected under statute in this case, the 1988 Act for purposes not covered by statute. Section 71 of the 2000 Act does allow for the disclosure of information held by the Secretary of State for the purpose of part 3 of the 1988 Act, but that is not sufficient for Schengen. That is for use by constables only, with limited provision for further disclosure by constables. Our Schengen obligations are wider than that, encompassing various enforcement agencies in the UK and other states. Furthermore, section 71 does not cover driving licences issued in Northern Ireland. We have therefore drafted a new clause that provides the necessary statutory power to disclose information. Such disclosure is expressly limited to the purposes of the SIS.

Mr. John Bercow (Buckingham) *rose*—

Mrs. Dunwoody *rose*—

Caroline Flint: If I may, I should like to finish.

The SIS is defined in clause 81 of the Bill, and these additional arrangements will be subject to the same data protection arrangements as apply to the national section of the SIS in general. The arrangements will allow the office of the Information Commissioner to inspect all data contained on the UK national section of the SIS to ensure that the processing of personal data is in compliance with processing requirements under the existing legislation. It is the right of any individual about whom incorrect information is placed on the SIS to apply for it to be removed or corrected. It has always been the case that such information would be on the SIS; it was realised only at a late stage that existing statutory provisions were not adequate.

Mrs. Dunwoody: My hon. Friend is confirming precisely what I said: that this power did not exist and needs to be written into new legislation. At what point was the House of Commons made aware that these commitments under Schengen had been fully accepted? As I understood it, we had not fully accepted them. Is my hon. Friend saying that we now accept all the implications of Schengen? If so, this is a matter of considerable interest. At what point did we decide to ask the House whether this information should be passed on?

Caroline Flint: As I said, it was realised at a late stage that existing statutory provision was not adequate. *[Interruption.]*

Mr. Speaker: Order.

Caroline Flint: Thank you, Mr. Speaker. It is for that reason that we are introducing the new clause so that we can make good progress in realising the UK's connection to the SIS, which is envisaged for November 2004. Before we receive live data, the UK's implementing of the SIS will undergo a rigorous evaluation, conducted by partner member states. To fulfil the requirements of the evaluation process, we must demonstrate our ability to place the required data on the SIS. It has been clear since the then Home Secretary made a statement in March 1999 that we would opt into those parts of the Schengen information

[Caroline Flint]

system. By introducing the new clause, we hope to meet our obligations in that regard, and I can add nothing further to that picture.

Mr. Bercow: Will the Minister give way?

Caroline Flint: No, I have answered the question *[Interruption.]*

Mr. Bercow: I thank the hon. Lady for giving way with her customary courtesy, albeit on this occasion after a little pressure. Further to the interventions of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), I recognise that the Under-Secretary has a departmental brief to which she wishes to adhere, and I intend no discourtesy, but does she understand that if our profession is ever again to regain public respect, we need public understanding? I appeal to her in the context of new clause 1 and amendment No. 33 to make her speech self-contained and intelligible to members of the public who will be interested to know about the impact on them of what she is describing.

Caroline Flint: I did try to explain those particular circumstances. As I said, it has always been the case that this sort of information would be on the Schengen information system. As I also said, we realised at a late stage that existing statutory provision did not apply to those circumstances. The aim is to make use of information from the Driver and Vehicle Licensing Agency and from Driver and Vehicle Licensing Northern Ireland to enter data required for Schengen purposes. I have already fully explained that.

Let me now deal with amendment No. 33, which relates to part 3 of the Bill on driving disqualification. Clause 57(2) reflects the requirement in the EU convention on driving disqualifications to take account, when calculating the period to be enforced in the UK, of any period of disqualification already served in the state of the offence. That is to ensure that the total period of disqualification served does not exceed that originally imposed in the state of the offence.

The amendment would require that any period of disqualification served in another member state in which an offender temporarily resided be also taken into account in determining the period of disqualification to be enforced in the UK. I hope that I have explained that clearly.

The amendment is flawed because a disqualification of a non-resident driver by one country does not automatically have effect in another country. Under the EU convention, only the offender's normal state of residence will be notified of a foreign disqualification and be required to enforce it. For the purposes of the convention, the state of residence is the place where the driver is resident for at least 185 days in each calendar year. If an offender is not normally resident in the UK, the authorities here will not be informed of the disqualification. The only consideration, therefore, in determining the unexpired period of a foreign disqualification will be how much of the disqualification the driver served in the state that convicted him.

A driver who is disqualified abroad may lawfully continue driving anywhere outside the state that convicted him until his own state of residence has enforced the disqualification under the EU convention. So the opportunity to serve a period of disqualification as a temporary resident in another state will not arise. Once he has been disqualified by his state of residence, he loses his entitlement to drive anywhere because his licence has been removed. After disqualification takes effect in the UK, the driver will remain disqualified in the UK until the end of the period of disqualification—regardless of whether he resides temporarily in another member state during that period. To that end, I urge support for new clause 1 and oppose the amendment.

Mr. James Paice (South-East Cambridgeshire): First, in response to her welcome to the Opposition, I welcome the hon. Lady back after her party conference. I did indeed enjoy our conference, which was not at all like the one that I read about in the newspapers. Obviously there were, two conferences going on in Blackpool last week.

The new clause clearly undermines, as did the interventions of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), the whole thrust of the legislation, which is to reverse into Schengen without proper parliamentary scrutiny of the issues. That was exposed on Second Reading, and the new clause adds a further small element to the Bill. It is not that important on its own, but the overall issue is of great importance. We are adopting a large chunk of the Schengen acquis without the House having proper opportunity to debate it.

The Minister described the intent behind amendment No. 33 clearly, and I have some sympathy for her because the muddle on the issue was not of her making. It was the responsibility of the Under-Secretary of State for Transport, the hon. Member for Plymouth, Devonport (Mr. Jamieson), who dealt with the issue in Committee. Instead of clarifying the issue, he confused it even more. He kindly wrote to me and other members of the Committee at the end of June to try to clarify the issue, but the letter served only to complicate it further. The Minister has made a better job today, despite it not being her departmental responsibility, than did the Minister in Committee.

Mr. Bercow: What was his effort like, then?

Mr. Paice: I am about to tell my hon. Friend. In Committee, the Minister said:

"I am advised that disqualification cannot be served in the other country—it can be served only in the state of the offence."

A few minutes later, he said:

"I am advised that if a UK resident . . . was disqualified from driving in France, he would be disqualified everywhere because he would have no UK licence."—*[Official Report, Standing Committee A*, 17 June 2003; c. 231–2.]

In the letter that the Minister sent to members of the Committee, he said:

"The driver loses his entitlement to drive elsewhere as a result of being disqualified in his State of residence"

that is clear

"and his licence being taken away during his period of disqualification—but he is not disqualified as such in all other Member States."

It seems obtuse to make a distinction between not being entitled to drive and being disqualified.

Mrs. Dunwoody: That is disingenuous. If someone is disqualified in this country, it is well known that they can visit another European state, buy the requisite papers and reappear on British roads with—for example—an Italian licence.

Mr. Paice: I am grateful to the hon. Lady for her intervention. I actually tried to be helpful to her earlier. Inadvertently, she has been helpful to me, because I seek clarification of the confusion.

If we are to adhere to a mutual recognition of disqualification to drive across all the signatory states, an issue of common justice arises. It would receive huge public support if someone who had been disqualified for causing death by dangerous driving in one part of Europe were not allowed to return to this country and drive. That is a valid intellectual argument. If that is to happen, that is what should appear in the legislation, but it does not. If I understood the Minister correctly today, she said that if a British person was disqualified from driving in Germany—I use examples of countries for simplicity's sake and not with any malice aforethought—and then moved to France, the disqualification would not apply because France was not their normal place of residence. However, if that person moved back to Britain—perhaps years later—they would have to serve out that disqualification. The person could be disqualified in Germany for six months, live in Germany for three months, thus serving out three months of the disqualification, then live in France for five years, and then finally move back to Britain—their normal place of residence as a British citizen—and serve out another three months of disqualification. There does not seem to be any justice in that.

4 pm

I gave the example of a disqualified driver moving to France. Disqualification should continue after such a move. Amendment No. 33 contains the phrase "temporarily resided" for that reason. The Minister gave her definition of residence, but she ignored the fact that some disqualifications can last a long time. Some people may choose to move to a country and become normally resident there before they return to the UK and become normally resident here. I think that the Minister said that the required period was 170 days—

Caroline Flint: The period is 185 days.

Mr. Paice: I am grateful to the Minister, but that is still only six months. A person disqualified for three or four years who has stayed only a few weeks in the country of disqualification could fulfil the 185-day requirement in two or three other countries. I do not want to exaggerate, but the Minister seems to be saying that that would not count.

We need to establish mutual recognition of disqualification among all states. The present confusion has not been helped by the contributions of the hon. Member for Plymouth, Devonport. I am sorry that he is not here to try to explain the matter. However, I hope that the Minister understands my point, which is that a disqualified person could cite one of several countries as his country of normal residence during the disqualified period. The amendment would enable the disqualification to run consecutively in whichever country the disqualified person moved to after the offence, and ensure that different approaches are not adopted in different parts of Europe or the signatory states. Otherwise, no one—not the disqualified person, nor any victims—would know the situation with regard to the disqualified person's licence.

Amendment No. 33 is not the lead amendment in this group, and that means that I will not be able to respond to the Minister's reply other than by way of intervention. However, I reserve the right to divide the House on the matter if I am not satisfied with the Minister's response.

Mr. David Heath (Somerton and Frome): The hon. Member for South-East Cambridgeshire (Mr. Paice) was right to say that the Under-Secretary of State for Transport, the hon. Member for Plymouth, Devonport (Mr. Jamieson), is not on the Treasury Bench this afternoon, and also to say that that Minister's presence would not have elucidated matters much this afternoon, given his performance in Committee. In parenthesis, it is a pity too that no Scottish Office Minister is here this afternoon, given that we shall be dealing with matters of Scots law later.

I have no objection to what is proposed in the new clause, and that is why I have tabled no amendment to it. However, it is a little extraordinary that one of the prime purposes of the Bill should be covered by a provision that has been introduced so late. Secondly, I am worried that the new clause is effectively a free-standing provision in this Bill, and that there is no move to amend legislation covering road traffic, freedom of information or data protection. The degree of cross-reference is therefore limited. That structural problem in the statutes may come back to haunt us.

Thirdly, I am worried that the information referred to in the new clause is not limited. The new clause covers any information held under the Road Traffic Act 1988, irrespective of what that information is. It is possible that that Act could be amended at some date in the future to include spurious information that could not properly be disclosed for the purposes of the Schengen information system.

Dr. Julian Lewis (New Forest, East): Is it the hon. Gentleman's understanding of the new clause that only bits of driver information shall be disclosed as and when required, or that an entire database shall be fed into the system, to be dipped into as and when the Governments of other countries in Europe decide that it would be convenient for them to do so?

Mr. Heath: I am grateful to the hon. Gentleman for that intervention. The latter must clearly be the case. One of the concerns about the Schengen information system is that it grows exponentially; the database is large, with a huge number of points of access, in terms of both input and output, thereby allowing the grave danger that incorrect information may be held, with the individual citizen having only limited access to proper recourse.

Dr. Lewis: I am new to this legislation, so I am grateful to the hon. Gentleman for that elucidation. The new clause thus seems to be saying that all the details held about us at DVLA in connection with our driving licences will be available, on tap, to any Government who sign up to the system.

Mr. Heath: That is my understanding, but the Minister will be able to confirm the point far better than me.

Sir Robert Smith (West Aberdeenshire and Kincardine): My question should perhaps be for the Minister rather than my hon. Friend, but can he tell us whether, if someone feels that the wrong information is held on the Schengen database, there is any way that they can seek redress and clarify the information?

Mr. Heath: If my hon. Friend looks at the Bill, he will see that there is—through the data protection commissioner.

Caroline Flint: It is the right of any individual who has incorrect information about them placed on the SIS to apply for it to be removed or corrected.

Mr. Heath: I thank the Minister for confirming my reply to my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir Robert Smith).

Can the hon. Lady help me with what may be merely a printing matter? The new clause is set out in slightly odd way. I believe that the words

"(licensing of drivers of vehicles)"

should be attached to the Road Traffic (Northern Ireland) Order 1981 rather than to the whole new clause. Can the Minister tell me whether that is the case? I assume that the rest of the provision refers to both (a) and (b), whereas the words in parenthesis apply only to (b) as, by definition, they are contained in the Road Traffic Act 1988.

On amendment No. 33, the hon. Member for South-East Cambridgeshire and I tried desperately to get this point across in Committee. On re-reading my contribution to that debate, I think that it was even more confusing than the Minister's, so I shall not repeat what I said on that occasion. However, the hon. Member for South-East Cambridgeshire is on to a good point; surely, if we want disqualifications to be transportable across national borders within the EU, it makes sense that, wherever the individual against whom a disqualification applies is resident, the clock, in terms of natural justice, should still be ticking. It does not make sense for a person to move from one country to another and, at that point, for the term of disqualification to be put on hold—pending—until that person either returns to their country of origin or, curiously, moves to the UK, where the clock would start ticking again. That cannot be the Government's intention, so someone, somewhere, is being obtuse. As many people seem to agree with the hon. Member for South-East Cambridgeshire, while few people agree with the Minister, we may be right.

Our debates have displayed, almost throughout, the desire of the Opposition parties to improve the Bill and to make it work as the Government intend. I hope that we shall not engage in a dialogue of the deaf and that the Minister will accept the fact that we are trying to improve her Bill and to make it workable both practically and in terms of natural justice for those who are affected by it. Simply repeating that the Government disagree is not sufficient to answer the argument. The hon. Member for South-East Cambridgeshire has a good point and it would as well if the Government listened to it.

Caroline Flint: To emphasise a point that I made earlier in relation to new clause 1, I wish to say that there have been a series of House of Lords inquiries into the UK's participation in the Schengen arrangements, and the decision to participate was subject to parliamentary scrutiny. The Bill has provided a further chance to discuss the UK's participation in the Schengen arrangements. So there has been full discussion of the Bill's key provisions, including issues such as cross-border surveillance, which we will come to again later.

I have been asked about those who are disqualified in the UK from driving who are then resident in another country. Let us say, for example, that they have British driving licences and that they are disqualified, but that they are living in France, the parameter for which is that they do so for at least 185 days in each calendar year. I understand that, in those circumstances, the clock would be ticking and the disqualification would obviously apply when they are living in France as well.

We are trying to ensure that such things are understood not only where licences are issued and therefore where disqualification comes about, but where, given the days we live in, people reside in another EU country. If someone were temporarily moving around the EU, the disqualification would not apply in the same respect. If someone's UK driving licence is revoked, that will also apply in the country where they are resident. That should prevent them from driving anywhere. Certain procedures have to be gone through to get a licence in another country, and I imagine that that would be quite difficult to achieve. The disqualification will continue to run in the UK if the offender leaves the country to live in another member state. For these purposes, the offender must be resident abroad for at least 185 days in each calendar year.

Mr. Paice: I appreciate that the Minister is trying to clarify these provisions, but let me pose an example. I appreciate that, if we go too far into examples, we get to specifics, so I shall stick to the example I used in my earlier remarks. Let us suppose that a British citizen commits an offence in Germany and is disqualified from driving by a German court, that he or she then moves to France to live for 180 days—six months—and then returns to Britain. The Minister seems to suggest that that person can drive in France, but that the disqualification, which started in Germany, will be in a state of hiatus until the offender returns to the UK, when the disqualification will be completed. Is my understanding right? I should not refer to this, but I am getting indications that I am right. If that is the case, is it not unjust that that person can continue to drive in France—it could be any other European country—with a hiatus in the period of disqualification, which then resumes when he or she returns to the UK?

Caroline Flint: If people are disqualified from driving and they have a UK licence, it will be revoked. Yes,

someone can continue to drive before a foreign disqualification is recognised in the UK, as the disqualification only takes effect 21 days after the DVLA sends its notice of disqualification to the driver concerned. If UK citizens are disqualified in the UK and they move to France and then back to the UK, they are still disqualified in those circumstances.

Mr. Paice: With respect to the Minister, I am talking not about someone who has been disqualified in this country—the law seems clear about that—but about those who are disqualified for having committed an offence elsewhere. What will happen if they live elsewhere before returning to this country?

Caroline Flint: My understanding is that if UK citizens are disqualified for offences in Germany, that is notified to the DVLA in this country and their licences are revoked. They are therefore disqualified from using those UK licences in France, as well as if they return to the UK—after all, they were UK licences to start with.

4.15 pm

Information in relation to drivers' licences is only provided, as for the Schengen convention, for limited purposes. It will only be the information that is on the driving licence. As I said previously, protection exists both in terms of our data commissioner and for individuals if they want to correct information that is there.

Dr. Julian Lewis: Will the Minister give way?

Caroline Flint: If I may, I shall continue for a moment.

In relation to the point raised about Northern Ireland legislation, separate Northern Ireland legislation exists for holding driving licences, and it must therefore be covered in this new clause.

Mr. Heath: I was not querying for one moment the inclusion of Northern Ireland. I was simply dealing with the printed word in front of us, and given that this is the Report stage, it is the last opportunity to correct it if it is typographically challenged. Will the Minister confirm my view that the words

"(licensing of drivers of vehicles)"

should immediately follow the previous reference in parentheses, "(S.I. 1981/154 (N.I.1))", without a comma, and that the comma should come after

"licensing of drivers of vehicles)"

to bring it into order? If I am wrong on that, I have misunderstood the construction of the clause. I think that that is logical, however, and given that it is important that we get it right, it would be good to change it. I do not know what we do about changing it other than doing so by manuscript amendment or simply accepting that it is a typographical error.

Caroline Flint: My understanding is that the new clause is sufficient as it stands, and we do not see any reason to change it for the purposes of our debate this afternoon.

To return to the scenario in which the Germans regard an offender as normally resident in the UK, they will notify the UK authorities, who will enforce the disqualification. If the offender is normally resident in France, the French, not the UK, will enforce the disqualification. If a UK driver is disqualified in Germany and the driver stops off in France, he is not disqualified until the UK legislation bites. The convention does not allow Germany to notify France or France to disqualify the driver. What we are trying to introduce is a system that is understood both in the member state where a disqualification occurs and which also applies to countries where the individual is resident. I urge the House to accept the new clause and to resist amendment No. 33 for the reasons outlined.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 2

SERVICE OF OVERSEAS PROCESS: SUPPLEMENTARY

Mr. Heath: I beg to move amendment No. 1, in page 2, line 25, after 'privileges', insert 'as a party or'.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 35, in page 2, line 25, after 'a', insert

'party to proceedings or as a'.

No. 2, in page 3, line 11 [Clause 3], at end insert—

'( ) must be accompanied by any translation provided under subsection 3'.

No. 3, in page 3, line 23 [Clause 4], leave out from 'Kingdom' to end of line 24 and insert

'by any method which is in accordance with Rules of Court'.

No. 4, in page 4, line 19 [Clause 5], at end insert—

'( ) must be accompanied by any translation provided under subsection 4'.

Mr. Heath: This group deals with three separate concepts, so I shall deal with each one separately.

The first relates to amendment No. 1. The more astute Member will notice that amendment No. 35 is extremely similar in effect, but my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael)—who, as we know, is learned in both Scots and Udal law—has suggested a variation that is in accord with the advice of the Law Society of Scotland. I am indebted to him for that, as it enables us to put two variations to the Minister. I hope that we will have more success than we had on previous occasions when we have discussed the matter.

The crux of the matter is that it is important to insert in this section of the Bill the concept of a party to proceedings as well as a witness. If I may remind the House, this provision deals with the service of overseas process in this country and the point of the clause is to ensure that the person on whom overseas notice is served is aware of the consequences of that.

Our difficulty is that the Government do not seem to recognise that there can be any category of a party to proceedings who is not a witness within the proceedings. That is self-evidently not the case. For example, it is clear that under this country's law and that of most countries, defendants cannot be compelled to give evidence as witnesses that would indicate their culpability. It is entirely possible that a defendant could

[Mr. Heath]

be a party to a case but not a witness in that case. The same situation applies if spouses are accused of offences that also apply to their partners because the concept of spousal immunity is recognised by most legal systems in the relevant area.

The problem is that there are clearly specific privileges that would accrue to defendants or spouses as defendants in such circumstances so that they would not be witnesses. It simply could not be the case that the privileges of a witness could be considered to include the privileges of not being a witness. That is nonsense in the English language, let alone anything else. We disagree not with the Government's intent but with the Bill's drafting. Clause 2 should include a reference to the privileges of a party to proceedings.

Ministers have previously replied that such a provision is not necessary because anyone who is a party to proceedings is, by definition, a witness, but that is clearly not the case. Their second reply has been that clause 2(1) already deals with the situation, but it does not, because it simply identifies the area under discussion but does not apply to the process or the notice that should accompany that and the extent to which that covers the case.

I ask the Minister to think again even at this late stage because I want to get the Bill right, which it is not at the moment. The defence that the provision was lifted from previous legislation and that it has never caused any problems is no defence at all. The assertion that it has not caused any problems should be followed by the word "yet", because as sure as eggs is eggs, someone will eventually find that something has been done incorrectly because of a lacuna in the law. That will provide a great deal of employment for lawyers but will be of no advantage to any person who will be affected by the Bill.

The second and third concepts addressed by the amendments relate not to the service of overseas process—the heading of the group of amendments—but to the service of UK process overseas, which is the reciprocal, yet equally important, case. Amendments Nos. 2 and 4 relate to the translation that would be made available for a person who may be reasonably assumed not to speak English. There is no question about the Government's intent, but the Bill provides that whereas the court will be given a copy of the process in the relevant language, the person on whom the process is served will not. In a sensible world and in normal circumstances, the court would of course send the document to the person on whom the process had been served, but the Bill does not say that that must happen. It would be better if such a provision were included, which is all the amendments would do. Curiously enough, the provision applies elsewhere in the Bill. It is absurd that clause 3 states that a translation should be provided for the court yet includes no requirement for the translation to be provided to the one person involved in proceedings who does not understand the language in which the document was originally produced—English.

Amendment No. 3 deals with the process of serving a UK notice overseas when that cannot be done by post. Clause 4(1) simply says that that should be

"in accordance with arrangements made by the Secretary of State."

As I said in Committee, that dangerously imprecise term allows the Secretary of State to make up almost anything that he or she considers a sensible process. The British legal system has clear rules on that. Rules of court maintain a serving process that is fair to all. It is axiomatic that there should equally be rules of court that allow for service overseas.

The Minister's objection in Committee was that such a provision could not be drafted to provide the flexibility for all the circumstances in which difficulties might be encountered in the serving process. I accept that we might make the terms more imprecise than the rules of court as they apply in the UK, by both definition and common consent, but the fact that the provision is not to be incorporated other than in guidance gives me cause for concern. Although the Minister has assured us that that will be forthcoming, it is not required by statute.

The Bill is not satisfactory. Rules of court should apply in an overseas context as they would in a domestic serving process. I hope that the Minister has a good reason why that should not be the case.

Mr. Paice: I endorse the remarks of the hon. Member for Somerton and Frome (Mr. Heath). I hope the Minister realises that all Opposition parties are intent on making the Bill understandable, as my hon. Friend the Member for Buckingham (Mr. Bercow) said, by those whom it affects, and comprehensive so that it addresses problems that may arise even if the Government think that they will not. The amendments, especially those on translation, are designed to do just that.

Those of us who have sat on both sides of the House have probably argued at one time or another both that it is necessary and that it is unnecessary to include something in a Bill. It is better to get legislation right first time rather than revisiting or correcting it later. I concur that the amendments are designed to get it right first time. They would not weaken the Bill or make it mean something else. They are simply designed to ensure that it is clearer and covers eventualities that may arise. I hope that the Minister will respond in a similar constructive vein and not simply read out the top line of her brief, which I have no doubt says, "Resist these amendments".

Caroline Flint: We have considered amendment No. 1 carefully and at length. We remain of the view that as a matter of law it is unnecessary. However, in the light of the concern about the issue, and because the amendment does not do any harm, we are prepared to accept it as drafted. We are satisfied that the amendment adds nothing to the clause as it is currently drafted and, indeed, will not result in a different position from that which currently exists under the Criminal Justice (International Co-operation) Act 1990. I am happy to go on the record stating that to be our considered view.

When a defendant takes the stand, he does so as a witness. That is the crucial point to keep in mind. There is no reason to read the word "witness" in clause 2(3)(c) as excluding the defendant. The meaning given to "witness" in the "Concise Oxford English Dictionary" is a

"person giving sworn testimony in a law court or for legal purposes".

The word may be used in statutory provisions as including defendants. For example, section 51 of the Criminal Justice and Public Order Act 1994 governs

intimidation of witnesses. The provision, of course, also covers the intimidation of defendants in respect of their evidence.

I see no reason why clause 2(3)(c) is any different. There is no reason why it should be read as not requiring a notice to be given to a defendant. The notice must be given to persons both where they appear as a party to the proceedings and where they attend as a witness. That is because subsection (1) provides that subsections (2) and (3) apply to both parties and witnesses. Therefore, a notice will always be given to a party to the proceedings, as well as to a witness. However, we need refer to a witness in subsection (3) only because—I stress this point again—when a defendant takes the stand, he does so as a witness in the proceedings.

4.30 pm

Two types of privilege afforded to defendants were given as examples in Grand Committee by noble Lords wishing the amendment to be carried: the privilege against self-incrimination and spousal immunity. However, both these privileges are afforded to the party as a witness. It is true that a party could not be compelled to give evidence, whereas a witness could, subject to the right not to incriminate himself. But that is a privilege afforded to the party as a witness. Similarly, for example, under section 80(4) of the Police and Criminal Evidence Act 1984, a spouse who is also charged in proceedings is not compellable. Again, that is a privilege afforded to the party as a witness. We have identified no rights and privileges that would be accorded to a party in the proceedings, in addition to those that he would already be accorded as a witness.

Clause 2 is different from the 1990 Act only in that it refers to a party to the proceedings, as opposed to a defendant, but that is to cover different Scottish nomenclature of persons appearing before a Scottish court and the fact that some of the proceedings in question are not purely criminal. There is no difference of substance between the 1990 Act and clause 2(3)(c) and, for the reasons that I have given, we are happy to accept the amendment as drafted.

I assume that amendment No. 35 will not be moved as I have accepted amendment No. 1 and see no merit in the longer variation. We strongly prefer amendment No. 1 and see no reason for introducing the reference to proceedings, as amendment No. 35 does. We do not see that this provides any further clarification.

We do not consider amendments Nos. 2 and 4 to be helpful or necessary. I have read the *Hansard* report of discussions on the matter with my predecessor. Subsection (3) of clause 3 refers to all process. Translations must be provided for any process where the person at whose request it is issued believes that the intended recipient does not understand English. All that subsection (4) does is to impose additional requirements where the process relates to a party or a witness. Subsection (4) creates additional obligations, but does not limit the overriding obligation for translation of all types of process to be provided in subsection (3). It would not be necessary to insert a reference to forwarding translations in subsection (4), as that is already provided for in subsection (3).

Where a translation of the process is required, it is wholly reasonable to expect the court to forward it. That goes for translations relating to parties or witnesses, as well as other types of process, such as court judgments. The act of sending the process from the court is not set out in the Bill, which is limited to setting out the requirements for issuing process, the relevant requirement being that a translation is provided. The sending procedure is currently covered by rules of court, which state that where a summons is issued or order made for service outside the UK, it shall be sent by the justice's clerk to the Secretary of State. Updated rules will reflect the options to send it either to the Secretary of State or direct to the recipient, but will otherwise reflect the existing ones. We believe, therefore, that where it is required, translation will be forthcoming and that further amendment is not necessary.

Mr. Heath: Clearly, there is provision for a translation to be made and for the notice to be transmitted to the person. I understand that. Is the Minister saying that the copy, translated into an appropriate language, will form part of the process? If so, she is right—my amendment becomes unnecessary. It would be helpful if she would confirm that.

Caroline Flint: I understand that to be the case. I hope that reassures the hon. Gentleman.

Mr. Heath: It does.

Caroline Flint: Finally, let me deal with amendment No. 3. As I explained in my letter of 16 July to members of the Committee, we cannot accept the amendment. In the first instance, we do not consider that rules of court are an appropriate method for setting out what the Secretary of State will do. As hon. Members are aware from our discussions in Committee, under the new arrangements for the service of process required by Schengen and MLAC—the mutual legal assistance convention—it will become routine for the majority of procedural documents to be sent directly from the issuing authority in this country, without any involvement of the Secretary of State. When he is involved, however, existing and long-established practices will be followed. Service of process via the Secretary of State is not new: it existed under the 1990 Act and has worked effectively. That was discussed in Committee. The Bill is not designed fundamentally to change our mutual legal assistance system—it builds on existing arrangements, amending them where appropriate to accommodate the new requirements of, for example, Schengen. That is a clear example of an area of mutual legal assistance in which there is no merit in creating additional bureaucracy where the established system has worked very effectively.

We do not agree that the approach that we have chosen risks successful challenges in subsequent domestic proceedings. Rules of court made under the 1990 Act already set out what constitutes proof of service of summons outside the United Kingdom. They provide that

"the service on any person of a summons issued under section 2(1) of the Act may be proved in any legal proceedings by a certificate given by or on behalf of the Secretary of State."

Those rules of court will be updated to reflect the new legislation.

Authorities issuing process will request personal service, via the overseas central authority, if proof that the recipient has received the process is required. In the

[Caroline Flint]

case of documents bound for recipients in EU and Schengen member states, the issuing authority may itself send the documents to the overseas central authority requesting personal service, bypassing the Secretary of State. Rules governing his activity would therefore not be helpful.

Service of domestic court process on people residing in the UK is done not by the Secretary of State, but by the court. Service of summonses in the purely domestic context is very different from service on people residing overseas, most importantly because a summons served on someone present in the UK obliges them to attend court. By contrast, a summons served on someone overseas does not impose any obligations to attend, nor does failure to comply result in any sanctions being taken.

For those reasons, we accept amendment No. 1 and ask that amendments Nos. 2, 3 and 4 be rejected.

Mr. Heath: I am extremely grateful to the hon. Lady for her response to this group of amendments. We are making real progress in three respects. First, the hon. Lady accepted my amendment No. 1 and implicitly rejected that of my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael), which is a little long-winded. Secondly, she accepted the principle of what I was trying to achieve in amendments Nos. 2 and 4. I am most grateful to her for confirming that the translation forms part of the process at the point at which it is provided to the court. I was trying to ensure that it did not become a separate document that was not necessarily transmitted to the intended recipient, which would have made nonsense of the whole provision. Thirdly, in relation to amendment No. 3, the hon. Lady indicated that there would, as I had hoped, be a consequent amendment to the rules of court to deal with the provisions of the Bill, so my amendment becomes unnecessary.

I consider this to be one of the finest victories that we have achieved in the course of these proceedings and this group of amendments to be one of the best that we will debate today. I am happy to allow amendment No. 1 to be put to the vote and certainly do not intend to press any of the others.

Amendment agreed to.

Clause 7

REQUESTS FOR ASSISTANCE IN OBTAINING EVIDENCE ABROAD

Mr. Alistair Carmichael (Orkney and Shetland): I beg to move amendment No. 37, in page 5, line 43 [Clause 7], at end insert—

'(8) Nothing in this section shall permit the disclosure of items subject to legal professional privilege.'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 38, in page 13, line 33 [Clause 22], at end insert,

"other than any item subject to legal professional privilege."

No. 39, in page 15, line 7 [Clause 26], at end insert—

'( ) A court in Scotland may not issue a warrant under section 18 or 22 in respect of any evidence unless the court has reasonable grounds for believing that it does not consist of or include items subject to legal privilege.'

No. 40, in page 22, line 21 [Clause 37], at end insert—

'(9) Nothing in this section shall permit the disclosure of items subject to legal professional privilege.'.

No. 41, in page 23, line 38 [Clause 40], at end insert—

'(8) Nothing in this section shall permit the disclosure of items subject to legal professional privilege.'.

No. 42, in page 25, line 43 [Clause 43], at end insert—

'(8) Nothing in this section shall permit the disclosure of any item subject to legal professional privilege.'.

No. 43, in page 26, line 21, [Clause 44], at end insert—

'(6) Nothing in this section shall permit the disclosure of any item subject to legal professional privilege.'.

Mr. Carmichael: Now that we appear to be on a roll, I look forward to a similarly positive ministerial response. Like the amendments tabled by my hon. Friend the Member for Somerton and Frome (Mr. Heath), these amendments may or may not need to be in the Bill, but there is no harm in putting them there. I therefore commend the Minister for her logic on the previous group of amendments and encourage her to be consistent in her approach.

I associate myself with my hon. Friend's earlier comments about the regrettable absence of Scotland Office Ministers. Some of the matters that we are considering have a significant impact on Scots law and it is unfortunate that no one from the Scotland Office is present.

Annabelle Ewing (Perth): Is it not also a matter for regret that no Labour Back-Bench Member who represents a Scottish constituency is present?

Mr. Carmichael: It is a matter for regret, but perhaps not of massive consequence. I am sure that the fact that Dover house is in a frenzy of activity, preparing for this evening's reception to honour the Scottish brewing industry, is unrelated to such absence. Having been party to proceedings in Committee and on the Floor of the House, I say in all candour that, given the choice between a brewery reception and today's proceedings, I understand the temptation of attending the former.

The amendments in the group are perhaps not the most exciting that will be presented in the House. None the less, they are important because they relate to the lawyer-client relationship and the privilege that attaches to it. The importance of privilege in that context cannot be overestimated. It is fundamental to the working of the relationship that both parties are secure in the knowledge that the information that passes from one to the other cannot be disclosed to a third party, other than with the client's consent. If privilege is removed, all clients will have at the back of their minds the question, "Should I be telling my lawyer this?" Once that doubt appears, we are on a slippery slope. It is therefore important to place protection of lawyer-client privilege in the Bill.

Amendments Nos. 37, 40, 41, 42 and 43 are almost identical. They would all add an extra subsection to the various clauses. They state:

"Nothing in this section shall permit the disclosure of items subject to legal professional privilege."

The clauses are 37, which deals with letters of request for assistance in obtaining evidence from abroad; 40, which relates to account information; 43, which deals with information about a person's bank account, and 44, which covers monitoring banking transactions. It is easy to understand that privileged information could be held in all those circumstances.

The purpose of the amendments is simply to incorporate in the Bill the express protection that the lawyer-client relationship should receive. The genesis of the amendments is the Law Society of Scotland, which raised its concerns with me and other hon. Members who represent Scottish constituencies. The Law Society of Scotland is not known for expressing vexatious concerns about important matters and I therefore hope that the Minister will take it on board that the amendments have that body's imprimatur.

Amendment No. 38 would amend clause 22, which affects overseas freezing orders. It would place some limit on the extent of the evidence that may be seized and retained under clause 22(1)(b). Under the Bill, courts may issue a warrant that authorises a constable to

"seize and retain any evidence".

Again, a provision should be expressly included in the Bill that that which is subject to the lawyer-client privilege should not be capable of seizure under a warrant, or, indeed, that a warrant would not extend to such information.

4.45 pm

Amendment No. 39 to clause 26 proposes to insert Scotland into the list of countries to which the clause applies. This is to ensure that Scottish judges would not be able to issue warrants unless they believed that the material seized did not contain items that were subject to the legal professional privilege. Clause 26 currently provides that courts in England, Wales and Northern Ireland may not issue warrants for evidence

"unless the court or justice has reasonable grounds for believing that it does not consist of or include items subject to legal privilege, excluded material or special procedure material."

In Scotland, courts do not have excluded material or special procedure material, but they recognise material subject to legal professional privilege. It therefore seems eminently sensible that Scotland should be brought within the ambit of the clause. I look forward to hearing the Minister's comments on the amendments.

Mr. Nick Hawkins (Surrey Heath): I support what the hon. Member for Orkney and Shetland (Mr. Carmichael) has just said. I also echo his tribute to the Law Society of Scotland, which has assisted him, me and other colleagues in our consideration of this Bill and other legislation. We are grateful for the work of its director, Michael Clancy, for whom we all share a great deal of respect.

The hon. Gentleman was perhaps a little bold to say that he was on a roll after the hon. Member for Somerton and Frome (Mr. Heath) had claimed all the credit for getting the Government to accept the previous amendments, and been rather churlish about his own amendments.

Mr. Carmichael: I am quite accustomed to my hon. Friend the Member for Somerton and Frome (Mr. Heath) claiming all the credit, and over the last two and a half years I have learned to ignore it.

Mr. Hawkins: I am glad that there is such amity on the re-cast Liberal Democrat Front Bench.

These are important matters, and the hon. Member for Orkney and Shetland will recall that we had a brief discussion about legal privilege in Committee on 10 June, when the issue came up under clause 10(3)(d). On that occasion, we were talking about domestic freezing orders. In the light of the Minister's helpful acceptance of what my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) and the hon. Member for Somerton and Frome said about consistency during our consideration of the previous group of amendments, I hope that she will say that the amendments in this group would do no harm to the Bill and would also add helpful safeguards and consistency.

I would particularly like to support what the hon. Member for Orkney and Shetland has just said about overseas freezing orders. Given that the Government have already referred, in clause 10(3)(d), to items subject to legal privilege in the context of domestic freezing orders, we definitely ought to have the same safeguards for overseas freezing orders. If I may pick out just one of the hon. Gentleman's amendments, that amendment in particular should commend itself to the Government. I hope that, even if the Minister cannot accept the other amendments in the group, she will accept that one, because it is quite apparent that there should be consistency between domestic and overseas freezing orders. If a legal professional privilege safeguard is already included in clause 10 for domestic freezing orders, the same safeguard should be included for overseas freezing orders.

We all share the views of the Law Society of Scotland—I am sure that the Law Society of England and Wales holds similar views—about the need for legal professional privilege to be written into the clauses for the protection of clients and the sanctity of the lawyer-client confidential relationship, and it would be of enormous help if the safeguards in all the hon. Gentleman's amendments were added to the Bill. I do not need to say more than that.

Annabelle Ewing: I support the amendments tabled by the hon. Member for Orkney and Shetland (Mr. Carmichael). The Law Society of Scotland assisted him, and I offer my thanks for the briefing it gave me.

The amendments deal with the key principle of Scots law on legal privilege. That important principle has been recognised by the European convention on human rights, yet, curiously, no account has been taken of it in the Bill. As a Scottish National party MP, I should add that that is not too surprising, because unfortunately the interests and integrity of Scots law is overridden by

[Annabelle Ewing]

Westminster time and again. In this period of consensuality, it is aided and abetted by the Labour-Liberal Democrat Scottish Executive in Edinburgh, who seem quite happy consistently to transfer the legislative competence of the Scottish Parliament to Westminster by way of Sewel motions.

Mr. Carmichael: Can the hon. Lady tell me how many Sewel motions the Scottish National party has opposed?

Annabelle Ewing: No, not off the top of my head, but I shall let the hon. Gentleman know. There have been some 60 Sewel motions, despite the fact that we were told by one of the architects of the Scotland Bill—the late Donald Dewar—that they would be used only in exceptional circumstances. However, I do not want to take up time on that subject: I mention it in passing for the record. I am happy to lend my party's support for the substance of the amendments. I urge the Minister to listen carefully to what has been said, and to accept the amendments.

Caroline Flint: I am afraid that I shall disappoint hon. Members. We do not believe that the amendments are necessary, so I cannot accept them. I hope that I can allay the concerns of hon. Members about the protection of legally privileged material.

There is extensive case law on legal professional privilege, which is a fundamental condition on which the administration of justice rests. In a recent House of Lords judgment, legal professional privilege was upheld as an attribute of the right to legal confidentiality that arises as a matter of substantive law. Legal advice cannot be obtained unless a client is able to put all the facts before the adviser without fear that they may afterwards be disclosed and used to the client's prejudice. The judgment confirms that such a fundamental right cannot be overridden by general or ambiguous statutory words. An intention to override such rights must be expressly stated or appear by necessary implication. I suggest that nothing in the Bill explicitly or implicitly allows for the disclosure of items subject to legal professional privilege.

References to legal professional privilege in clauses 7 and 22 are unnecessary for the reasons I have given. Nothing in those clauses would override that fundamental right.

We consulted the Scottish Executive extensively on the drafting of the Bill, and on our response to the amendments to clause 26. We have good contacts at official level. I understand that the Law Society of Scotland has not approached the Scottish Executive about this matter, so we are confident that the Bill is correct.

Mr. Carmichael: There is no reason for the Law Society of Scotland to approach the Scottish Executive on matters that are before this House. If approaches are to be made, they should be made to the Home Office or to the Scotland Office. An approach may have been made to the Scotland Office, but we cannot know that because no Scotland Office Minister is present. There is a need to include Scotland in the Bill, because failure to do so will surely lead any judge seeking to construe this clause in Scotland to say that Parliament intended the provision to apply to England, Wales and Northern Ireland, but that if it had intended it to apply to Scotland it would have said so.

Caroline Flint: I understand that the Scottish Law Society has not contacted anyone in my Department about these issues.

Annabelle Ewing *rose—*

Caroline Flint: If I may continue, I shall get to the crux of the issue and explain why I do not think that the amendment should be accepted.

I was talking about the amendment to clause 26. Search warrant procedure in Scotland differs from that in the rest of the United Kingdom, and the search warrant procedures in the Police and Criminal Evidence Act 1984 do not extend to Scotland. The common law principle of legal client confidentiality would apply to the execution of warrants granted under the Bill.

In certain circumstances it may be appropriate to have a definition in Scotland that equates to that used in the rest of the UK. That applies to some aspects of mutual legal assistance when requests for assistance are being sent to a variety of jurisdictions, as well as pertaining to international criminal investigations that may originate in both Scotland and England. Clause 10, which implements the new provisions relating to outgoing freezing orders, is one such instance. Clause 10(3)(d), which applies in Scotland, contains the term

"items subject to legal privilege".

The appropriate definition relating to Scotland is provided in clause 28(4).

Let me stress again that the amendment is not required for Scotland, particularly in relation to clause 18, as it would be tautological. The clause gives the sheriff the same powers in relation to granting a warrant as he has in domestic cases under section 134 of the Criminal Procedure (Scotland) Act 1995. He is therefore already required to take into account any question of legal client confidentiality. The amendment would also put Scotland in a different position from the rest of the UK, where search warrant provisions do not include any provisions additional to or different from the provisions in PACE. A sheriff faced with a provision as amended would be entitled to believe that there was a different standard to be applied by him in consideration of the application. That is not the intention of the Bill.

Amendments Nos. 40, 41, 42 and 43 all relate to chapter 4, which concerns banking information. Customer information cannot relate to legally privileged material—that is, communications between a professional legal adviser and a client in connection with the giving of legal advice, or in contemplation or for the purposes of litigation. Customer information orders can be made only against financial institutions that are defined by reference to the Proceeds of Crime Act 2002, and only in relation to customer information. We do not see how the subject matter of the orders could constitute legally privileged material. All four clauses covered by the amendments relate to orders made against banks

and other financial institutions to obtain specified information. Any reference to legal professional privilege would be irrelevant in such circumstances.

For those reasons, I am afraid that we cannot accept any of the amendments.

Mr. Carmichael: When I was a solicitor practising in the courts I often found myself engaging in arguments or debates about questions of legal or statutory construction. One would ask oneself, "How on earth did Parliament not see that coming? Why on earth did it leave such an ambiguity?" Following my election I know that Parliament usually did see it coming, but that officials told the Minister that action was not necessary, and that was the end of the matter.

May I clarify the issue of the Law Society for Scotland? I am not sure what point the Minister was trying to make when she said that there had been no contact between the society and the Scottish Executive. We do not know about the Scotland Office, and the Minister tells us that she has heard nothing from her Department. I have here a briefing letter from Michael Clancy. I do not know whether the Minister is trying to suggest that the society does not support the amendments, but that is clearly not the case.

Caroline Flint: I was not suggesting for a minute that the Law Society for Scotland had not lobbied the hon. Gentleman. I merely said that I understood that no such lobbying had taken place with the Scottish Executive or with officials from my Department dealing with the Bill.

Mr. Carmichael: The fact remains that that is the society's view, and I hoped that it would be given rather more consideration than the Minister appears to have given it today.

The Minister was doing so well, but she seems to have lost the track. She has made me not angry, but a little sad and disappointed in her. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 27

EXERCISE OF POWERS BY OTHERS

Mr. Paice: I beg to move amendment No. 34, in page 15, line 35, leave out 'Treasury' and insert 'Secretary of State'.

This is a small but important matter. One reason why we tabled this amendment for consideration was to give the Government the opportunity to come back to the House. The hon. Member for Coventry, North-East (Mr. Ainsworth), who dealt with this issue previously as a Minister—he has been elevated to deputy Chief Whip—accepted that the existing brief did not clarify matters as well as he would have liked. In fact, he said:

"I am not certain to what degree I am prepared to resist."—[*Official Report, Standing Committee A*, 12 June 2003; c. 121.]

5 pm

I previously urged the current Minister not to read out a line about resisting, and she heeded my advice and immediately accepted the amendment tabled by the hon. Member for Somerton and Frome (Mr. Heath), so I hope that she will follow the example of the hon. Member for Coventry, North-East, but perhaps her resistance will prove stronger than his did. As a Minister, he undertook to seek further advice from the Treasury about whether it wanted the Government to continue to resist the amendment, and my first request to the current Minister is to give us the benefit of that further advice.

There is a serious point that I want to reiterate. We did not debate this issue in Committee through an amendment, so this is the first time we have been able to consider amending the Bill in this way. You have much more experience of such matters than me, Mr. Deputy Speaker, but it is surely very rare, if not completely unheard of, for a Bill to include powers for "the Treasury" to grant an order. It is customary for legislation to give powers to "the Secretary of State", because such terminology covers any senior Minister and Cabinet member who is responsible for a Department. Indeed, that procedure is commonplace. We never specify the Secretary of State for a particular Department, so as to allow for future changes; however, this Bill gives power to "the Treasury".

I argue against doing that, and in two valid ways. First, if by "the Treasury" the Government mean the Chancellor of the Exchequer—or any other Treasury Minister—I see no reason why he should not be classified as a Secretary of State. Perhaps the Minister can say whether there is some legal reason why the Chancellor, despite being in charge of a Government Department, is not considered a Secretary of State. My understanding is that he is so considered—he is certainly paid the same as the other Secretaries of State—so I see no reason why the generic term cannot be used.

We face another oddity. The Treasury itself is an institution, not a person. In legislation, we carefully give powers to Ministers and to Secretaries of State. They are people—members of the Government acting on the Government's behalf to introduce orders for our consideration. It seems odd to seek to give power to an institution, to a building. If the legislation has to be related to the Treasury—I will take a lot of convincing that that is so—why does it not specify the Chancellor of the Exchequer or, as I said in Committee, the Prime Minister, who is First Lord of the Treasury? I cannot understand why the Bill should refer to a building.

Dr. Julian Lewis: Since entering this House in 1997, I have never seen a Bill that referred to a ministry rather than to a Secretary of State. The only explanation that I can think of for the failure to refer to a Secretary of State, or to the Chancellor of the Exchequer by his office, is the current state of relations between No. 10 Downing street and the Exchequer.

Mr. Paice: I cannot deny that the thought crossed my mind, but I am perhaps too nice a person to make such an allegation. *[Interruption.]* I hear the Government Whip say, "Surely not", and he is probably right. I shall make amends later.

I am making an important point. On the one hand, we are giving powers to an institution rather than specifying an individual Minister or using a generic term for a member of the Government. On the other hand, we

[Mr. Paice]

seem to be restricting the powers to a specific Department. When we debated the issue in a stand part debate in Committee, it was argued that the Treasury might wish to make legislation about Customs and Excise. I understand that, but that is to presume that, for ever and a day, Customs will be part of the Treasury. That may or may not be the case, but the same argument could be advanced for any other Government institution.

The issue of whether an area of policy will always be associated with a specific Department is important and is precisely why we do not specify Secretaries of State for individual Departments. We always use the generic term "the Secretary of State", so I cannot understand why, in respect of making an order for the consideration of the House, the Government persist with using the term "the Treasury". The Minister was reasonable earlier when she accepted an amendment, and I hope that she will not resist this one.

Mr. Heath: The amendments need not detain us long, but the hon. Member for South-East Cambridgeshire (Mr. Paice) has put his finger on what appears to be an anomaly within the Bill. I share his view that given that countless examples of legislation refer to "the Secretary of State" in the generic sense, it is curious that these provisions differ. We have both dealt on many occasions with legislation that encompasses the duties of Her Majesty's Customs and Excise within that generic term. We have considered statutory instruments covering both the police and Customs and Excise that happily specify the Secretary of State.

The only Minister continually singled out and identified in legislation by title—chaos will be caused in abolishing the position—is the Lord Chancellor. He is not a generic Minister because of the present confused position regarding who is the head of the judiciary. I have no idea why the Treasury has been identified in the provisions. I hope that it does not encompass the Treasury in the sense of something other than the Ministers as such—not only the First Lord of the Treasury and the Chancellor of the Exchequer, but the Lords Commissioners, the Comptroller of Her Majesty's Household and the crew who sit at the far end of the Treasury Bench. If they are to determine the future of the legislation, we have very serious cause for concern.

The Minister certainly owes us an explanation—her ministerial colleague was unable to provide it in Committee—that is rather more convincing than the simple argument that because there might be a reference to Her Majesty's Customs and Excise, the Treasury has to be specified by name. I express the hope that the enforcement functions of Customs and Excise will eventually not be the responsibility of the Treasury. I have held that view for some time and I would like to see that area of responsibility under an entirely different Department. That is an aside, but the hon. Lady must explain why the Bill is formulated as it is.

Caroline Flint: My predecessor, my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth), said in Committee:

"I shall seek further advice from the Treasury about whether it would want us to continue to resist the amendment."—[*Official Report, Standing Committee A*, 12 June 2003; c. 121.]

I am afraid, however, that resist I must. We reflected further on the issue, which is connected with Customs and Excise. The power to make orders conferring powers on Customs is properly exercisable by the Treasury—the Department to which Her Majesty's Customs and Excise is answerable. We consulted Customs on that matter.

Clause 27(1) creates a power to grant certain powers specifically to Customs and Excise. It is correct that the Treasury makes the order. Similar references in other legislation—for example, section 114 of the Police and Criminal Evidence Act 1984—give the Treasury the power to make provisions by order. There are other, more recent precedents for referring to the Treasury when conferring powers on customs officers, including section 7(7) of the Criminal Justice (International Co-operation) Act 1990, as well as more recent legislation on income tax and finance. Precedents exist, and there is little more to say. That is the protocol used.

Mr. John Gummer (Suffolk, Coastal): Why cannot the Minister accept the amendment? I understand why she says that the provision is reasonable as it stands, but now that the matter has been raised it would not matter if the words were changed to read "Secretary of State". As long as the Treasury continues to have control over Customs and Excise, the Treasury can use the powers. The refusal to accept the amendment leads many of us to suspect that there is something behind it. Why will the Government not give way on this issue when it does not seem to matter very much? Is there something behind it?

Caroline Flint: No, there is nothing behind it. The issue is straightforward. The phrase "the Treasury" has been used in numerous other pieces of legislation. There is nothing to be gained by muddying the waters and changing the legislation today, and for that reason we will not accept the amendment.

Mr. Paice: The Minister is being unduly difficult. This is not a major issue, but it is important. I am grateful to her for producing some precedents, but that does not mean that we have to follow them. We have identified what we believe to be a misuse of language and an oddity in the reference to an institution as opposed to an officeholder. The Minister has not answered my question about whether the Chancellor is a Secretary of State.

My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) suggested that there might be something behind the Government's use of language, and it could be concern on the Chancellor's part that some other Secretary of State might introduce an order affecting Customs and Excise without the Treasury knowing about it. However, the prospect of the present Chancellor not knowing what is going on in another Department is difficult to accept. He seems to know—if not dictate—what happens in every other Department.

I fear that the Minister has failed to persuade us on this issue. She has not told us why it would be wrong to use the usual term, so I wish to divide the House on the matter.

Question put, That the amendment be made:—

The House divided: Ayes 191, Noes 300.

Division No. 323] **[5:13 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Hugh Robertson and
Mr. Robert Syms

NOES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*

Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Jim Fitzpatrick and
Vernon Coaker

Question accordingly negatived.

Clause 28

Interpretation of Chapter 2

Caroline Flint: I beg to move amendment No. 14, in page 16, line 19, leave out from 'means' to end of line 22 and insert

'the Framework Decision on the execution in the European Union of orders freezing property or evidence adopted by the Council of the European Union on 22nd July 2003'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 15 to 17 and 19 to 27.

Caroline Flint: I should like to say a few words about these Government amendments, bearing in mind the fact that we were criticised—I think, unjustly—during earlier debates for not having brought new clause 1 to the House's attention earlier, during proceedings in Committee. So I want to put on record the reason why these technical amendments are being moved today.

These technical amendments have been tabled to take account of the recent adoption, on 22 July, by the European Council of the framework decision on the execution in the European Union of orders freezing

property or evidence. Now that the framework decision has been formally adopted, it makes for good drafting in the Bill to refer to the final form of the decision. The Bill currently refers to the relevant framework decision, and secondary legislation would be required to identify the framework decision and the provisions of the decision defining what are listed offences covered by freezing orders and what is the specified information to be contained in a certificate accompanying the orders.

Under the amendments, the Bill will refer to the framework decision as formally adopted, giving the provisions greater clarity. The relevant definitions in clause 28 and schedule 4 will be amended to refer to the framework decision itself and to the specific provisions in the framework decision that have been formally adopted.

Amendment agreed to.

Amendments made: No. 15, in page 16, line 31 [Clause 28], leave out from 'in' to 'of' in line 32 and insert 'Article 3(2)'.

No. 16, in page 16, line 33 [Clause 28], leave out 'such an order' and insert

'an order made by the Secretary of State'.

No. 17, in page 16, line 40 [Clause 28], leave out from 'by' to 'or' in line 42 and insert

'the form of certificate annexed to the relevant Framework Decision'.—*[Caroline Flint.]*

Clause 33

MAKING, VARYING OR DISCHARGING CUSTOMER INFORMATION ORDERS

5.30 pm

Mr. Heath: I beg to move amendment No. 6, in page 20, line 3 [Clause 33], leave out paragraph (a).

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 7, in page 25, line 7 [Clause 43], leave out 'bank' and insert 'financial institution'.

No. 8, in page 25, line 26 [Clause 43], leave out 'banks' and insert 'financial institutions'.

No. 9, in page 25, line 32 [Clause 43], leave out 'bank' and insert 'financial institution'.

No. 10, in page 25, line 33 [Clause 43], leave out 'bank or banks' and insert 'financial institution or institutions'.

No. 11, in page 26, line 20 [Clause 44], leave out 'banks' and insert 'financial institutions'.

No. 12, in page 27, line 9 [Clause 46], leave out paragraph (b).

Mr. Heath: Amendment No. 6 will be familiar to members of the Standing Committee, and particularly to Conservative Front-Bench Members, who were happy to move a similar amendment in Committee. I hope that they still feel able to support the sentiment involved.

We have a serious problem with the scope of clause 33(3)(a), which allows that the application for information on monetary transactions may specify as a single entity all financial institutions. Without wishing to spend a lot of time explaining our objections to that, it seems to us that framing the provision in that way, so that every financial institution in the country must provide the relevant transaction information, or at the very least, look for it, implies a substantial burden on those institutions, to no great effect, first because the vast majority of them will be irrelevant to the investigation in question, and secondly because if all the institutions provide information, it will be extremely difficult for the investigating authorities to process it. I referred in Committee to the difficulties that the National Criminal Intelligence Service has in current circumstances in dealing with the amount of financial information involved, and such an increase would overwhelm its investigation systems. Moreover, if the evidence on the basis of which a request is made is so flimsy that it is impossible to identify even a class of financial institutions that should properly provide the necessary information, that suggests to me that that evidence is insufficient to be acceptable as a trigger for the procedure in the first instance.

In addition, as I said in Committee, I think that the drafting of clause 33(3)(b) and (c) covers all eventualities. I asked the Minister in Committee what would be the effect on any proposed investigation that she could envisage if paragraph (a) were missing. She did not give a convincing answer with regard to anything that would fall outside the provisions of paragraphs (b),

"a particular description, or particular descriptions, of financial institutions"

or (c),

"a particular financial institution or particular financial institutions".

Paragraph (b) allows for a class of financial institutions which, under the extreme circumstances adduced by the Minister—for instance, an anti-terrorism investigation—could be extended to include all financial institutions, so paragraph (a) is otiose. I hope that the hon. Lady will consider further whether including paragraph (a) will not put an unnecessary burden on our financial institutions, which the British Bankers Association identifies as the part of the Bill with which it cannot agree. The Government should think again.

Amendments Nos. 7 to 11 relate to circumstances in which account information could be sought by British authorities from overseas authorities. In Committee, I drew attention to the fact that, in considering this country, we refer to financial institutions, whereas in considering other countries, we refer to banks. I asked whether there was a reason for that, and whether it would be better to delete the word "bank" from the Bill and replace it with "financial institution", which the amendments would do. The Home Office and the Minister have considered that and I am grateful that the hon. Lady wrote to me to explain the thinking behind the Department's view.

I hope that I summarise fairly what the Minister wrote. She said that, in relation to a request from an institution in this country, since we have a loose definition of banks but a safe definition, in legal terms, of financial institutions, that is the proper term to use, which I accept entirely. However, she said that, in considering overseas authorities, definitions are necessarily enshrined in those countries' domestic legislation, and nothing to do with what we might care to say in our legislation. Those arguments are absolutely

[Mr. Heath]

right, but I am worried that the use of the word "bank" in the Bill will limit the scope of what could properly be requested from an overseas authority to information from either what a British court would define as a bank, which is a narrow and incomplete definition compared with that of a financial institution, or what an overseas body defines as a bank, which might be a limited subset of all the financial institutions in a country. For example, there are many mutual credit organisations in France that are not banks, by definition, but are nevertheless financial institutions in which people deposit money and to which I hope the provisions would apply.

The substitution of the word "bank" for "financial institution" when dealing with our requests to overseas authorities limits ab initio what we may ask for, which is an inherently weaker position. I ask the Minister to consider again whether the arguments in her letter hold water.

Amendment No. 12 relates to provisions for introducing new offences, effectively by negative resolution, through a decision by the Council of Ministers, which would be translated into British law with minimal scrutiny in this country. That is objectionable. The argument made in Committee was that we should not wish to overload this Parliament with scrutiny. When considering overseas requests to scrutinise the bank accounts of citizens of this country, we owe it to them to apply a little more scrutiny than that implied by the provision. The offences might be determined by qualified majority voting in the future, so the Council of Ministers could vote to overrule a British Minister and add offences to the list. The British Government would be required to add offences to the list with which they did not agree because they had been outvoted under QMV and there would be only minimal scrutiny by the House. Many hon. Members, myself included, do not think that that is acceptable. At the very least, a proper process of scrutiny in the House is required so that we constituency Members of Parliament may speak up for constituents who might be affected by such a decision. I make no apologies for taking an apocalyptic view. I do not think that the circumstances that I have described would arise in a reasonable scenario, but they could. It is right that when we legislate for the UK we consider the worst case rather than the best case. That is why the amendment is necessary.

This group of amendments is important, and it needs careful scrutiny because the process, although necessary, is intrusive. We have no argument with the basic principles of what the Government are trying to achieve, but the House should have careful control of the process. The wording is important because it may reduce the measures' effectiveness by applying too heavy a burden on those on whom they bear, by incorrectly defining the circumstances in which the powers can be used or by allowing an expansion of the powers without the proper imprimatur of the House, which is an important part of our legislative process.

Mr. Paice: I endorse and support what the hon. Member for Somerton and Frome (Mr. Heath) said. I reminded myself that we debated the earlier version of amendment No. 6, which my hon. Friends and I tabled, 35 minutes after the Minister started her first day in Committee, having just taken up her responsibilities. She acquitted herself well, but she has had four months to reflect on her answer. I hope she realises that our case on the wide terminology of "financial institutions" has some validity.

I do not want to repeat the arguments made in Committee or by the hon. Gentleman, but the hon. Gentleman was right to refer to the Minister's justification that all financial institutions may need to be considered in a major terrorism investigation. Nothing in the amendment would remove that possibility. The hon. Gentleman said that clause 33(3)(b) and (c) will allow such an investigation to be carried out. In addition, subsection (2) allows a further application to be made ex parte to a judge in chambers if it is later found that an institution or group of institutions was not covered in a previous application. There is a belt-and-braces approach even if it is necessary for a major investigation to cover every possible definition of the term "financial institutions".

I wholly endorse the argument that to allow the application to specify all financial institutions at the outset is a scatter-gun approach. It demonstrates a lack of clarity in relation to the person or people being investigated or the information being sought. There could also be a huge waste of resources if all financial institutions are approached. The Minister rightly said in Committee that people will not willingly waste resources—she perhaps has, a slightly higher opinion than me of some of the organisations that serve us—but we should ensure that that does not happen. The amendment is wise, and I hope that the Minister follows her earlier example and accepts it.

Amendment No. 12 relates to the issue of giving the Secretary of State—an interesting phraseology in the light of the earlier debate—the power

"to give effect to any decision of the Council of the European Union under paragraph 6".

Far be it from me to challenge the hon. Gentleman's European credentials. I read that the Liberal party is rowing back slightly from its enthusiasm for Europe, and perhaps the amendment is an example of that. *[Interruption.]* I do not know whether the hon. Gentleman would like me to put on the record what he just said sotto voce, but I shall refrain from doing so.

5.45 pm

The important point is the one that the hon. Gentleman made. It would not be right for the European Union by majority voting to support a proposal, with a British Government perhaps voting against it, and for Ministers to immediately translate something into a serious criminal offence to which all the Bill's provisions applied. There is a need for greater parliamentary scrutiny, and I wholly endorse the hon. Gentleman's amendment.

This is an important group of amendments. Many of them were covered to some extent in Committee, but they are worth reconsidering. In view of the time that the Minister has had to do so, I hope that she will give them a serious response and a fair wind, as she did in the case of those she accepted earlier.

Caroline Flint: As hon. Gentlemen said, there was discussion in Committee of the issues raised by the amendments. The substance of amendment No. 6 was

discussed at some length. I reiterate that we consider it essential to retain the provision to allow a customer information order to specify all financial institutions. Although I am happy to go on the record stating that the circumstances in which the provision might be used would be exceptional, there may be circumstances in which we would want to be able to make such an order.

For example, as we heard, in a terrorism case in which there is no specific evidence pointing to an account at a particular institution, but in which the seriousness of the offence and the need to trace any accounts are such that we consider a search of all financial institutions to be justified, it may be considered appropriate to obtain an order under the provision.

On the comments about paragraphs (a), (b) and (c) of subsection (3), we need paragraph (a), which refers to all financial institutions, because paragraphs (b) and (c) refer to particular institutions. In its natural everyday meaning, "particular" is different from "all", so how can "particular financial institutions" be read as covering "all financial institutions"? That is why we need to include paragraph (a).

The ability to target an order at all financial institutions does not open the door to fishing expeditions, as I argued in Committee. There are safeguards, which were not mentioned by either of the hon. Gentlemen who spoke, unless I did not hear correctly. The Bill gives both the Secretary of State and the court discretion as to whether to make an order. The Secretary of State will consider whether a request meets the conditions of the protocol. If he is not satisfied and the request appears to be a fishing expedition, he may refuse it.

The order has to be made by a judge, who must act in accordance with the Human Rights Act 1998, thereby taking into account matters such as proportionality. The investigator and the judge must consider whether the number of financial institutions potentially covered by a customer information order balances against the tests set. The CIO application must also be approved by a senior officer, even before the investigator can apply to the judge. That creates yet another safeguard. Those are the steps that must be taken before an order allowing coverage of all financial institutions may be met, and that will occur in pretty rare circumstances.

As was noted previously, the clause is consistent with the Proceeds of Crime Act 2002. I understand that Opposition Members were against the provisions of that Act and made their views clear while the Bill was proceeding through the House, but we stand by our position as outlined in that Act, which contains the power to make an order specifying all financial institutions. If we can do that for overseas money-laundering investigations, it is logical by extension to make similar provision in the Bill so that we can do so in the case of other serious crimes. Although, as I acknowledged in Committee, I recognise the potential burden of complying with such a request, I am afraid that I must resist the amendment.

I turn to amendments Nos. 7 to 11. In Committee, the hon. Member for Somerton and Frome (Mr. Heath) asked why the Bill referred to "financial institutions" in respect of incoming requests and "banks" in respect of outgoing requests. I have written to him with an explanation, which I will repeat for the benefit of the House. The protocol obliges us to assist participating countries in identifying whether a suspect holds bank accounts. It also allows us to receive assistance from other participating countries in relation to banks and bank accounts. Because the protocol does not define "bank", and because each participating country will define the term differently under its domestic law, as was confirmed by the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith), we considered that the provisions on incoming requests must be drafted sufficiently broadly to enable us to assist with all properly made requests from participating countries. There is no single definition of "bank" in UK law. Even if there were, there is no guarantee that it would correspond with what another participating country considers to be a bank under its own domestic law. That is why we have adopted the term "financial institution", which is familiar in UK law and follows the provisions in section 416(4) and (6) and schedule 9 of the Proceeds of Crime Act 2002. There would be scope to limit a search in a particular case in view of the overriding discretion on the part of the Secretary of State to consider requests from other countries under chapter 4.

In terms of outgoing requests, we are entitled to seek assistance under the terms of the protocol in relation to bank accounts that are held in establishments located outside UK jurisdiction, where the UK legal concept of "financial institution" will not necessarily have any meaning. If we were to use the expression "financial institution" in respect of outgoing requests, a UK judicial authority that requested assistance under clause 43 would have to be satisfied that an account was held at an overseas establishment conforming to the UK concept of "financial institution" and carrying on "business in the regulated sector".

It would not be correct for the Bill to require overseas banks to come within the domestic UK framework. What constitutes an overseas bank for the purposes of the protocol is interpreted in each of the member states' own legal systems. It would not be possible—or, for that matter, sensible—for us to legislate for each country's own domestic law. When making requests to the UK under the protocol, overseas authorities must interpret the term "bank" consistently with the protocol within their own legal framework. For those reasons, we are satisfied that the use of the term "bank" in clause 43 is appropriate.

Finally, let me deal with amendment No. 12. I am afraid that we cannot accept the deletion that it proposes. That would remove our ability to comply with article 1 of the protocol in the event that its scope was expanded at a future date. When the protocol was negotiated, a number of member states argued that the identification of bank accounts should be possible in relation to all crimes. As many member states do not have central registers of bank accounts, and because the measure was so new and was seen by some states, including the UK, as being potentially intrusive, it was agreed that the scope would be limited to serious crimes. However, member states agreed that it should be possible to extend the scope to allow for advances in technology and for the possibility that experience of the operation of the protocol might prove the value of the measure. Having agreed the terms and signed the protocol, we need to be in a position to comply with it, including the potential to apply article 1 to other crimes. We therefore require a mechanism to extend our legislation accordingly.

[Caroline Flint]

Any decision by the European Council to extend the scope of article 1 would be subject to the usual parliamentary scrutiny arrangements. The subsequent statutory instrument implementing the revised obligations would be subject to the negative resolution procedure, which we believe to be proportionate. The Delegated Powers and Regulatory Reform Committee did not comment on that power. Where it highlighted concerns about the level of scrutiny in relation to designation of non-EU countries as participating countries, we amended the Bill accordingly. We have listened and given further consideration to the concerns that have been expressed, but, for the reasons that I outlined, we cannot accept the amendment.

Mr. Hawkins: Earlier, the Minister gave the impression that Conservative Members opposed the whole of the Proceeds of Crime Act 2002. I know that she did not intend to do so, as I was the shadow Minister who dealt with that Bill. Will she confirm for the record that we supported many of its important measures, although we had some concerns, which we expressed at the time?

Caroline Flint: I am happy to confirm that sections of the Act were supported by Members from both Opposition parties represented here today. Given that we must have the scope to investigate suspects' accounts, particularly in the most grave situations involving terrible crimes, we felt that all financial institutions should be covered by that Act, and likewise, therefore, by this Bill.

Mr. Heath: I am disappointed that the Minister has not acceded to my request. In respect of amendment No. 6, I do not wear her argument. As the hon. Member for Surrey Heath (Mr. Hawkins) pointed out in Committee, one of the problems with having such blanket cover is that there is no way of challenging the procedure, which involves an ex parte application by judges in chamber with no possibility of the institutions that will bear the burden playing any part in the decision. We are therefore right to be extremely cautious about the way in which such an application is made. I recognise, however, that I will not persuade the hon. Lady at this stage.

On the definition of banks and financial institutions, I would accept the Minister's argument if the word "bank" had a connotation that went wider than the term "financial institution", because it would be logical to use the widest term, which can then be interpreted by the local jurisdiction consonant with its domestic legislation. However, she is saying the reverse—that we must limit the term to that which has a narrower definition even before the application is made. If we are able to understand what the term "financial institution" means within our domestic law for incoming requests, I have every confidence that overseas jurisdictions would be able to do so in terms of their own legislation for outgoing requests. That creates an anomaly whereby we effectively place a self-denying ordinance on the requests that we can make by using a term that is not consistent with the wider definition of "financial institution" that applies overseas. I accept, however, that having had this dialogue we are not going to agree.

On amendment No. 12, the Minister is being a little disingenuous in saying that were it to be accepted it would be impossible for the Government to make appropriate provision to bring into effect any decision of the Council. Of course it would be possible—I am simply saying that we should not do it via the Secretary of State. It occurred to me after the previous debate that perhaps we should go through legislation crossing out "Secretary of State" and inserting "Treasury": in reality the Treasury makes the decisions, so why not say so in statute? Setting that aside, the mechanism is not entirely appropriate for what the Minister wants to do.

Clearly, we can make no further progress at this stage. I do not intend to press the amendment to a Division, because that would be pointless. We have made our comments and they stand on the record. If the Bill does not work as the Government hope, we will be able to tell the Minister that we told her so. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 47

TRANSFER OF UK PRISONER TO ASSIST INVESTIGATION ABROAD

6 pm

Mr. Carmichael: I beg to move amendment No. 44, in page 28, line 9, leave out,

'cannot be withdrawn after the issue of the warrant'

and insert

'can only be withdrawn on cause shown and with the consent of the court.'

As with previous amendments, the genesis of the amendment is the Law Society of Scotland. I had hoped that the hon. Member for Perth (Annabelle Ewing) would be in her place. Earlier, she chided Labour Back Benchers who represent Scottish constituencies for their absence. The hon. Lady, who always tells us that she is prepared to stand up for Scotland, has presumably gone to have her tea for Scotland.

Mr. Heath: At the Scotland Office.

Mr. Carmichael: Indeed, she may be having her tea at the Scotland Office tonight.

The amendment is simple. Clause 47 provides that once a prisoner has given his or her consent in writing to be transferred to another country to help with a criminal investigation, it cannot be withdrawn. The amendment would provide for opportunities to withdraw that consent

"on cause shown and with the consent of the court."

It appears draconian that, once written consent has been given and a warrant has been issued, there is no point of return. Surely the Minister accepts that a change of circumstances in the foreign jurisdiction might mean that it is appropriate for consent to be withdrawn. It may also become apparent that consent was given on the basis of false, misunderstood or misleading information.

The reason for withdrawing consent would have to be of the nature that I outlined because the test of "cause shown" is exacting and consent could not be withdrawn willy-nilly. It would require a substantial reason, and the opportunity would be available in few circumstances

because it is not simply a question of fulfilling the test of "cause shown"; there will be only a short time between issuing the warrant and departure to the foreign jurisdiction. The amendment does not therefore open the gate especially wide, but it includes an important safeguard. I commend it to the Minister.

Mr. Paice: I support the hon. Member for Orkney and Shetland (Mr. Carmichael). We supported the thrust of the amendment in Committee when we discussed the need for a safeguard. In my experience, it is rare for legislation to contain such a bold and bald provision, without ifs, buts or caveats, that consent cannot be withdrawn after the issue of the warrant. That appears slightly dogmatic, especially when circumstances could change, both in the country to which the person is about to be extradited and for the individual.

Under clause 47(4)(a), "the prisoner" may give the necessary written consent to being transferred, but subsequently suffer an extreme illness such as a mental breakdown. We may therefore find not only that the individual's circumstances have changed but that subsection (4)(b), which provides for someone else to act on the prisoner's behalf applies. In the extreme circumstances of someone suffering a mental breakdown, other illness or serious accident—one assumes that the latter will not happen to those in custody, but it is possible—it is unreasonable that there is no mechanism for review.

As the hon. Member for Orkney and Shetland said, the amendment would not open the door to abuse of the system or drive a coach and horses through the option to transfer prisoners abroad. I would not support it if that were its effect. However, there is a need for a safeguard in the event of circumstances changing so dramatically that it could be shown that, at the time of transfer, the consent might be unreasonable and that the individual might not have given it in the altered circumstances. The person who gave consent on the prisoner's behalf under subsection (4)(b) might have taken a different stance in the different circumstances. I hope that the Minister appreciates the need for some, albeit small, safeguards. As a non-lawyer, the proposal of the Law Society of Scotland appears to me suitable in providing an opportunity for review in extremis. I hope that the Minister will support it.

Caroline Flint: We debated this issue on several occasions in Committee. We have considered the matter further, but we remain firmly of the opinion that amendment to the clause is not necessary. I hope that I can explain practically our intentions and our reasons for wanting to transfer a prisoner to another European country to help with a UK investigation.

Clause 47 deals with circumstances in which a transfer is arranged from the UK, at its request, when UK investigations require a UK prisoner's presence, generally in the capacity of witness, in another country to assist with investigations into an offence committed here. For example, a prisoner might have been involved with or known about other people who had offended in the UK by, for example, being party to human trafficking or drug smuggling. Perhaps that prisoner could identify people known to him or her by attending an identity parade in, for example, France. Prisoners might also be able to identify a property that they had visited and at which those who had offended in the UK were present. Such events do not happen every day but, given that crime knows no national boundaries and that we are trying to deal with that through co-operation, we need to be prepared for them. I have tried to give a practical example to show reasons for wanting to transfer a prisoner abroad to assist with a UK investigation. I hope that it gives hon. Members, people in the Gallery or those listening outside the Chamber an idea of what we are talking about.

We envisage that such circumstances will be rare and the provision does not deal with giving evidence abroad in relation to overseas investigations. Section 5 of the 1990 Act will continue to cover that.

Mr. Carmichael: Would it be competent to raise a bill of suspension in respect of a warrant issued under clause 47?

Caroline Flint: I shall refer to that point shortly.

Let me consider the amendment, which deals with the warrant and whether, once a warrant has been authorised, someone can go back on an agreement to be transferred. I stress that the warrant authorises but does not require the prisoner's transfer. It enables the transfer to happen, making it legal. It also enables the prisoner to be held in legal custody for the duration of the transfer.

There is a process whereby the authorities engage a prisoner in the whys and wherefores of seeking that person's co-operation. It can take several months for the warrant to be authorised. At any point until the warrant is authorised, the relevant individual can refuse to take part. Police officers in such cases deal with prisoners in the same way as they deal with witnesses or suspects in a purely domestic investigation. They would interview a prisoner whose transfer was desirable in the same way as they would interview members of the public with a view to their providing evidence in a UK proceeding. Prisoners who are purely witnesses would be treated like any other witness; they would be interviewed by an officer and asked to sign a written statement. Suspects would be cautioned like any other suspect. The fact that they are prisoners does not result in different treatment.

The clause requires prisoners, or someone acting on their behalf, to provide written consent to any transfer before it takes place. They will sign a consent form, witnessed by a prison official. Although they are not automatically entitled to legal advice—we discussed that in Committee—prisoners are entitled to seek it before agreeing to a transfer. Indeed, the standard consent form contains a statement which confirms that prisoners have been given the opportunity to seek legal advice. I can provide hon. Members with a copy of the form if that is helpful.

Once consent has been granted, the practical arrangements for the transfer will be put in place by the authorities concerned. When these arrangements are all in place, the Secretary of State will issue a warrant authorising the transfer of the prisoner a few days before the transfer is scheduled to happen. Once that warrant has been issued, the prisoner will be unable to withdraw his consent. There is a process to be gone through in which a person is entitled to change their mind, but the warrant authorises the activity. It provides the

[Caroline Flint]

framework in writing for proceeding with the transfer. As I have said, the prisoner may change his mind before the warrant is issued.

Mr. Paice: I appreciate that the process will take only a few days, as the Minister has reminded us. Will she not accept, however, that a prisoner's health could change dramatically, even in a few days? They could have a mental breakdown, or suffer a serious stroke or heart attack. Something could happen quite suddenly that would dramatically change their circumstances, which could jeopardise their ability to make decisions for themselves. Their conditions would therefore not be the same when the warrant was executed as when they gave their consent.

Caroline Flint: We discussed this matter in Committee. If someone has had a heart attack, broken a leg or had a mental breakdown, the people facilitating the transfer would hardly be in a position to take that person in those circumstances. I mentioned the example of a national emergency in the country of destination. We would not necessarily want to transfer a prisoner into such a situation; indeed, we might not want to send the people taking the prisoner into such a situation either. In Committee, I said that in the event of

"a national emergency in the country of destination or a person being unwell and unfit to travel . . . there is an opportunity for the Secretary of State to act. We want to ensure that at the end of the process there is a safeguard, so that we do not undermine all the work that has been done preceding the warrant's authorisation."—[*Official Report, Standing Committee A*, 17 June 2003; c. 203.]

There is nothing to be gained by the people investigating a UK offence if the person in question is unable to take part because of ill health or for other reasons. There would be no point in the investigating officers pursuing a case to that end. In refusing to accept the amendment, we are trying to safeguard against a cat-and-mouse game ensuing, at the end of a process which contains built-in safeguards, and work that has been legitimately pursued—including the signing of a form—not being adhered to.

Mr. Paice: I would like to pursue this matter a little further. I understand the Minister's point that it would not be in the interest of the investigating authority to take someone who would be unable to participate in their investigation. I would point out, however, that clause 47(5) defines the circumstances in which

"it appears to the Secretary of State to be inappropriate for the prisoner to act for himself, by reason of his physical or mental condition or his youth."

The fact that the Government have put this in the Bill, and that under clause 47(4)(b), someone else could give consent on behalf of the person in question, implies that the Government are envisaging situations in which a prisoner could be transferred abroad despite a physical or mental condition that might reduce his ability to participate in the investigation. We seem to have that eventuality covered if it arises before consent is given, but if the prisoner's condition should change after consent was given, the situation could not be re-addressed. A change to that provision is all the hon. Member for Orkney and Shetland and I are asking for.

Caroline Flint: My understanding of clause 47(5) is that it acknowledges that the Secretary of State may find it inappropriate that a person should be transferred, by reason of his physical or mental condition or his youth. That provision is in the Bill as a safeguard in terms of the proceedings.

6.15 pm

Mr. Paice: I am sorry to have to say this to the Minister, but that is not what subsection 5 says. It defines the circumstances in which the Secretary of State believes that, if the individual cannot make the decision for himself, he can allow another person to give consent on his behalf. It is not to do with a decision that the person would be no use to the investigation, as the Minister suggests.

Caroline Flint: I think that the provision states that a prisoner may ask someone to act on their behalf in such circumstances. The clause as drafted requires the prisoner—or, as the hon. Gentleman says, someone acting on his behalf—to provide written consent to any transfer before it takes place. I can provide copies of the forms that are currently available for this purpose, which should allay some of the fears that hon. Members raised in Committee about whether people would be informed about what was happening, and whether they would have the opportunity to resist certain procedures if they did not want to take part. They have that right, up to the point at which the warrant is authorised. There are enough safeguards to ensure that the system operates in a full manner which will give the individual rights and which recognises that there might be circumstances such as ill health or events in the country of destination that would make the transfer inappropriate.

As I have said, when the arrangements are all in place, the Secretary of State will issue a warrant authorising the transfer, a few days before it is scheduled to happen. Once the warrant has been issued, the prisoner will be unable to withdraw his consent, but he may change his mind before the warrant is issued.

Prisoners in these circumstances are being transferred in order to be of assistance to a domestic investigation, so there would be no merit in transferring a prisoner who was unwilling to co-operate, for whatever reason. It would cost the investigating force a large amount of money, with no benefit to the investigation. Prisoners would not be transferred if ill or otherwise unfit to travel.

Sir Robert Smith: The implication of what the Minister has just said is that, although she does not want to place in the Bill any process by which the prisoner could change their mind, even after this stage had been reached the authorities could decide that the prisoner was not going to co-operate and that it would not be worth the effort of transferring them.

Caroline Flint: The suggestion would be that, in order to transfer a prisoner, there would have to be a voluntary agreement to do so. There would be no merit in the investigating officers pursuing such an action if the

person were unwilling to take part. We want to avoid a situation in which, after months of work, someone decides at the last minute and for no good reason that they do not want a transfer.

Sir Robert Smith *rose—*

Mr. Paice *rose—*

Caroline Flint: I shall not give way, because I have answered the question on this matter.

We want a process that is understood by the investigating officers and the prisoners concerned. These provisions are used in other parts of UK law relating to the transfer of prisoners. Under sections 5 and 6 of the Criminal Justice (International Co-operation) Act 1990, the UK can request that a prisoner held overseas be transferred to the UK, and it can transfer prisoners out of the UK when other countries make requests for prisoners here to be transferred to that country. Clauses 47 and 48 of the Bill implement different arrangements, enabling a country to make a request to transfer a prisoner from its own territory when its own investigations require the presence of the prisoner in another country. These clauses reflect the terms used not only in the 1990 Act, but in the Repatriation of Prisoners Act 1984, section 1(6) of that which prohibits a prisoner from withdrawing consent once granted. That provision is therefore contained in another piece of UK legislation.

Repatriation—permanently transferring a prisoner from one country to another to serve the remainder of their sentence—is a much more definite and final act than the one that we are talking about in this Bill, which simply deals with the temporary transfer of a prisoner to assist with a specific aspect of an investigation. Having different arrangements in this Bill would call into question the basis of existing related legislation. Finally, the warrant in this section is issued by the Secretary of State, not by a court, so the amendment is incorrect in referring to a power of the court that does not exist. For these reasons, we cannot accept the amendments, and I urge the House to resist them.

Mr. Carmichael: I would disagree with very little that the Minister has said. She spoke at some length about the safeguards that are in place prior to the granting of the warrant, and I commend her on the thoroughness of her approach to that. Had I had any quibble with the provisions in the clause, I would have tabled an amendment, but I did not. Instead, I tabled a tightly framed amendment relating to the withdrawal of consent after the issue of a warrant.

I asked the Minister in an intervention whether a warrant issued by the Secretary of State could be the subject of a bill of suspension. Those who advise the Minister did not pick up on that intervention, so I do not expect her to be able to answer it off pat. An answer may be forthcoming even as I speak. It is not unknown for bolts of lightening to hit Ministers in these circumstances.

If it is possible to suspend a warrant, it is still possible to get round this provision. The bill of suspension is an unnecessarily cumbersome procedure in these circumstances. Is it still a remedy available to citizens affected by this provision? I do not know whether the Minister has an answer for me. One can never say never, but I suspect that if a bill of suspension were not competent, a petition to nobile officium would remain competent. In Scots law at least, there is always a means by which one can find a remedy when no other exists.

Caroline Flint: The question which the hon. Gentleman alludes to involves a complicated part of Scottish law and I do not have the answer to hand. We may have to consult further on that point to see how it would fit in with the exercise of a warrant to transfer a prisoner. I shall get back to him on that point if that is helpful to him.

Mr. Carmichael: That would be helpful to me and, no doubt, to others who will deal with this legislation in the courts if and when it makes its way on to the statute book. However, even under subsection (6) as it stands, a prisoner could avoid being transferred. The procedure is exceptionally lengthy, cumbersome and expensive. Surely the sensible thing would be to allow the amendment in the terms that we have proposed to enable consent to be withdrawn on cause shown.

I cannot say that the Minister has put any argument for refusing the amendment. However, we will clearly not make any progress with it, so with some reluctance and disappointment, and with all the questions that we have at the start of the debate still unanswered, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 82

FOREIGN SURVEILLANCE OPERATIONS

Mr. Heath: I beg to move amendment No. 13, in page 55, line 44 [Clause 82], at end insert—

'( ) the officer does not seek to stop or question the person under surveillance'.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss Government amendment No. 18 and amendments (a) and (b) thereto:

Amendment No. 32, in page 56, line 43 [Clause 82], at end insert

'"Enters the United Kingdom" shall mean when the officer arrives at a port or airport in the United Kingdom or when a train on which he is travelling emerges from the tunnel into the UK.'.

Mr. Heath: We now come to a group that is again, I am delighted to say, the subject of qualified harmony. By accepting the arguments, as the Government amendment shows, the Minister has avoided the inevitability of the Bill returning from the other end of the corridor with the inclusion of something similar to the original amendment to clause 82 passed in the other place. That would be unfortunate, because I do not think that there was any difference of opinion between the Opposition parties and the Government on the intention, but there was a distinct difference on whether this provision should be included in the clause. The Government felt that it was not necessary—perhaps they still feel that—whereas many others felt that it was extremely important.

[Mr. Heath]

The issue is whether an officer from overseas entering this country while performing a covert surveillance operation should be prohibited from stopping, searching or questioning the person under surveillance. We know that there is no difference between us on the intention that such officers should have no such ability. That was clear in the Schengen handbook and the protocols. The question is whether that should be explicit in the Bill. It was felt by a majority in the other place that it should, but in Committee the view of the Government was that the amendment to that effect passed in the other place should be excised without providing an effective alternative.

The argument in Committee was interesting. The Government's principal objection was that the other place had framed its amendment in the form of a prohibition. They felt that that was not acceptable in terms of parliamentary draftsmanship and that they would be much happier with a qualification under subsection (4). I set myself the task of finding a form of words that would meet the Government's objection and fulfil our common objective, and that is amendment No. 13. Though I say it myself, it is a brief and elegant way of incorporating the sentiment.

Subsequently, the Government tabled their own amendment No. 18, which comes to the same thing. I am grateful to the Minister for producing that amendment, as it is extremely helpful to us. However, I have two quibbles with it. They are minor quibbles rather than quibbles of substance. The first is that it is slightly clumsy and long-winded, but that is a matter of style rather than substance. It is perhaps inevitable that I happen to prefer my wording.

My second quibble is dealt with in my amendment (a) to Government amendment No. 18. The Government's amendment contains a potential pitfall. It would insert the words

"but no surveillance is lawful by virtue of this subsection if the officer subsequently seeks to stop and question the person in relation to the relevant crime".

If that is understood to mean during the process of covert surveillance within the United Kingdom, that is fine, but that is not what it says. The word "subsequently" creates a difficulty.

I shall put a hypothetical case to the Minister. Supposing that a Belgian police officer was investigating a smuggling operation between Belgium and Britain.

The Secretary of State for the Home Department (Mr. David Blunkett): Chocolate.

Mr. Heath: All right, the smuggling of chocolate, although I am not sure that that is the most heinous crime even under the current provisions of criminal law. If it pleases the Home Secretary, let us suppose that the person is smuggling chocolate between Brussels and Dover. Under the provisions of the Bill, the Belgian police officer properly undertakes covert surveillance in the United Kingdom. He does not seek to stop and question the person—who incidentally is a British subject—in Dover, and he complies entirely with the legislation.

The police officer returns to Brussels and so does the person under surveillance. That British subject commits further acts in Brussels in connection with the smuggling operation for which the officer stops, questions and arrests him. It transpires that the crime committed under Belgian law is part of a conspiracy based in Britain, and should be prosecuted by the British authorities—a huge conspiracy of chocolate smuggling, according to the Home Secretary.

The person is brought back to Britain to stand trial—but under the wording in Government amendment No. 18, because the officer subsequently stopped and questioned that person, albeit in Belgium and not in London, the evidence that that officer can provide by virtue of the covert surveillance in the United Kingdom is no longer admissible in a British court. That is not the intended consequence. It may be a very fanciful consequence, and a very extraordinary sequence of events might be required to bring it about; but it is nevertheless a possible consequence of the unqualified use of the word "subsequently".

That difficulty would be entirely removed by the addition of the words "in the United Kingdom", which would make it absolutely clear that the surveillance is invalidated only if the person concerned is stopped and searched here. I put it to the Minister that we could remedy a potential difficulty quite happily by that means. I hope that my argument has been cogent and not too complicated, and I hope that the Minister will either accept my wording or amend the existing wording by means of a Government amendment. In any event, I am glad that we have won the basic argument, and grateful to the Minister for listening carefully to what we have had to say.

6.30 pm

Mr. Paice: I, too, welcome Government amendment No. 18. In Committee, the Government were determined, despite behind-the-scenes discussions, to reject out of hand the Lords amendment proposing the removal of a subsection from the Bill, and to revert to the position that obtained when the Bill was presented to the other place—only for wiser heads to prevail later.

Let me chide the Minister slightly by reminding her that in Committee she said

"However, I am being asked to withdraw my amendment and allow an imperfect bit of the Bill to go forward."—[*Official Report, Standing Committee A*, 19 June 2003; c. 267.]

I suggest that seeking to amend the Bill was tantamount to admitting that she was allowing an imperfect Bill to go forward at the time, but I am glad that the Government have seen the necessity of making the position absolutely clear.

I understand the Minister's reasons for not liking the original Lords amendment. It was effectively a double negative, making illegal something that was already illegal. The Minister and, in different terms, the hon. Member for Somerton and Frome (Mr. Heath), have come up with wordings that serve exactly the same purpose and achieve the same ends by ensuring that someone being followed by an overseas officer cannot be stopped and searched.

I have discussed the matter with my colleagues in the other place, to whom the Bill will have to return. I cannot prejudge or commit myself to what they will

decide, but I understand that they are content with the Minister's amendment, and I welcome her albeit belated recognition that the position should be stated clearly.

Amendment No. 32 relates to the definition of United Kingdom territory. It seeks to add to the Bill words used by the Minister in Committee. My hon. Friend the Member for Surrey Heath (Mr. Hawkins) rightly pointed out that where the territory entered by the overseas officer began was open to debate. Did it begin with the beginning of airspace, or with our territorial waters? What would happen if a surveillance officer was in a boat only a mile or so from the shores of Britain, watching the famous chocolate smuggler coming over from Belgium with his chocolate? The boat might be in British territorial waters.

In reply, the Minister said

"We will consider the UK to have been entered when the foreign officer arrives at a port or airport or, in the case of Eurostar, when the train leaves the tunnel and enters Kent."—[*Official Report, Standing Committee A*, 19 June 2003; c. 288.]

That is a very precise definition. As I implied, there could have been other terminologies—especially in respect of the tunnel, which has led to a situation unique to this country. British territory is normally considered to begin halfway through the tunnel, and we have customs officers operating in France, but there is a debate about the location of the boundary. In Committee, however, the Minister clearly stated that in that instance—probably one of the more common instances—the UK would be considered to have been entered when the train left the tunnel and entered Kent. All we have tried to do is put that into the Bill, which I think is entirely reasonable. I hope that the Minister will accept that hers are the correct words, and that they should therefore be in the Bill.

The fundamental point is that the words "enters the United Kingdom" are vague and, as I have tried to demonstrate, open to different interpretations. Earlier today, the Minister agreed that the Bill should be clear about what it means. I hope she also agrees—she did nod just now—that "enters the United Kingdom" is vague. We now seek to turn her words into clarity in the Bill, and I hope that she will be able—perhaps uniquely—to incorporate her own words in legislation.

Caroline Flint: The hon. Member for Somerton and Frome (Mr. Heath) had me slightly worried. I thought that I was going to disagree with something with which I hoped to agree. By the end of his speech, however, I realised that we would be able to give him some comfort, particularly in regard to the words "in the United Kingdom".

I am grateful to the hon. Gentleman, and to the hon. Member for Orkney and Shetland (Mr. Carmichael), for amendment No. 13. We discussed the issue at length in Committee—we discussed what constituted hot pursuit and hot, lukewarm or cold surveillance. Although not convinced at the end of our proceedings, I said that I would see whether we could come up with a form of words that would deal with Members' concerns without making a fool of the law. The Liberal Democrats have obviously been working on their own wording, but I am pleased to say that during the recess our officials were beavering away to produce an acceptable amendment.

I hope—and I think what has been said so far suggests—that the amendment's response to what was said in Committee makes it clear that when foreign officers conduct relevant surveillance in the UK, that surveillance will no longer be lawful if officers subsequently stop and question the target about the crime. However, we do not think that such a situation is likely to arise. As I said in Committee, the Schengen convention provides explicitly that foreign officers may neither challenge nor arrest the target. To stop and question the target about the crime would not be consistent for the purposes of covert surveillance. There would be no operational advantage, and there would be risks of legal action against the foreign officers.

If the foreign officers identified themselves to the target, he would have no obligation to speak to them or even to remain in their presence. They would have no power to detain him physically or to force him to answer questions. Indeed, were they to detain or physically restrain him, they might be committing assault, and could therefore be prosecuted or sued for damages by him.

However, the Government appreciate that the amendment, as an unequivocal declaration in the Bill, would reflect the existing clear understanding between the Schengen states that to stop and question the target within the framework of cross-border surveillance is not acceptable.

The Government's amendment differs from amendment No. 13 in that, although it would be a distinct part of what will be subsection (4) of section 76A of the Regulation of Investigatory Powers Act 2000, it would be distinguished from the existing conditions specified in the subsection. At present, the subsection provides that relevant surveillance by foreign officers during the permitted period is lawful for all purposes if the conditions in the subsection are satisfied. The amendment removes that cover of lawfulness if the target is subsequently stopped and questioned in relation to the relevant crime, even if all his specified conditions are satisfied.

There is a further difference in the drafting, in that we have not used the phrase "stop or question". Article 40 of the Schengen convention provides that the foreign officers conducting the surveillance may not challenge the person under observation. We interpret "challenge" as meaning "stop and question", which in our view better reflects the convention's intention. A further amendment has been tabled to Government amendment No. 18, and I am pleased to say that we are able to accept it because it provides clarification. The illuminating example of Belgian chocolate smuggling focused our attention on how the law might be applied, and it is no bad thing to try to create a practical situation to which to apply the Bill. I therefore hope that the House will accept amendment No. 18, as amended by amendment (a), and that hon. Members will not press amendment No. 13 to a vote.

Let me now deal with amendment No. 32, which, as has been pointed out, looks very familiar because it is very similar to what I said in Committee. It will come as no surprise to the hon. Members for South-East Cambridgeshire (Mr. Paice) and for Surrey Heath (Mr. Hawkins) when I say that I find the amendment very attractive. However, although I support its purpose, it should not be included in the Bill, and I shall try to explain why.

[Caroline Flint]

We had a lengthy discussion in Committee in which we tried to grapple with real-life scenarios. For example, we considered the question of at what point someone travelling by air would be in British airspace, and at what point those travelling by ferry or hovercraft would be in British waters. As I explained in Committee, the term "enters the United Kingdom" will indeed be interpreted as meaning when a foreign officer arrives at a port or airport or, in the case of Eurostar, when the train leaves the tunnel. I said that this was a practical approach. It is a workable definition that provides a point that can readily be identified by officers, who cannot afford to be distracted from immediate operational imperatives by questions about the precise moment at which they enter British airspace or waters. That approach is also in line with the Schengen convention's intention that the foreign officer conducting the surveillance must notify the authorities of the visited state immediately that the border has been crossed. Clause 82(6) uses the phrase:

"immediately after the officer enters the United Kingdom".

In the Government's view, in the case of entry by sea or by air, that phrase can be interpreted as meaning as soon as the foreign officer arrives at the port or airport, because only then can he make contact with our own officers.

However, the underlying approach that I described is a general one. Although we intend that it should be adhered to, it is difficult to find a precise wording that would be appropriate in practical terms. Indeed, that is my difficulty with the proposed amendment: its wording is not precise and it is also too narrow. For example, the precise moment at which a person enters a seaport could appropriately be regarded as when the vessel enters the harbour, when it docks, when the target disembarks, or when he passes through passport control or customs control. Indeed, it is possible that a particular vessel might not arrive at port at all. An incident might occur at the port in question, causing the vessel to be docked for some hours. Foreign officers could use that as an opportunity to connect with their UK counterparts, in order to pick up the surveillance when they disembark. So particular circumstances could arise in which it would be possible and appropriate to regard the five-hour period as commencing before the vessel arrives at the port.

These practical issues must of course be addressed, but not in the Bill, as I said in Committee. The appropriate place in which to set out the Government's approach, and to explain more precisely what is meant by "enters the United Kingdom", is the Schengen handbook. As was pointed out in Committee, the handbook is a practitioners' document that is constantly updated, and which can therefore be amended from time to time, as appropriate, to take account of evolving experience in operating the convention. What is important is that the definitions and explanations we provide in the handbook are in line with the practical approach that I have described.

I recognise that the courts' interpretation of the term "enters the United Kingdom" might not be in line with the practical approach that I have described. In the event that the courts ruled that a different approach was necessary, we would need to modify our entries in the Schengen handbook. In that way, the new practicalities would be made clear to our law enforcement agencies and to their counterparts abroad. I am grateful to hon. Members for this opportunity to provide further elaboration.

Mr. Paice: I am grateful to the Minister for giving way; otherwise, I would not be able to respond to her remarks. In giving her reasons for rejecting my amendment, she has emphasised the huge confusion that will arise and illustrated precisely why we feel that the amendment is necessary. I understand the case that she makes, but it will lead to even more confusion. Who will determine when the clock starts ticking for the five-hour period? If it is the overseas surveillance officers who will make that decision, what is to prevent them from counting the five hours from the point at which they want to start counting? I am thinking in particular of the situation that the Minister describes—of a boat that is just offshore, either in or just outside the harbour. Someone has to start counting the five-hour period, but it surely should not be the person who is supposed to keep to it.

6.45 pm

Caroline Flint: The hon. Gentleman outlines the difficulty in establishing in the Bill a precise definition that can cover the practical implications. That is why the handbook is so important, and why the surveillance commissioner has a very important role in monitoring the ways in which the surveillance powers outlined in the Bill are used. We discussed in Committee the question of how to deal with foreign officers who do not comply with surveillance rules. As I said then, each activity undertaken would have to be accountable, and the surveillance commissioner would have to deal with any discrepancies arising. In terms of carrying out their functions in this regard, foreign officers would have to keep in touch with the National Criminal Intelligence Service.

The hon. Gentleman highlights the difficulty in trying to apply these powers without a practical example to address. I stand by my position: the wording in the Bill is the best way forward and the practitioners of the Schengen handbook will undertake to update or to vary the practical application, subject to the rulings of the courts. The Schengen handbook should reflect practical application, and amendments should be made within that to reflect changes to the practical definitions that may be required in the light of operational experience.

Mr. Carmichael: I want to be sure that I understand the Minister. The Schengen handbook and NCIS guidance are exactly that: guidance. As I think the hon. Lady said earlier, ultimately it is the courts that will determine whether an act has been carried out within the five-hour limit. Is she really saying that the Government will give best-guess guidance at the moment, but that, if it all goes wrong and they lose a court case, they will change the guidance in future?

Caroline Flint: No, I am saying that it is difficult, for the reasons that I have outlined, to determine the absolute point at which a person is on UK soil, and to include that definition in the Bill. This issue would therefore better be covered within the Schengen handbook, which is the practitioners' guide. It will be

constantly updated and can be amended to take account of evolving experience in operating the convention. What is important is that the definitions and explanations that we provide in the handbook are in line with the practical approach that I have described. As I said, the courts' interpretation of the phrase "enters the United Kingdom" might not be in line with this approach. In the event that the courts ruled that a different approach was necessary, we would need to modify our entries in the Schengen handbook.

After much discussion in Committee, we feel that safeguards are in place; indeed, there are other safeguards as well. As was pointed out in relation to other possible surveillance infringements, the surveillance commissioner will take up and monitor each case. On NCIS guidance, its officers have the power to tell foreign officers to stop at any time—they have the power to tell those officers when to stop surveillance. Indeed, it is NCIS with which foreign officers will need to keep in touch.

For those reasons, I am pleased to meet hon. Members halfway in respect of issues of surveillance, but we feel that the particular wording in the amendment would create problems for the future without allowing the required flexibility in respect of those powers.

Mr. Heath: I consider this afternoon to be a minor triumph, and I shall leave the Chamber rather pleased with the progress that we have made in respect of a couple of areas.

The hon. Member for South-East Cambridgeshire (Mr. Paice) made a valiant attempt to provide precision in an area that remains very imprecise. It seems inevitable that if something can be overturned by the courts, it will eventually be overturned by them. Without the necessary precision, the courts will make an interpretation, which may be adverse to whatever guidance is given.

As an island state entering the Schengen agreement for the first time, we are almost unique. I say almost unique, because although other member states are not islands, they nevertheless have maritime borders, and I am sure that something similar must occasionally have occurred in respect of the current operation of the Schengen protocols between, say, Sweden and Germany. Nevertheless, we are entering a new area, so it is important to have as watertight a definition as possible. The better the formulation within the handbook, the more likely are we to avoid aborted cases when a court rules evidence as non-admissible on the grounds that provisions have been inadvertently broken.

It is, of course, in everyone's interest not to break the rules, and it is not in the interest of an overseas officer to stay longer than required, because to do so will be a waste of time. It is not in the interest of the National Criminal Intelligence Service to give advice to those officers, who will want to use the evidence provided by the surveillance operation. Any imprecision would be extremely unhelpful.

Mr. Carmichael: My hon. Friend is right that it is in everyone's interest to work within the rules, which is why we need to know exactly what the rules are. Leaving it to our best-guess guidance in the handbook and refining it when the courts tell us we have got it wrong is simply not satisfactory.

Mr. Heath: I have considerable sympathy with my hon. Friend and indeed with the hon. Member for South-East Cambridgeshire. I hope that the Home Office will give careful thought to providing as much precision as possible.

On the subject of stopping and questioning, I am delighted with the Minister's response, as she would expect me to be. I shall adopt a term used in parliamentary procedure and hardly anywhere else, and say that it would be churlish of me to persist with amendment No. 13 in the face of the Minister's agreement to accept my amendment to her amendment No. 18. I shall formally move my amendment (a) in due course, and in respect of amendment No. 13, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 82

FOREIGN SURVEILLANCE OPERATIONS

Amendment proposed: No. 18, in page 56, line 6, at end insert—

'but no surveillance is lawful by virtue of this subsection if the officer subsequently seeks to stop and question the person in relation to the relevant crime'.—*[Caroline Flint.]*

Amendment proposed to the proposed amendment: (a), in line 2, after 'person', insert 'in the United Kingdom'.—*[Mr. Heath.]*

Amendment No. 18, as amended, agreed to.

Schedule 4

TERRORIST PROPERTY: FREEZING ORDERS

Amendments made: No. 19, in page 67, line 18, leave out from 'means' to end of line 21 and insert

'the Framework Decision on the execution in the European Union of orders freezing property or evidence adopted by the Council of the European Union on 22nd July 2003'.

No. 20, in page 67, line 23, leave out 'a prescribed provision' and insert 'Article 3(2)'.

No. 21, in page 67, line 34, leave out 'a prescribed document' and insert 'the form of certificate'.

No. 22, in page 71, line 19, leave out from 'means' to end of line 22 and insert

'the Framework Decision on the execution in the European Union of orders freezing property or evidence adopted by the Council of the European on 22nd July 2003'.

No. 23, in page 71, line 24, leave out 'a prescribed provision' and insert 'Article 3(2)'.

No. 24, in page 71, line 35, leave out 'a prescribed document' and insert 'the form of certificate'.

No. 25, in page 75, line 13, leave out from 'means' to end of line 16 and insert

'the Framework Decision on the execution in the European Union of orders freezing property or evidence adopted by the Council of the European Union on 22nd July 2003'.

No. 26, in page 75, line 18, leave out 'a prescribed provision' and insert 'Article 3(2)'.

[Mr. Heath]

No. 27, in page 75, line 29, leave out 'a prescribed document' and insert 'the form of certificate'.—*[Caroline Flint.]*

Schedule 5

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 28, in page 80, line 17, at end insert—

'The Criminal Justice Act 1988 (c. 33)

12A The Criminal Justice Act 1988 as follows.

12B In section 24 (business etc.documents), in subsection (4), for "section 3 of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 7 of the Crime (International Cooperation) Act 2003".

12C In section 26 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigations), for "section 3 of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 7 of the Crime (International Cooperation) Act 2003".

12D In paragraph 6 of Schedule 13 (evidence before courtsmartial etc.)—

(a) in subparagraph (1)—

(i) for "section 3 of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 7 of the Crime (International Cooperation) Act 2003", and

(ii) for "letters of request or corresponding documents" there is substituted "requests for assistance in obtaining outside the United Kingdom evidence", and

(b) in subparagraph (4), for "letters of request or corresponding documents" there is substituted "requests for assistance in obtaining evidence".'.

No. 29, in page 83, line 19, at end insert—

'The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I. 17))

33A The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 is amended as follows.

33B In Article 4 (business etc. documents), in paragraph (4), for "section 3 of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 7 of the Crime (International Cooperation) Act 2003".

33C In Article 6 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigation), for "section 3 of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 7 of the Crime (International Cooperation) Act 2003".'.

No. 30, in page 87, line 20, at end insert—

'54A In section 27 (Lord Advocate's direction), in subsection (2), for "section 4(2B) of the Criminal Justice (International Cooperation) Act 1990" there is substituted "section 15(4) of the Crime (International Cooperation) Act 2003".'.—*[Caroline Flint.]*

Schedule 6

REPEALS

Amendment made: No. 31, in page 90, line 19, column 2, at end insert—

'In Schedule 4, paragraphs 6(2) and 8.'.—*[Caroline Flint.]*

Order for Third Reading read.

6.56 pm

Caroline Flint: I beg to move, That the Bill be now read the Third time.

I should like to thank my hon. Friends and both Opposition parties for their positive and co-operative approach throughout the Bill's passage. Our discussions have helped to improve and clarify the Bill, and I hope that the arguments are now more or less settled.

My thanks go to all hon. Members who contributed to the debates in Committee. I particularly thank the hon. Members for Surrey Heath (Mr. Hawkins), for South-East Cambridgeshire (Mr. Paice), for Somerton and Frome (Mr. Heath) and for Orkney and Shetland (Mr. Carmichael) for their contributions to the constructive spirit in which the Bill has been debated today. I should also like to thank my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth), from whom I took over responsibility for the Committee after his well-deserved promotion. He made a major contribution to the initial stages of the Bill.

I also thank my hon. Friends the Members for Plymouth, Devonport (Mr Jamieson) and for Nottingham, East and other Labour colleagues who supported us in Committee, and such as my hon. Friends the Members for Brent, North (Mr. Gardiner), for Wirral, West (Stephen Hesford), for Bolton, South-East (Dr. Iddon), for Liverpool, Walton (Mr. Kilfoyle), for Rugby and Kenilworth (Andy King), for Mitcham and Morden (Siobhain McDonagh), for Alyn and Deeside (Mark Tami) and for St. Helens, South (Mr. Woodward). I thank those Labour colleagues most profoundly, as the Bill is the first measure for which I have been responsible and I am now seeing it through to its Third Reading here today.

My thanks also go to noble Lords in another place—particularly Lord Filkin—for their excellent work in sending us the Bill in such good shape. I hope that when it returns to them, they will be satisfied with the further changes that we have made.

The Bill, though technical, marks a significant advance in co-operation against serious crime and terrorism within the EU. International crime affects us all. Reduced border controls and the growth of international trade mean that crime is not confined by national boundaries, so our investigation services also have to work across national boundaries and co-operate with EU states and those outside the EU in the fight against crime. We are already working with our EU partners, but the Bill will enable us to work even more closely and more effectively with them, as well as more widely with our partners outside the EU.

Part of the Bill will make the changes needed to enable the UK to participate in the Schengen agreement. The Schengen arrangements provide a clear framework for effective co-operation, especially for cross-border police operations. It is some time since we first proposed that the UK should participate in the police and judicial co-operation elements of Schengen. With this Bill in place, we will be able to move forward rapidly to make that proposal a reality.

The Bill is about fighting crime on an international and European level and is also associated with fighting crime at home. We have a record number of police officers, we are tackling antisocial behaviour, and we are assessing the problems that blight our communities—

particularly drugs and human trafficking, which recognise no national boundaries. The passing of the Bill will partly help to deal with those problems. There is an onus on us all to ensure that our constituents understand how important this Bill is to fighting crime in Europe and internationally, as well as to fighting it in the neighbourhoods that we represent. I commend the Bill to the House.

6.59 pm

Mr. Paice: As the Minister reminded us, the Committee stage of the Bill witnessed—not for the first time, because of the way in which we operate—a change of Minister mid-way through proceedings. I congratulated the Minister at the time on her promotion, and I do so again tonight. She has acquitted herself well as a new Minister and I am grateful for her constructive approach to most of our deliberations, although we still have an element of dissent on one or two areas.

I echo the Minister's congratulations to the hon. Member for Coventry, North-East (Mr. Ainsworth), who has moved on to a more powerful position—greater may not be the right word—as deputy Chief Whip. The Minister will be conscious of his presence all the time. I also echo her comments about the other members of the Committee, including my hon. Friend the Member for Surrey Heath (Mr. Hawkins), the Liberal Democrat Front Benchers and others who participated in making the Bill's passage through Committee mostly constructive.

I cannot help but recall that a large part of the Bill is a repetition of the Criminal Justice (International Co-operation) Act 1990. The Minister's predecessor reminded us of that frequently in Committee. We were either told that something had to be in the Bill because it was in the 1990 Act or that things had to be changed because the 1990 Act was not quite right. The Government's arguments in Committee had an element of inconsistency, but that is nothing new.

The Bill seeks to put into statute the undertakings and commitments given by the Government on Schengen and the mutual legal assistance convention. As the Minister rightly said, it addresses several issues of international crime. Perhaps uniquely for a Bill on crime, it does not create a raft of new offences. Most crime Bills create many new offences, but this Bill is largely not about such creation. It is about improving co-operation on international crime, and the Opposition support such moves. We strongly support the provisions on driving disqualifications, on the mutual provision of evidence and, of course, on the issue of jurisdiction for terrorist offences. The latter is a sensible extension of legislation. As I said earlier, we have some reservations on aspects of investigation of banking transactions and cross-border surveillance.

I welcome the belated recognition of the validity of our argument on confusion, but I remain concerned about the implications for this country, because it is—as the hon. Member for Somerton and Frome (Mr. Heath) remarked—relatively unusual in Europe in being an island nation, although we do have one land boundary with Ireland. There is a bridge between Denmark and Sweden, which provides a comparison to the channel tunnel. We have reservations about how the legislation will work and we will watch carefully. The issues of drugs and people trafficking—an horrendous crime, especially when it involves children, which is worsening all the time—require cross-border co-operation, and we will always support the Government on measures to address them, as we have done on the issue of terrorism.

Our reservations are not substantial. The amendment in the other place that the Government overturned has now been put right and I am grateful for that. We will send the Bill back to the other place with our good wishes. The Opposition will not oppose Third Reading, and I congratulate the Minister on the way in which she has handled the first, but not the only, Bill that she will deal with in her job.

7.5 pm

Mr. Heath: Like the proverbial month of March, the Bill came in like a lion and went out like a lamb. There was much huffing and puffing in the early stages of consideration of the Bill's consequences for sovereignty and the state of policing. The careful consideration that the Committee gave the Bill was, however, based not on any false fears about its consequences but on an understanding of the importance of international co-operation in fighting crime effectively, on an understanding of the importance of the provisions on extra-territorial jurisdiction in terrorist crime and on a wish to get the practicalities and the details right.

The approach that pervaded our consideration was based on that constructive principle. We asked how we could improve the Bill, and the areas that gave cause for concern included the issue of reciprocity and whether it was working effectively; the resources available to give meaning to the provisions, and I still have concerns about effective resourcing of our border control services and will wish to return to that issue; and the structure of our border controls, because too often they are the responsibility of different Departments and could be more effectively applied. The same applies to the National Criminal Intelligence Service, and it is unfortunate that the Schengen information system for the UK is called NSIS, which is pronounced in the same way as NCIS. That could cause great confusion and I wish that somebody had thought of that before developing the acronym.

Proper concerns were expressed about the integrity of our security systems and they have largely been addressed. Concern was also expressed about the resilience of the information bank, and we are still concerned about the amount of information that is held and whether it is sufficiently robust in its accuracy and about who has access to it. The Bill widens powers of the state that are essentially intrusive, so it is right that we have had repeated arguments about the proportionality of intrusion and the problems that it seeks to remedy, and whether the Bill is couched in terms that are legally appropriate.

We have made progress. By common consent, we have established a dialogue with the present Minister, whom I congratulate on taking up the reins of the Bill halfway through Committee and seeing it to a successful conclusion, and with her predecessor, the hon. Member for Coventry, North-East, for whom I have great respect. He contributed greatly to our proceedings. I also congratulate the Under-Secretary of State for

[Mr. Heath]

Transport, the hon. Member for Plymouth, Devonport (Mr. Jamieson), about whom I was a little rude earlier, but whom we were happy to welcome to the Committee. I know that I get the hon. Member for Nottingham, East (Mr. Heppell) into terrible trouble by complimenting him on all occasions on the sensible way in which he provides support to our Committees, but it is appreciated and makes for better control of Government business than the alternative approach. I commend him for that. I also commend Conservative Front Benchers and my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael), who says that I claim responsibility for all his triumphs, although I cannot ever remember that happening. I am tempted to say that I normally try to dissociate myself from most of what he says, but that would be unfair. My hon. Friend has played a very useful role, and I am grateful to him—especially because, as I said on Second Reading, he has experience of serving these overseas processes. As far as I know, that makes him unique in the House. His level of expertise is therefore unmatched.

We have been well served by all the staff associated with the Bill. We will send back to the other place a Bill that has been marginally improved. I should have liked it to be improved more, but I recognise that it is nevertheless an extremely valuable Bill and that it will do a lot that is necessary when it comes to providing an effective basis for fighting crime internationally.

I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

DELEGATED LEGISLATION

Madam Deputy Speaker (Sylvia Heal): I propose to put together the Questions on the two motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONTRACTING OUT

That the draft Contracting Out (Local Education Authority Functions) (England) (Amendment) Order 2003, which was laid before this House on 11th July, be approved.

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft Vienna Document 1999 (Privileges and Immunities) Order 2003, which was laid before this House on 3rd July, be approved.—*[Ms. Bridget Prentice.]*

Question agreed to.

Inner-City Poverty (Leeds)

Motion made, and Question proposed, That this House do now adjourn.— *[Ms Bridget Prentice.]*

7.11 pm

Mr. George Mudie (Leeds, East): I very much welcome this opportunity to debate the real challenges stemming from inner-city poverty in Leeds. The problem is especially severe in my constituency of Leeds, East, although I am sure that those of my colleagues who are present will present their own experiences to the House if time allows.

I thank Mr. Speaker for allowing me to initiate this debate. I also thank my right hon. Friend the Prime Minister for telling the recent party conference that No. 10 is now in listening mode. Many people hope that that is true, although many are cynical about it. I raise this topic in the belief that my right hon. Friend is prepared to open up debate, especially on domestic policy—as long as sensitive matters such as tuition fees are avoided. I hope that the time is right to raise pertinent questions about inner-city poverty, and about how we are dealing with it.

There is no argument about the problems caused by poverty in the inner city. Leeds is one of the most prosperous English cities, but great poverty and deprivation exist there side by side with wealth and material success. The scale of the deprivation is debatable, but a few statistics will give the House an idea of the size of the disparities that exist between communities.

In Leeds, 25 per cent. of households claim some sort of means-tested council benefits. That figure of one in four rises to 40 per cent. of households in some inner-city wards, and reaches 60 per cent. in smaller neighbourhoods. Although recorded crime is decreasing in Leeds as a whole, the rates vary. The lowest level of domestic burglary is 11 per 1,000 households—I am tempted to think that that is in the constituency of my hon. Friend the Member for Elmet (Colin Burgon)—but that figure rises to more than 126 per 1,000 households. Where someone lives therefore has a very clear effect on the burglary and crime rates they experience.

Death rates from heart disease also vary, rising from a low of 180 deaths per 100,000 people to a high of 320 per 100,000. That gives some idea of the effect of diet and poverty. Similarly, the rate of teenage conception—among girls aged between 15 and 17—is zero in some wards, but rises to 102 per 1,000 in other wards.

Figures show that in some schools, 40 per cent. of school leavers achieve the magic five GCSEs at grades A to C. Some schools achieve an average of 70 per cent., but in some inner-city schools the level is as low as 4 per cent. Unemployment averages 3 per cent. for the city. In some wards, the level is 1 per cent., but in some inner-city wards the rate is as high as 12 per cent. The ethnic groups do even worse, with those in the Afro-Caribbean community suffering an unemployment rate of 24 per cent.

Housing is also very important. I am delighted that the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) is to respond to the debate. Although I would prefer her constituency

to be called Castleford and Pontefract, I have the greatest respect for her and I hope that she will communicate to her colleagues the seriousness of some of the housing problems in Leeds. My predecessor was Denis Healey, who noted in one of his books that the Harehills area had the second highest population density in western Europe. I think only Milan has a higher density.

In Harehills, the accommodation consists of back-to-back houses or through-terraced houses, with sloping streets and no gardens. Even so, families have raised generations of children there, despite the lack of open space—there is no full-sized football pitch in the area, for example. The housing is disgraceful and a blot on the city, built the century before last for working men. It has been refurbished time and time again, but kids are still being raised and families are trying to lead normal lives there.

I remember Chris Patten when he was Minister with responsibility for the environment coming to a meeting in my constituency—although he did not come to meet me, I hasten to add. He was so intrigued and shocked by what he saw that he had his driver take him round the area twice. He simply could not believe what it was like, but I suppose that the experience was good training for what he eventually encountered in Hong Kong.

North of my area lie two large council estates that were built on either side of the second world war. They have their good pockets, but they are largely unattractive. They need either to be modernised and refurbished, or demolished and replaced. The scale of the problem is tremendous.

I shall refer to this again, but so far nothing has happened to improve the housing deprivation in Leeds. That deprivation exists alongside the quality housing to be found in areas such as Elmet, where there are houses to die for. The disparity shows how different are the communities that exist in the one city.

I want to mention too the bizarre behaviour of the Office of the Deputy Prime Minister in respect of arm's-length management organisations. The Minister is thoughtful and sensitive, and therefore unlike many of her colleagues. The Department forced ALMOs on Leeds city council. I fought the imposition, and lost, but I was a lone voice, and such things happen. The Department said that ALMOs would bring in money to refurbish housing and resolve all the city's housing problems. The council did as it was told, and broke up its housing department into six ALMOs.

Within six months of being set up, the ALMOs were inspected. Some of the officials in the ALMOs did not know the location of the areas that their bodies covered. They were inspected days or weeks after being appointed, and they were found wanting. In its wisdom, the Department has said that the ALMOs will not be given the money needed for capital spending. As a result, no refurbishment will take place. Is that not wonderful?

None of the local government officers I know will have sleepless nights as a result of that. Some will even say, "So be it, it will save us a lot of work." It is not the ALMOs that are being punished, but the poor tenants who live and raise their families in substandard housing. What is the sense in penalising tenants because of the ALMO? In some circumstances, that might make sense, but to inspect the ALMOs within six months of their establishment and penalise them after some doubtful reports is extremely strange and I should love the Minister to raise the matter with her less sensitive colleagues.

Mr. Colin Challen (Morley and Rothwell): As my hon. Friend knows, I disagreed with his view about the creation of the ALMOs, but I agree 100 per cent. on his latter point. As a supporter of the concept, I perhaps wrongly did not anticipate that ALMOs would be inspected so soon after their creation. It was an unrealistic target to expect the ALMOs immediately to perform and gain stars so that they could obtain money. No one voted for them on the basis that they would be cheated—if that is the right word—out of their money owing to a bureaucratic inspection regime that they never understood.

Mr. Mudie: My hon. Friend makes a good point and I am glad that he has now seen wisdom. He gives me an opportunity to discuss something about which there are many stories in Leeds—choice-based letting, which is badly harming ordinary people. So far, despite heavy pressure, my area is the only one to refuse to accept that lunatic system for allocating houses, which is causing real distress in Leeds.

In Leeds—except on my patch—people are not offered a house, they have to bid for one. How can a blind lady on the housing list understand such a system? How can she see houses to make a bid? Last week, I visited the house of a poor lass who suffers so badly from Parkinson's that she cannot get out of her house because the stairs are so difficult. The last time she tried to go downstairs she fell. Yet presumably to get another house she has to get out to see the list. As she was in such a bad physical state, she was simply going to pen a letter.

A woman who visited my surgery had raised her kids in a five-bedroomed house but she now lives there alone and wanted a one-bedroomed flat: impossible under choice-based letting because she did not have priority. In another case, a boy and girl at the sensitive ages of 13 and 11 were sharing a bedroom in a two-bedroomed house, yet there was no priority for overcrowding. The system has been forced on people on the ground: if they do not accept it, they will not get the money. We have set up ALMOs and changed our letting system, adversely affecting already disadvantaged people, yet we still do not get the money.

As the time arrangements are propitious, I shall take this opportunity to raise another housing matter: equity release. I have dreamt of, sponsored, fought, argued and cajoled for an equity release scheme in my constituency. We have vacant land and a builder who specialises in building good houses cheaply. We have engineered a system whereby building societies will give mortgages that relate to rents. It is an honest attempt to move people from rented accommodation to homes of their own at very good rates. They can walk into a three-bedroomed semi that costs just above £50,000. Where could anyone get a new, three-bedroomed semi-detached house for about £50,000? Houses like that are worth £70,000 the minute people walk through the door, yet the Department would rather spend £15,000 doing up a council house that nobody much wants than give half that sum as a subsidy to persuade people to move from rented housing.

[Mr. Mudie]

On a series of points—welfare benefits, recorded crime, death rates, health, education, employment and housing—we can see disparities and problems.

Colin Burgon (Elmet): I pay tribute to my hon. Friend's standing in Leeds. He is an outstanding Member of Parliament who is well rooted in the locality. I am lucky enough to know his constituency fairly well as I was born on the Gipton estate and taught for about 16 years on the Seacroft estate. Did not both those estates represent radical solutions to the problems that Leeds faced at the time? What gave them cohesion was common employment in engineering and, especially, tailoring. But given that times have changed, does my hon. Friend not agree that we need radical solutions to give people the type of homes that they want to live in and to make those places attractive? Does he agree that local government should be the agency to deliver that, but that unfortunately, far too often, the Government—our Government—have been too critical of local government? Does he agree that they should adopt a far more positive role to enable local government to pursue radical solutions, as it did in the 1930s and 1940s?

Mr. Mudie: That was an excellent contribution; my hon. Friend did not even take a breath. My hon. Friend the Member for Leeds, West (Mr. Battle) is a great admirer of Rev. Jenkinson, who designed and steered through the building of a number of such estates. They were seen as a great thing in the 1930s, because they got people out of the slums of inner-city Leeds. The difficulty is that 70 years have passed, and time and people have moved on. We have to move on, too, with solutions that are relevant to people. I cannot understand the Department wanting to put money into rented housing when for half the sum it could put people into owner occupation, bringing money to constituents of mine who would never have thought that they would receive such an amount of capital. Such a sum would not only offer them support but would give them something to hand on to their families.

The *Yorkshire Evening Post*, thanks to the social awareness and concern of its excellent editor, Neil Hodgkinson, has been running a serious campaign, entitled "Life in Leeds". I have a copy of the paper and when I have held it up for the camera, I shall pass it to the Minister so that she can see how it approached and understood the issue. The paper stated that its campaign was

> "A major YEP investigation into the thousands of lives blighted by fear, crime, violence and poverty."

Especially interesting was the headline, "People A City Forgot". That is how the *Yorkshire Evening Post* started its campaign on two-speed Leeds: inner-city Leeds, with all its deprivation, side by side with the affluent areas. There are four pages of stories from individual people all over Leeds—not only from my constituency but from those of other hon. Members—whose lives are being blighted by conditions in inner-city Leeds.

Mr. John Battle (Leeds, West): I am grateful to my hon. Friend for leading this debate and, to some extent, leading our city in the debate, as he led it when he was leader of the council.

The economic question in Leeds is massive. Leeds was not just divided in the past; it is still dividing. Unemployment rates in some pockets are increasing, despite the fact that the overall rate is going down. We still give common assent to a trickle-down theory; if the city as a whole does well, we think that that will infiltrate all the nooks and crannies of unemployment. But unless we radically tackle unemployment and the life chances of the people in those corners, nothing will ever happen: the economy will turn down again and they will be completely left out. To echo the comments of my hon. Friend the Member for Elmet (Mr. Burgon), as well as looking at housing, is it not time to look at radical community economic developments, including local provision of neighbourhood services, and radically to decentralise the provision of goods and services? I do not believe that 25,000 people will be working in call centres in 10 years' time. Voice chips will have replaced those jobs and people currently in low-paid work in our inner cities will be looking for alternative employment.

Mr. Mudie: I totally agree with what my hon. Friend says, and I am glad that he put it in those terms because I am trying to make the point to the Minister that we must deal with inner-city problems urgently. Those problems fall into two categories: first, housing and, secondly, employment and skills—in other words, buildings and people—and unless we deal with them urgently, we will fail and we shall pass the existing inner city on to the next Government, who will have no interest in such things.

If we had the political will, there is no reason why anyone should be unemployed in Leeds. Only 12,000 people in the whole city are registered as looking for work, but the city is supposed to gain 30,000 additional jobs in the next eight years. If we set our minds to it, we could improve training and skills. In fact, discussions are going on with the jobcentre, the Regional Development Agency and the hospital, which has a new cancer block, to find out whether we can start such a training scheme.

It is we who are taking the initiative—not the Government—and we are so hopeful, optimistic and ambitious that we are looking to my hon. Friends' constituencies and to Batley and Bradford because we feel that, if we have the political will, we can not only wipe out unemployment in Leeds, but become an economic engine for the surrounding areas.

Mr. Harold Best (Leeds, North-West): I am grateful to my hon. Friend for bringing this subject before the House. I should like to say something about the elements of poverty that exist in the city of Leeds. It is often not understood that poverty exists in the greener areas. I represent a constituency with some of the greenest and most wonderful, spectacular views, but with some of the most horrendous poverty, especially in housing. People tend to forget that Leeds is a two-river city. My constituency includes the River Wharf—a magnificent river—and some of the houses in that area were built earlier than those that my good friend referred to in his part of Leeds, and those houses are in desperate need of repair and rebuilding. We as a Government ought to be tackling such problems as a major priority, and putting people's needs at the centre of our agenda.

Mr. Mudie: I totally agree with my hon. Friend.

I want to return to the *Yorkshire Evening Post* campaign, which was praised by the Prime Minister, to whom Neil Hodgkinson presented a collection of the articles and analysis concerning the blighted lives faced by ordinary, decent people in Leeds. I have a copy, which I shall give with pleasure to my hon. Friend the Minister at the end of the debate. The Prime Minister is on record as thanking the *YEP* for its initiative, and he also conceded that

"there is a mountain to climb."

It is very interesting that, only six months ago, the Prime Minister came to Leeds, after five years of Labour Government, and conceded that there is a mountain to climb. If there is a mountain to climb after five years, I wonder how much time we feel we have left to get to the top of it.

The Prime Minister went on to say:

"There are too many people in the city missing out on the new opportunities and prosperity... and there are too many communities—some within a stone's throw of the thriving city centre—still crippled by multiple and inter-linked problems which remain among the deprived in the country."

Those words from the Prime Minister should set the scene for this debate. The disparities and blighted lives that exist in the inner city are acknowledged by the Head of Government. There is no need to bandy statistics about: the problem is agreed, and the debate is about how we are dealing with it and, above all, about how quickly it will be resolved.

Those are the reasons why I asked for the debate. We have been in government for six years. I acknowledge that various excellent initiatives have been taken—I guarantee that we will hear about them—but, as someone who lives in their constituency and spends all the recess and every weekend there, I have to say that they have only marginally improved the lot of my constituents, and my colleagues can speak for their own patches. Indeed, in preparing for the debate and trying to get the balance right and to be absolutely accurate, I spoke to everyone I met in my surgeries and as I went around the community, and they overwhelmingly think that things are getter worse, not better. After six years, I find that very worrying.

The worrying thing is this. In the same papers, the Prime Minister acknowledges the problem, says that there is a mountain to climb, sees the problem first hand in Lincoln Green, but what does he do? As the booklet shows, the Prime Minister lists all the initiatives and the huge sums that are being spent—I fear that the Minister will do the same thing—but the worst thing that people can do is believe their own publicity. We in politics are always told that, and it is true. We cannot feed the hungry with statistics on national prosperity. We cannot tell a kid that he is well off because we have invested £1 million, or even £100 million. If the kid is hungry, he is hungry regardless of what the Government say they are spending.

I should like the Government to listen. I do not exaggerate. I am talking about my constituency, and my constituents are hurting and their lot is not improving after six years. I thought we had a common objective of getting rid of inner-city poverty, but if we are still so far behind after six years, I wonder whether we should not be considering a change in direction.

Mr. Fabian Hamilton (Leeds, North-East): I congratulate my hon. Friend on initiating the debate. As he says, many parts of Leeds are extremely prosperous and unemployment is very low; indeed, my constituency was recently voted, on a league of altered data, one of the wealthiest in the entire country. But there are pockets of unemployment and deprivation that would match those anywhere in Great Britain or the rest of Europe. I am talking mainly about the Chapeltown area, and antisocial behaviour and crime blight the lives of people there, so I congratulate the Home Secretary and the Prime Minister on today's initiative. The problem involves crime related to crack cocaine, heroin and street gangs that use firearms and the most appalling violence against one another, but innocent victims get in the way. Does my hon. Friend agree that one way in which we can most improve the lives of the very poorest—apart from all the issues such as housing, job opportunities and training that he mentions—would be to ensure that the crackdown on crime really works and that the kind of antisocial behaviour that blights people's lives is removed?

Mr. Mudie: I will certainly spell out later the effect of crime on ordinary people in my constituency, but the problem goes deeper than crime. I remember the Prime Minister once saying, "Tough on crime, tough on the causes of crime," but I wonder whether we are getting the balance wrong. We have enough sticks and we are adding more sticks to the armoury, but I wish there were some carrots. I look at some of the kids on the estates and I cannot defend their behaviour. I attack their behaviour and I want them to be dealt with, but I look at the houses they come from, the peer pressure and the parents' behaviour, and I worry for the kids. I was proud to be a member of a Labour Opposition who made such statements, believed them and wanted to operate those policies. All the rhetoric about sticks and prisons came from the other side. That is part of the solution, but locking up a youngster should be the last recourse. I wish we had a more balanced policy of working with youngsters and offering them alternatives to running with their peers, misbehaving and being put under pressure to do drugs. I would like some balance to be put back in our criminal justice policy.

After six years, with a lack of major physical and financial improvements in the lives of my constituents, we should have the humility to accept that a reappraisal of the strategy is required. If that does not happen, when we eventually leave office, we will leave the inner city much as we found it, and, by our policies, we will have failed to empower the bulk of our poorer constituents. We will therefore have failed to let them share in the general prosperity.

I want to propose two things to the Minister. First, I invite her to visit my constituency, walk the streets, talk to the people and see whether I am exaggerating. Throughout the recess, I have been on the streets knocking on doors—not canvassing but speaking to people to find out whether they have anything to say, what their problems are and whether I can be of any help. Last Sunday morning, I met a lady who was washing her car in her drive. I asked her whether she had any problems. I quote her response:

[Mr. Mudie]

"Look at the tyre marks on the road. That's where the lads joyride in stolen cars each night. Over there is the barrier to divide the street. That is where they run the cars onto and then burn them out"—

beside her house. She continued:

"Let me show you the back kitchen window where at 6.30 in the morning when I was getting breakfast before leaving for work a brick came through"—

thrown by people who were going to burgle her house whether she was in or not. She continued:

"This is my car that gets damaged regularly. This is my house I hesitate to leave because I fear coming back to a burgled property."

She went on to tell me that when she comes back with her groceries, she hurries inside the house because she fears that people are watching to see how many groceries she has, and that they will come in the house to get them.

What did I say in response? I know the policies and the script, but we live in a verbal world of promises and policies, whereas that lady lives 24 hours a day in reality, and reality is nasty.

In that one street, I met two pensioners who had lived there all their lives. It was a bit cold, but it was a sunny day, and, looking past them, I saw a beautiful back garden alive with flowers. Looking around, however, I saw shattered windows, damage, graffiti, and rubbish thrown in gardens. What did they say to me? They were bewildered at the violence, the neglect and the number of asylum seekers. In that one street, I have more asylum seekers than my hon. Friend the Member for Elmet has in his whole constituency. What does that do to relationships in that street and in that area? Above all, that lovely pair of pensioners, who have lived in Gipton all their lives, feel the indifference of anybody to their concerns. That is what they are faced with in their advanced years.

With another pensioner and his wife—the Minister will be proud of me—I talked about pension credit and heating under the warm front arrangements. Wonderful stuff, to the script—the Prime Minister would be proud of me. As I went to their door, however, the fellow said casually to me that the doctors had sent him to St. James's to see a consultant about tumours on his bladder. He was sent within two weeks—good for the doctor—but the consultant bizarrely sent him back to the doctor. Does anyone on these Benches see any sense in that? The worrying thing was that he sat with me for 20 minutes having a conversation about pension credit and central heating and did not raise it. He only raised it casually, in conversation, as he was showing me out. That was the level of his expectations—he had not come to complain about it; he accepted it as one of those things. That is the stoicism of pensioners and ordinary, decent people who are being put through such things every day, week and month. That is all in one street.

To take a different case, I met a young lad in his 30s whose wife had left him and who was raising three boys. He had been burgled twice—not only burgled; his house had been trashed. He was not in work and was very poor. He wants work, and the issue that I would raise is this: why on earth would he work when somebody in the street will burgle him if he spends his hard earned wages on anything? What does he make of it? He is broken-hearted. He does not know what he will do. He has to deal with poverty, bad housing, insecurity and raising three kids with decency.

Again, that was in just one street. The sad thing is that on each of the Sundays on which I was out, although I was in different parts of the constituency, I heard the same tale. After all this time, that should not be happening. My colleagues and I, after all our years in local government, came here to put an end to that. Six years on, under a Labour Government, people are still living like that.

What can we do? Let us understand that we may be spending enough. On that, I have no quarrel with the Chancellor or the Prime Minister. The Chancellor has put record sums into the spending Departments. What I want to know is whether we are spending it efficiently. Is the money coming through to the areas in need and being spent in the relevant way? I am suspicious of the Government's preoccupation with innovation. Anybody with feet in the community and any history of involvement in politics knows that the previous Government deliberately ran down the public services for 18 years. When we came to office, we did not need innovation. We needed more teachers, more doctors, and more police. Those are mainstream things—they are not glamorous or new, but they are what our constituents want. Youngsters would be taught better if we had more teachers, we would sleep safe in our bed if we had more police, people would be better looked after in hospitals if we had more nurses, and we would be seen more quickly by doctors if we had more of them. Those are all great things, but we are told, "No, it must be new; we must have innovation."

Services and morale have suffered over the past few years. Instead of offering money to anyone and any organisation with a new idea, why was it not just piled into mainstream services? Why do we have to dream up a third way—a different way—of delivering public services? In my view, a lot of people are making a good living out of funds designed to get people out of poverty. We saw it over the years with the Tories, but it has been exacerbated. This week, I received a letter from a black and ethnic education group that has been set up, with a manager, project manager and assistant manager listed on the letterhead, all of them receiving good salaries. I would have preferred three black teachers in schools being good role models and providing an additional pair of hands, but somebody in some Department will have said, "No, this is new, it presses all the buttons, why don't we do it?" That has not helped and will not help any black kids—well, it has helped three, because they have got jobs. My people are still poor, but they are better advised on their poverty than they have ever been.

The Government have lost interest in joined-up government. The rhetoric of our first few years has disappeared, as has the thinking behind it. My hon. Friend the Member for Hemsworth (Jon Trickett) knows that each organisation defends its budget and tends to put its own interests in survival before the customer. Our rhetoric was about coming together, pooling funds and deciding how to deal with a common problem—it was good rhetoric in which we believed. However, joined-up government has not happened. Each organisation comes to the table to get its nose in the trough and to ensure that it gets money so that it is secure, while the customer comes way down the list.

The Government should focus more fiercely. If their objective is to get rid of the inner city and the problems that characterise it, each locality should have a co-ordinated approach. All spending should be examined and it should be determined whether it helps to achieve success. In Leeds, different departments and agencies do things that cut across objectives and, occasionally, damage achievements. My colleagues will understand why I mention the magic words Education Leeds. We were unable to handle our education service, and following some colonial behaviour by the now Home Secretary, our education system was handed over to a private firm that sees politics and politicians as dirty words. It will not speak or listen to politicians and if it does listen, a behaviour pattern is triggered meaning that it does the exact opposite of what has been asked.

My next point is something I do not joke about. The Government will deny it yet it has hampered their chances of achieving proper co-ordination, effective focusing and accountable joined-up thinking. The Government have a dislike and disdain for local government. Right from the start, they have been determined to avoid using it as a key player. Powers have been given to quangos and organisations that were dreamt up to circumvent local government. I talk from personal experience because although you would not believe this, Madam Deputy Speaker, I spent a brief period as a Minister—it was far too long in No. 10's eyes.

I remember my first conversation with the permanent secretary at a dinner. I was responsible for training and enterprise councils, which were considered obnoxious organisations that spent funds along the lines that I suggested. I said that TECs should get in partnership with local government because, given that local government was responsible for the economic area and that skills training was important, the two should work together. I do not know whether I was more surprised by the permanent secretary's attack on local government when he took me outside and said, "You can't do that. You mustn't do that. That is not on the agenda", or by the fact that he dared to speak to me in such a fashion. I thought it strange that a permanent secretary should lecture a Minister that No. 10 did not like local government and say that I should not dare suggest that local government should take an interest in, and be worked with on, the local economy, because I thought that that was central to getting everything right in a vibrant local authority.

Local government has been treated badly right from the start. All one gets from senior figures in the Government is derision of the ability of local councillors in general and local government as a whole. Perhaps someone should whisper in their ears the general view of the competence of Cabinet Ministers and national Government as a whole. That view might be slightly similar to the general view of local government. We need a bit of humility. The fact that local government has not been used as the co-ordinating force to bring everyone together to achieve joined-up thinking has damaged our move toward dealing with inner-city poverty.

Where does this leave us? I do not expect, or want, even such a sensitive Minister as my hon. Friend to spend any time refuting my suggestions. I recognise that it is immodest impertinence for me to make suggestions even to a newly declared "listening Government". I would be delighted if the Minister left those parts of my speech alone, because it is not becoming for a Back Bencher of my standing even to put forward those suggestions. However, I want her to think about the reality of the impact that we have made in six years, because it is a serious matter.

When I was leader of the council, I had a good nursery chairman and we had one of the best nursery building and child care programmes in the country—we were years ahead of even Newcastle, although we have always been ahead of Newcastle. I remember saying to my delightfully hard working colleague, "It's not working." She asked me what I meant. I said, "Well, after two or three years of spending a lot of money"—the objective was to get all youngsters into proper child care or nurseries, if their parents wished—"if we want to make it available to everyone, at the present rate we will not do that in our lifetime." She said, "I can't work any harder." I told her that I was not suggesting that she worked harder but that she stepped back. If that is our objective and the mountain that we are climbing—to use the words of the Prime Minister—yet after six years we are still in the foothills, it would be fine to get the oxygen masks off and take a bit of time to think that in the lifetime of even our optimistic Government, we will not get to the top. That might sound flippant, but there are 200,000 people in the inner city in Leeds—they are pensioners, the lad trying to find work and the lass living in fear in a low-paid job.

I did not come into Parliament or politics to attack poverty on the margins. Neither my colleagues nor I came into politics to make poverty more comfortable. I wanted to eliminate poverty, which is do-able, and certainly do-able in a city such as Leeds, given the jobs that we have. I say to everybody concerned that if after six years we are nowhere near that aim and people are still living in such conditions, we must start to look at ourselves. We must have the humility to say that we owe it to the people out there to reappraise what we are doing, how we do it and how fast we do it. It is no joke to live in poverty, it is no joke to live in fear and it is no joke to raise kids yet realise that they will not get the same chances and standard of living as a kid living in a more prosperous part of Leeds—that is what all the figures add up to.

In this new listening Government, I hope that there will be some humility and that we will reappraise what we are doing. If we fail, the people whom we represent and those who look to us as the last hope will never forgive us. When Cabinet Ministers and the Prime Minister look back on our unprecedented majority and power, they must consider the timidity with which we have approached the problem. The Minister might say that we have a lot of policies and that we are not timid, but we are not successful. Too many people are hurting. It would be the greatest crime to have such a majority, such power and such time only to leave office and hand over power at some time in the middle of the century to what will presumably be a right-wing Conservative Government who will have no interest in ordinary people. If that happens, we will have failed not only this generation of ordinary people but also future generations.

7.59 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I congratulate my hon. Friend the Member for Leeds, East (Mr. Mudie) on choosing to raise the important issue of inner-city poverty in Leeds and on his passionate remarks about his constituency and the lives of the people who live there. He has worked hard for many years to address the problem of poverty. I share his concerns about inner-city poverty and join him in commending the *Yorkshire Evening Post* for its campaign on the issue. Too often, poverty and inequality are invisible to the majority of people. It is a tribute to a campaigning regional newspaper that it has managed to highlight an issue that newspapers do not always cover. They often do not prioritise poverty and action that tackles inequalities.

I take my hon. Friend's points seriously. I disagree that no progress has been made—important progress has been made on a range of issues. However, I agree that there is more to do. Interestingly, our progress on some things has created new challenges in others. Some of the Government's measures to address poverty are universal; they affect constituents across the country. The family income of the worst-off has increased considerably with the introduction of tax credits, increases in child benefit and the overall substantial increases in support for both those in low-paid work, so that work pays, and those without work. As a result, the number of children in relative income poverty fell from 34 per cent. in 1999–97 to 30 per cent. in 2001–02, which is before the most recent increases. The absolute low income fell from 34 per cent. to 20 per cent. That is a result of the Government's policy changes and can mean a difference of hundreds of pounds a month in the pockets of low-income families who would not have received that money under the Tory Government. Those changes have only been possible because of a Labour Government and their commitment to tackling child poverty.

There is still a long way to go, however. The Chancellor is right to establish a review on how to meet the ambitious target of abolishing child poverty over a 20-year period. No such target has been set by a Government before. The truth is that we cannot achieve that target in six years. I feel passionately about child poverty and will argue continually for more to be done to address the terrible problems that cause it. Equally, however, it is not possible to abolish child poverty in six years. We must recognise that even a 20-year target is ambitious. The issues cut across generations as they pass from one generation to another. We know that people who grow up in poverty are more likely to live in poverty later on.

The debate is not just about income. My hon. Friend gave an eloquent account of the lives that his constituents lead. He mentioned housing on estates, the services that people receive, the opportunities they have and their sense of community, including whether they feel safe on the streets. We need to recognise that Leeds faces huge challenges. It is a city of great contrasts and inequalities. In many ways, Leeds is an amazing city. It is a powerhouse for economic growth in the region. My constituency is benefiting substantially from being close to Leeds and its economic growth. Considerable regeneration is taking place. It is clear when one drives through the centre that the skyline is crammed with cranes, such is the building and investment in the city.

Some areas are not sharing in the growth, however. Some communities are not keeping up and individuals feel shut out of the growth that is taking place elsewhere, and that problem creates substantial challenges. The Government's approach has been to prioritise regeneration in the most deprived wards in the country. We have argued that we need full employment in every region. We need to promote job growth so that everyone shares in the prosperity generated by the economic growth and the growth in jobs of the past few years. The challenge is how to ensure that every ward shares in that prosperity.

Three wards in my hon. Friend's constituency—Burmantofts, Harehills and Seacroft—fall within the 10 per cent. of the most deprived wards in the country. I understand that Leeds city council estimates that the claimant count in those wards varies from 5.3 per cent. in Seacroft to 6.4 per cent. in Harehills. That is higher than the national average but it is considerably lower than it was 10 or 20 years ago. My constituency has experienced substantial employment growth relative to the terrible experiences of the high unemployment of the 1980s and early 1990s. The number of people in the claimant count has dropped substantially since 1997. In the seven most deprived wards in Leeds, it has dropped by 39.3 per cent. The number of people in work is welcome progress. However, the claimant count has fallen faster in other Leeds wards and Leeds as a whole has experienced a 41 per cent. drop over the same period. My hon. Friend is right that economic growth in Leeds is likely to be sustained for the coming period and employment growth will probably follow.

My hon. Friend is also right that we must address the obstacles that people in some communities face in getting jobs that are, perhaps, just down the road. As a result of the new deal, we have made progress on child care and training, but we need to go further. The social exclusion unit is carrying out a detailed analysis on jobs and enterprise. It is considering the jobs gap between different areas and what we need to do to tackle the obstacles that some areas face so that we achieve full employment in every region.

My hon. Friend the Member for Elmet (Colin Burgon) mentioned the close relationship between housing and the economy, in particular the work and jobs that are available at different times of housing development. The relationship between housing and the economy is important. It is the case in some parts of the country, although I cannot say whether this is true of the estates mentioned by my hon. Friends, that there are complex consequences if economic regeneration is not accompanied by rapid change in the housing market to address the problem of housing stock built for previous generations. Some people who get jobs move out of their estates and the position of those left behind becomes even more difficult. That can result in a complete housing market collapse in those areas. For that reason, we are introducing housing market renewal pathfinders in areas with the most severe problems to tackle low demand, and we are making substantial investment.

The West Yorkshire Partnership is developing proposals for the regional housing board to fund areas such as Beeston and Harehills. I am worried about some of the housing-related issues that have been mentioned and would be happy to discuss those further. I would, of course, be happy to visit the constituency of my hon. Friend the Member for Leeds, East as well. My right hon. Friend the Minister for Housing and Planning is aware of the issues concerning the Leeds ALMO. Officials are considering that and discussions are under way.

Mr. Battle: We have a problem if the housing policy is to support housing associations. Their rents are structured in such a way that the only people who can afford to live in them are people who are on benefits for ever. People in that accommodation will never be able to get a job, even if we train them, or they will have to move out of the neighbourhood. We must crack that conundrum.

Yvette Cooper: Clearly, such a situation is not the intention of the programme. We are linking programmes around housing policy and economic regeneration more closely than ever before. It has often been the failing of previous programmes that they focused on issues of economic regeneration and jobs, or on housing renewal and improving the physical infrastructure of housing. We must link the two together. That is what the housing market renewal programme is all about. For constituency reasons, I know that that approach is being picked up in west Yorkshire as well. I will be happy to discuss further with my hon. Friend issues related to that.

My other hon. Friends raised various aspects of the matter. Many issues associated with housing would benefit from further discussion with hon. Members, and I know that Members representing Leeds constituencies who are present in the Chamber share these concerns.

Considerable programmes for economic regeneration are under way. Harehills, Burmantofts, Seacroft and Halton are all included in the neighbourhood renewal programme and should be benefiting from the investment of neighbourhood renewal funds, which in 2001-02 were £4.2 million and in 2003–04 were £8.4 million. Over a five-year period there has been a £35 million programme of investment, which is funding, for example, neighbourhood wardens in Harehills, Burmantofts and Seacroft wards.

I am advised that the wardens are working hard to tackle antisocial behaviour, and I would be concerned if my hon. Friend the Member for Leeds, East thought that they were not making the difference that others believe they are making in other parts of the country. Again, I would happily talk to him further about that, as I know that the neighbourhood warden programmes have been greeted by many communities as a substantial improvement in tackling antisocial behaviour, addressing concerns such as abandoned cars and graffiti, and strengthening people's sense of community.

My hon. Friend referred to issues around the St. James's partnership and the work that the primary care trust is doing as part of the Harehills neighbourhood renewal scheme. The role of local authorities is vital. My hon. Friend suggested that we were not supportive of local government's role, but my right hon. Friend the Deputy Prime Minister has championed the role of local government in regeneration, particularly in respect of economic issues, which can be so fundamental, and he is supporting greater powers and freedoms for local government. It is an area where we need to go further, and that is happening.

My personal view is that the programme that is doing most to tackle inner-city poverty and inequality is sure start. As I recall, I visited the sure start programme in my hon. Friend's constituency some years ago. It is a hugely important programme because it addresses inter-generational inequalities. Because it provides support right at the beginning of a family's life and supports them through the years, it is the most radical programme that we have for addressing child poverty. Again, from memory, the work of the sure start programme there seemed to be extremely popular and successful. I would be concerned if my hon. Friend thought differently, and I should like to discuss the matter further with him.

The Government have had an important impact on poverty and inequality. In my constituency I have seen jobs created on derelict pit sites. I have seen the number of families who are applauding the children's tax credit. I have seen the progress of programmes such as sure start and the new deal for communities, the partnerships that are being built and the substantial investment in mainstream services, reflected in the extra doctors, nurses and teachers whom my hon. Friend mentioned.

We have a long way to go, and we must address the inequalities that exist within such short distances as the centre of Leeds. Such inequalities in health, education and opportunity within a single city, as my hon. Friend described, are morally unacceptable in the modern world. The social exclusion unit is examining the progress that we have made so far and the problems that remain.

As my hon. Friend knows, I wrote to him and many of his colleagues a month or so ago about the work of the social exclusion unit. It is conducting a substantial analysis and hopes to have preliminary findings by the beginning of the new year. As part of that work, I am keen to have the views of hon. Members, particularly those living in low-income areas, and I would be happy to meet Members representing Leeds constituencies to discuss in more detail their views about social exclusion issues in Leeds and what should be fed into the work of the social exclusion unit.

We have made considerable progress, but we have much still to do. We still have far to go before we sleep. We will make more progress and sustain the commitment to substantial investment in the lowest-income areas of the country through the neighbourhood renewal fund and the new deal for communities only if we can also allay people's concern about the injustices that remain, and if we can prove that such programmes are making a difference and changing people's lives. I believe that they are changing people's lives substantially, but we must demonstrate that and maintain the argument that politics can make a difference and is doing so.

[Yvette Cooper]

We will fail if we do not recognise the scale of the problem, and if we succumb to cynicism. We will fail, too, if we believe that we can solve the problems too quickly and if we raise people's expectations that some of the problems are easy to solve, and then let people become disillusioned. We need to keep the work going and our eyes on the prize. If we believe that it is right to invest in regeneration and tackling poverty, we must keep arguing for it. I believe that that is the right thing to do, and I know that my hon. Friends representing Leeds constituencies think so as well.

Question put and agreed to.

Adjourned accordingly at sixteen minutes past Eight o'clock.

House of Commons

Wednesday 15 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON BILL *[Lords]*

Read the Third time, and passed, without amendment.

TRANSAS GROUP BILL

Considered; to be read the Third time.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

St. Helena

1. **Bob Russell** (Colchester): If he will visit the island of St. Helena to discuss the *(a)* economy and *(b)* population level. [132038]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): I shall begin, if I may, by taking this opportunity to congratulate my right hon. Friend the Secretary of State for International Development on his well deserved elevation.

I have no immediate plans to visit St. Helena. Since June of this year, however, I have met twice with representatives of the island's Executive and Legislative Councils. I hope to have discussions with other island councillors during the Overseas Territories' Consultative Council meetings in December. St. Helena's economy and its population level are matters of concern, and featured strongly in my discussions with councillors.

Bob Russell: I thank the Minister for that answer and I join him in congratulating the Secretary of State on his elevation to the Cabinet. He is respected on both sides of the Chamber and is a Minister who can be trusted—perhaps a rare commodity in this Government. Will the Minister think again about visiting St. Helena? No Minister of any Government has ever visited the island, which is a cause for great regret. The economy of the island is falling and the population has decreased by about a quarter in 18 months. Action is needed.

Mr. Thomas: I recognise the hon. Gentleman's long-standing interest in the economy and population levels of St. Helena. As he will know, one of the proposals that we are considering to try to tackle some of those issues is air access. As he will know from the written answer that I issued, we have made progress. We have had four expressions of interest in developing air access and in wider economic regeneration initiatives. I would be happy to arrange a further briefing for him on that issue.

Mr. John Smith (Vale of Glamorgan): Should my hon. Friend decide to visit the island, he would discover great concern about future development because of the education of its children. Does he think that it is right and proper that the children of citizens of British overseas territories have to pay the foreign rate of student fees for higher education, but the children of French overseas territories who attend British universities pay the domestic rate? Can he look into that?

Mr. Thomas: I am grateful to my hon. Friend for that question and I know that he, too, has had a long-standing interest in the affairs of St. Helena. That particular issue has not featured strongly in the discussions that I have had so far with the island councillors. However, following his request, I will look into the issue further and write to him.

Mr. Robert Key (Salisbury): When the Minister visits St. Helena as I hope he will, will he consider carefully the health care system? A review of the system was carried out a few years ago by the Department for International Development, but is he aware of any improvements to health care on the island?

Mr. Thomas: I am grateful to the hon. Gentleman for his question. Some improvements have been made to elderly care for the people of St. Helena. I do not have the exact details of those improvements, so I will drop him a note to clarify the issue.

India

2. **Mr. Andrew Dismore** (Hendon): If he will make a statement on British development programmes in India. [132039]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): In 2002–03, DFID provided £161 million of bilateral development assistance to support Government efforts to deliver pro-poor policies and services in India. We work closely with four state Governments committed to poverty reduction to help accelerate fiscal and public sector reform; increase access to basic health, education, and urban services; and empower the marginalised. We also support the Union Government and civil society in those areas nationwide.

Mr. Dismore: I am sure that I do not need to remind my hon. Friend that one third of the world's poor live in India, where 400 million people try to survive on less than $1 a day. With the incidence of HIV likely to rise to 8 per cent. over the next 10 years, and the prevalence of long-standing diseases such as polio, will my hon. Friend say what the Government are doing to try to support the Indian Government and individual Indian

states in that respect? Will he make particular reference to Gujarat, where so many of my constituents have their roots?

Mr. Thomas: I recognise the importance of Gujarat to my hon. Friend's constituents. Many of my constituents share an interest in, and affinity with, that state, and India more generally. He is right to highlight the rise in HIV/AIDS in India, where some 4.5 million people are, sadly, already infected. The British Government have provided just over £130 million to the Government of India, through their national AIDS control organisation, to help tackle HIV/AIDS. Gujarat is one of the states in which we are working.

Tony Baldry (Banbury): I understand that in 2003-04 the Department will give £233 million to India by way of bilateral development aid. That reflects what the hon. Member for Hendon (Mr. Dismore) rightly said was the great poverty in India. However, the Foreign Secretary is at the same time allowing India to spend £1 billion on purchasing 60 Hawk jets. In effect, therefore, every penny spent by the Government on development aid to India in the lifetime of this Parliament is effectively subsidising and enabling the Indian Government in the purchase of war planes. Am I alone in thinking that that is a somewhat bizarre arrangement?

Mr. Thomas: First, I must correct the hon. Gentleman's figures on this year's likely spend. We estimate that it will be in the order of £200 million. He may know that my right hon. Friend the Prime Minister has committed the Government to increasing our spend in India to some £300 million. The hon. Gentleman also referred to Hawk trainer jets, which are for training purposes, and not for operational and offensive purposes. The Government of India's defence expenditure is about on a par with what one would expect for an economy of that size. The initiative to which he refers will not have an impact on development programmes in India.

Mr. Piara S. Khabra (Ealing, Southall): Does my hon. Friend the Minister agree that trade and development go together? Will not the absence of any agreement at Cancun affect development work in India? What progress is being made to initiate further negotiations with the parties involved?

Mr. Thomas: My hon. Friend is right about the importance of making progress on trade negotiations. We were disappointed by the lack of further progress at Cancun. We welcome the statement by India's Commerce Minister, Arun Jaitley, that he is keen to get back to negotiations. My hon. Friend will have noted today that the World Trade Organisation has begun to look at how we might make that happen.

Mr. Andrew Robathan (Blaby): I have just returned from a visit to India, as a guest of the Indian Government. Does the Minister share my concern that the World Bank has just written to the chief Minister of Andhra Pradesh—one of DFID's four chosen states—because of World Bank concerns about the failure to combat corruption? Does he share my surprise that for the past year the European Commission has occupied the entire fifth floor of the most expensive hotel in New Delhi and used it for offices? Does he think that that is a good way to spend the money of EU and UK taxpayers?

Mr. Thomas: I am pleased that the hon. Gentleman has visited India. I, too, have just returned from India, where I discussed with the EU Commission our programmes, and the programmes that it has in hand. It is worth noting that the EU programme in India has been audited and given a good bill of health. We have a very constructive dialogue with the EU Commission in respect of its work in India. The hon. Gentleman's criticisms of the EU reflect his party's ongoing hostility to Europe more than real concerns about what the EU is doing in India.

Afghanistan

3. **Mr. Graham Allen** (Nottingham, North): What assistance his Department has given to re-establish democracy in Afghanistan. [132040]

The Secretary of State for International Development (Hilary Benn): The Department financially supported both the traditional Loya Jirga in June 2002, which elected President Karzai, and the public consultation on the new constitution. We are helping to fund the current electoral registration process. We have also translated into Pashto and Dari the report that we commissioned on the political process in Afghanistan, and which has been distributed through the independent Human Rights Commission.

Mr. Allen: First, may I congratulate my right hon. Friend on his very well deserved promotion? He is proof that merit need not stand in the way of a ministerial career. Does he agree that it is very important, in Afghanistan, that we are seen to be making a democratic infrastructure work? That is especially important, given the possibility that it may be extended into Iraq. We have been involved in Afghanistan for a longer period, and people need to see progress in respect of democracy there if they are to have faith that we can make progress in Iraq. Will he continue to work with President Karzai to ensure that the infrastructure is built in Afghanistan?

Hilary Benn: I thank my hon. Friend for his kind words, which give me the opportunity to express my appreciation to my noble Friend Baroness Amos for the work she did as Secretary of State and to wish her well in her new responsibilities. My hon. Friend is right when he says that we need to stick with the process of building a democracy in Afghanistan. That is why, as a Department, we are giving practical support to the constitutional process and to electoral registration, as I have said. The most important thing is that the people of Afghanistan now have the opportunity for that process to take place because of the action that was taken to remove the Taliban. We need to stick with them as they determine their own future.

Sir Peter Tapsell (Louth and Horncastle): As I may be one of the relatively few Members of this House to have debated with the Secretary of State's grandfather as well as his father, may I too congratulate him on maintaining

his family's ministerial and aristocratic role in the Labour movement? On establishing democracy in Afghanistan, may I urge him to remind his colleagues that other countries often have cultures and traditions that are different from our own and that to try to impose foreign forms of government on them is often counter-productive and futile?

Hilary Benn: I thank the hon. Gentleman for his kind words. I hope that he will find dealing with me a similarly pleasurable experience. The constitutional Loya Jirga process that has been adopted in Afghanistan is taking place precisely because we recognise his point about the need to respect particular traditions and ways of doing things. The Loya Jirga needs to be given the time to draw up the new constitution. Then, the process can take place—hopefully, with elections next year. We need to acknowledge the cultural tradition of countries while upholding the principles of democracy that all hon. Members hold dear.

Joan Ruddock (Lewisham, Deptford): May I also congratulate my right hon. Friend on his appointment and ask him to join me in congratulating President Karzai, who has said that, of the 50 delegates that he will appoint to the Loya Jirga, 25 will be women? My right hon. Friend will know that that is what Afghan women, within their traditions, want—they want to participate. Will he discuss with the United Nations Development Fund for Women, UNIFEM, ways in which special help can be given to women to ensure their safe and thorough participation in the Loya Jirga and to prevent the intimidation that happened last time?

Hilary Benn: I am happy to tell my hon. Friend that I will be delighted to discuss that issue with UNIFEM. Indeed, I had a conversation on the subject when I was in New York recently. I very much welcome what President Karzai said about the steps that he will take in appointing women to the Loya Jirga. Of course, under the arrangements that have been put in place, 19 per cent. of the delegates to that body will have to be women. It is also worth reflecting on the fact that one third of teachers working in the schools of Afghanistan are now women and 30 per cent. of the pupils are girls—a situation that did not obtain when the Taliban were in control of that country.

Mrs. Caroline Spelman (Meriden): I, too, congratulate the Secretary of State on his well deserved promotion. It is important, after an absence of five months, to have the Secretary of State in this House again. I am sure that the whole House will agree that giving Afghan women the vote is vital for the future of Afghanistan. Given the problems of electoral registration of women and the likelihood that those in traditional communities may simply vote as their husbands do, will the right hon. Gentleman tell the House what measures have been taken to inform and encourage women to participate on an individual and equal basis in next year's elections?

Hilary Benn: I am grateful to the hon. Lady for her kind words. She raises an important point about the process of change that is taking place in Afghanistan. First, as she says, we have to get the electoral registration process to work. It will begin in the cities and then move on to the rural areas, where the job will be more difficult—we need to acknowledge that.

Secondly, we are supporting activities of which I am sure that the hon. Lady will be aware, trying to encourage the kind of discussion to which she has just drawn the attention of the House. Thirdly, in the long term, the return of girls to school and the participation of women in civil society is the best contribution that we can make to enabling women to have the place in Afghan society that she and I would like to see.

Mr. Bill Tynan (Hamilton, South): I shall pass on the congratulations as I think enough has been done. My right hon. Friend will be aware of the United Nations Security Council resolution to extend the role of peacemakers in Afghanistan. At present, 16 of the 32 provinces are no-go areas for non-governmental organisations. Will my right hon. Friend indicate what can be done by his Department to extend the role of NGOs in Afghanistan?

Hilary Benn: My hon. Friend draws attention to the key issue in Afghanistan, which is security. The new UN resolution on ISAF—the international security assistance force—which has just been passed, will help. Four of the provincial reconstruction teams, which are a civil-military alliance, have already been deployed, including the UK team in Mazar. We hope that four more teams will be deployed before the end of the year. Training of the Afghan national army is being stepped up, as is training of the police. Those are all steps that we have to take to provide the security in which all the other things that we want to see in Afghanistan can happen.

Middle East

4. **Sir Teddy Taylor** (Rochford and Southend, East): Which nations in the Middle East receive grants and assistance from the Department. [132041]

The Secretary of State for International Development (Hilary Benn): DFID currently provides bilateral assistance to Egypt, Iraq, Jordan, Lebanon, the Palestinian territory, Syria and Yemen. We also provide assistance for Afghan refugees in Iran. Our future plans are set out in our regional assistance plan for the middle east and north Africa, published last month. In addition, the EC funds large programmes in several countries in the middle east; 19 per cent. of EC programme funding in the region is attributed to DFID's budget.

Sir Teddy Taylor: I offer my congratulations to the right hon. Gentleman. Has he yet had time to establish whether there are procedures in his Department to make sure that the money given to those countries is properly spent and that there is no question of any money going to organisations that support terrorism in any way?

Hilary Benn: I can assure the hon. Gentleman that processes and procedures are in place precisely to protect against the concern that he raised. Concerns have been expressed as regards EC funding. Those have been looked into and they have not been substantiated.

In particular relation to the Palestinian Authority, under Finance Minister Fayyad big progress has been made in bringing the finances into shape and improving accountability, so much so that the United States Administration recently offered direct financial support to the Palestinian Authority. That is recognition of the progress that has been made. *[Interruption.]*

Mr. Speaker: Order. The House is far too noisy. It is unfair to those who are interested in these items of business.

Mr. Gerald Kaufman (Manchester, Gorton): Following his much appreciated visit to the Palestinian territories earlier this year, is my right hon. Friend aware that in Bethlehem last week the deputy mayor demonstrated to me how the Israeli plan to build a wall through Bethlehem will wreck that city's economy, destroying tourism by preventing access to holy shrines and obstructing access to the Church of the Nativity and preventing access by owners to thousands of acres of agricultural land? What action can my right hon. Friend take even now to try to prevent the building of that hideous wall?

Hilary Benn: My right hon. Friend draws attention to a serious problem for the Palestinians. When I was there at the end of July I visited Qalqilya where the wall completely encircles a town, leaving an 8 m gap where it joins at the other end, with all the consequences to which my right hon. Friend has drawn attention. The Government have made our views extremely clear—my right hon. Friend the Foreign Secretary did so yesterday during Foreign Office questions—about the illegality of building the wall on Palestinian land, but it is a symptom of the problem, which is the lack of security, and that is why the peace process must be put back on track. We shall only deal with all the consequences to which my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) has just referred when we get peace in the middle east.

Iraq

Dr. Vincent Cable (Twickenham): What consultations took place with the British Government on the foreign investment and tax policies introduced in Iraq by the interim authorities. [132043]

The Secretary of State for International Development (Hilary Benn): The order on foreign investment and the tax policies in the 2004 draft budget were approved by the governing council. The British Government have been kept informed about the coalition provisional authority's proposals for economic reform, and we have secondees in the CPA, assisting in Iraq's development. We share the CPA's aim of attracting investment into Iraq and the creation of a diversified tax base.

Dr. Cable: May I add congratulations from the Liberal Democrat Benches?

Since the first major decision was to spend £550 million of British taxpayers' money in Iraq, what steps has the right hon. Gentleman taken to assure himself that the economic policy framework is sound and democratically based? In particular, how does he respond to the criticism of the Nobel laureate, Joe Stiglitz, and others that Iraq is being used as a laboratory experiment for the ideas of the extreme right wing of the American Republican party?

Hilary Benn: That is not a view that I would share. I think that what the House is concerned about is how we can support Iraq in the process of getting the country back on its feet. The most important answer to the hon. Gentleman's question is that the governing council took the decision about the steps on tax policy and investment. Iraq desperately needs investment because, if we can combine that with political progress and security and as it is a country with talent, resource, expertise, and a well-educated population, it should have a prosperous future if we stick with the course that we are currently charting.

Mr. Peter Mandelson (Hartlepool): May I add my congratulations to my right hon. Friend on his promotion? I think that he will do his job very well, and I wish him every success.

May I also commend the Government for their decision to contribute financially to the rebuilding of Iraq? Although there is obviously a mountain to climb, does my right hon. Friend agree that, since the removal of Saddam Hussein's vicious and destructive regime, security has been restored to the overwhelming bulk of that country, the police and the army are being rebuilt, the economy is stable, food and water are getting to the Iraqi people and the governing council is a vital step to restoring sovereign government in that country? Is not all that something that we in Britain can take considerable pride in helping to bring about?

Hilary Benn: I agree with my right hon. Friend's description of what is happening in Iraq at the moment—a description that one would not always get from just reading the newspapers and watching the television. It is important that people have a balanced picture of the progress that is being made, while recognising the continuing security concerns. He is absolutely right: if Saddam were still there, we would not be having any of this conversation about the possibility of a new future for the people of Iraq.

Tom Brake (Carshalton and Wallington): I too congratulate the Secretary of State on his new position. I know that he will fight hard on behalf of his Department.

Did the consultations include an assessment of whether the policies to be introduced by the Iraqi governing council are, in fact, in breach of the advice given by the Attorney-General to Her Majesty's Government? Does the Secretary of State favour the economic shock therapy that will be introduced in Iraq? Does he not in fact believe that that will only fuel resentment against foreign companies and foreign countries, particularly the US and the UK?

Hilary Benn: I congratulate the hon. Gentleman on his first appearance as the Liberal Democrat spokesperson on international development.

The most important answer to the hon. Gentleman's question is that this was a decision of the governing council. The House needs to trust the Iraqis, who now have responsibility for taking forward that country in the decisions that they take and in the hard process of moving from the nightmare that they have experienced for the past 25 years to the prosperous future that we all want for it.

Mrs. Caroline Spelman (Meriden): In the Department's most recent Iraq update, 70 per cent. of Government investment in reconstruction has been allocated through the UN and yesterday's written statement reveals a further blank cheque. The Department has flatly refused to fund individual projects, such as the rebuilding of the spinal injuries unit in Baghdad. Does the Secretary of State accept that, because of that loss of control over how the money is spent, good projects such as that one just do not get a look in?

Hilary Benn: The Government have not given a blank cheque. We are funding practical progress and real investment, as the hon. Lady will know, including in southern Iraq, where 17 projects have been approved to improve water and sanitation under the scheme that started just over a month ago. In relation to the particular hospital, in which I know that she takes a real interest, the discussion needs to take place with the Minister of Health, who is now in post, about Iraqi priorities for the future of the health service in that country. We need to back Iraqi judgment.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [132023] **Mr. Andrew Robathan** (Blaby): If he will list his official engagements for Wednesday 15 October.

The Prime Minister (Mr. Tony Blair): Before listing my engagements, I would like to express our condolences on behalf of the Government and both Houses to the family of Gareth Williams, Lord Williams of Mostyn, who died suddenly on 20 September. He was an extraordinary man with excellent judgment and a fine intellect who earned the respect not only of his Cabinet and Government colleagues but of members of all political parties. He was a kind and generous man who sparked huge affection in all who knew him, and he will be deeply missed.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Mr. Robathan: Does the Prime Minister remember his commitment of September 1999 that by September 2001 anyone will be able to find an NHS dentist? Last month, September 2003, I received a document on dentistry from the Leicestershire strategic health authority, which said that in Leicestershire there are currently problems—across the county, and around Lutterworth in south Leicestershire because there are no practices accepting new NHS patients. When will the Prime Minister fulfil his promise to my constituents and the people of Leicestershire on dentistry?

The Prime Minister: I will certainly look into the situation in Leicestershire. We have made huge attempts to make sure that people can get access to NHS dentistry. I remind the hon. Gentleman that it was under the Government whom he supported that NHS dentistry was done more damage than at any time since the NHS started. I would also point out that whereas we are now increasing resources going into the NHS, his policy is to take them out.

Q2. [132024] **Ann McKechin** (Glasgow, Maryhill): As the Prime Minister will be aware, low pay still remains a problem for thousands of workers in this country, particularly in cities such as Glasgow where they form the largest income group. Does he agree that the minimum wage is one of the best ways to tackle that problem, and will he consider repeating next year this year's excellent decision to raise the minimum wage above the rate of inflation?

The Prime Minister: There are now 1.3 million workers in Britain who have benefited thanks to the minimum wage. The lowest paid have had their incomes increased by £1,500 a year as a result of the minimum wage. We are proud that this party introduced the minimum wage. We remember being told by some that introducing a minimum wage would cost 1 million jobs. In fact, we have managed to introduce the minimum wage and gain 1 million jobs.

Mr. Iain Duncan Smith (Chingford and Woodford Green): May I join the Prime Minister in sending our condolences from this side of the House to Lord Williams' family? As he said, Lord Williams was highly respected by those in all political parties.

The Minister for Local Government says that council tax bills have reached "the limit of acceptability". Does the Prime Minister therefore agree that it would be unacceptable for them to rise further?

The Prime Minister: We have said that we will use the capping powers if necessary in respect of unacceptable council tax rises. I would point out, however, that we have funded a 25 per cent. real-terms increase in the money going to local government since 1997. In the end, of course, it is for councils to decide their level of council tax.

Mr. Duncan Smith: The Prime Minister, as ever, seeks to blame councils for those rises, but he knows that it is his Chancellor's hike in national insurance, the pensions tax and the huge salary increases that he has put down on councils that are to blame. He has said that the limit of acceptability has been reached, so why does the Red Book say that the Chancellor is banking on council tax increases of 13.5 per cent. over the next two years?

The Prime Minister: We have made it clear that we are not prepared to see unacceptable rises in council tax. We have said that we will use the capping powers if

necessary. However, I repeat that it is necessary for central Government to fund local government generously. We are funding it generously and, in the end, it is for councils to decide their own level of tax.

Mr. Duncan Smith: The average family is now paying more than £1,000 in council tax and the Chancellor says that, on top of all that, they must pay £150 more over the next two years. This comes on top of council tax increases of 70 per cent. since this Government came to power. All this is from a Prime Minister who said he had no plans to raise taxes at all. Has not the council tax under this Government become the biggest stealth tax of all?

The Prime Minister: No. As I said in answer to an earlier question, I believe that the responsibility of the Government is to fund local councils generously. A 25 per cent. real-terms increase since we came to power is very generous. It compares with the 7 per cent. real-terms cut in the few years before we came to power.

The right hon. Gentleman talks about national insurance and, yes, it is correct that national insurance has been an additional cost, but we make no apology for having raised national insurance to fund the national health service better. If he is saying that he would remove that national insurance increase, perhaps he will say so.

Ms Gisela Stuart (Birmingham, Edgbaston): Given the Prime Minister's clear commitment and preference for an appointed rather than an elected second Chamber, will he share with the House his views on what kinds of qualities he will be looking for in those who he wishes to see appointed?

The Prime Minister: I have given my view. So far as Labour Members are concerned, my preference, which is probably in accordance with the views of most Prime Ministers before me, would be for ones who would actually support the Government.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I wish to associate my right hon. and hon. Friends with the very proper expressions of condolences to the family of the late Lord Williams. Those of us in all parties who worked with him in both Houses held him in great affection and respect. He will be greatly missed.

Is it the Prime Minister's personal preference to introduce legislation to the House to bring forward a scheme for identity cards?

The Prime Minister: As I have said before, I believe that identity cards have a place but two issues have to be resolved, which is why the Government are looking at them. The first is in relation to the logistics of such a card and the second is in relation to the cost. When we look at the levels of benefit fraud and the problems that arise from asylum and immigration, I think that, in principle, yes they are a good idea.

Mr. Kennedy: At the end of that answer, the Prime Minister said yes, in principle, he thinks identity cards are a good idea. The Home Secretary publicly said on the record this week that there are divisions within the Cabinet on this matter. Given that there is such disagreement around the Cabinet table, can we therefore assume that, despite the Prime Minister's personal preference, there will not be legislation in the Queen's Speech for identity cards?

The Prime Minister: We must wait for the Queen's Speech to see what is in it. In relation to the two issues that I have just described, there are issues of cost and logistics. However, the question is whether those issues can be overcome, and that is precisely what we are looking at now. I remember a similar debate about identity cards under the previous Government, but I happen to believe that in today's world, where we have masses of migration across national frontiers and where there are real problems with fraud, if we can overcome the questions about costs and logistics, yes, in principle, identity cards are the right thing to do.

Dr. Nick Palmer (Broxtowe): Following the previous question, does the Prime Minister accept that if we claim benefits or any kind of entitlement from the state, it is not unreasonable to show who we are? Is there not overwhelming support for the principle of identity cards, so that we have a society in which people claim what they have the personal right to claim?

The Prime Minister: It is for precisely that reason that the issue arises. The question, particularly with the new biometric technology, is whether there is a way in which the costs of introducing such a scheme will be justified by the benefits that we get back as a result. That is precisely why we need to undertake the detailed work, and we are doing that. I would have thought that that was sensible for any Government to do.

Q3. [132025] **Mr. Henry Bellingham** (North-West Norfolk): Has the Prime Minister had a chance to look at yesterday's report by the centre for education and employment research at Liverpool university, which concluded that this year's education funding crisis has forced schools, including many in Norfolk, to shed 21,000 staff, which has led to larger classes, poorer teaching and a reduced curriculum? With two thirds of all schools in England and Wales being worse off, what has happened to his election promise of "education, education, education"?

The Prime Minister: I will tell the hon. Gentleman what has happened to that. Since this Government came to office, we now have 25,000 more teachers and 80,000 more classroom assistants. I shall tell him what he has actually got in Norfolk—almost 400 more teachers, 1,000 more teaching assistants and 1,300 more support staff. I agree that there are schools that have had problems with their funding this year—that is absolutely true—but the answer to that cannot be his policy, which is to impose cuts on state school funding. With the greatest respect, he should ask himself how he managed to go through the Lobby to vote against increases in education spending.

Q4. [132026] **Mr. Piara S. Khabra** (Ealing, Southall): Every week I receive letters from my constituents who are concerned about bullying, neighbour nuisance, vandalism, graffiti, thuggish behaviour, abandoned cars

and the dumping of rubbish. That sort of criminality is not acceptable to decent citizens. Will the House join me in congratulating the Prime Minister and his Cabinet on investing millions of pounds in schemes to tackle antisocial behaviour? Will the Prime Minister also assure the House that his Government will monitor the progress of the antisocial behaviour action plan?

The Prime Minister: Everyone recognises the huge problem of antisocial behaviour, and the new powers that will come into effect early next year—especially with fixed penalty notice fines—will allow the police and others, such as local authority officials, to deal promptly and summarily with antisocial behaviour. Where the fines have been piloted, they have been immensely successful. From what was being said by many police officers throughout the country yesterday, I think that they now have available the range of powers to tackle antisocial behaviour. It is also important to point out, as I am sure my hon. Friend would like to, that whereas this side of the House supported the Anti-social Behaviour Bill, the Liberal Democrats opposed it.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Will the Prime Minister say how much a typical pensioner couple will have to save over their lifetime to avoid a means test?

The Prime Minister: I cannot say the exact amount, but I can tell the right hon. Gentleman that about 2 million pensioners have already benefited from the pension credit, which means, in many cases, that they benefit by £8, £10 or even more a week. His proposal, which is to take that money off them, would be disastrous for them and the poorest pensioners in our country.

Mr. Duncan Smith: Under the Prime Minister's own figures, 1.4 million of the poorest pensioners now will not get even an extra penny from the Chancellor's scheme. Under the Prime Minister's Government, persistent pensioner poverty has actually risen since 1997. Now, a pensioner couple will have to save £180,000—that is a massive amount—just to escape his means test, and that from the Chancellor who said that he would

"end the means test for our elderly people".

Will the Prime Minister now tell us how many more pensioners are on means-tested benefits since 1997?

The Prime Minister: Those who are on the pension credit are, I think, absolutely delighted to be on it because it gives a substantial uplift to their income. That goes alongside the winter fuel allowance, free television licences for over-75s and above inflation increases to the basic state pension. Let us be quite clear: this Government have done a huge amount for the poorest pensioners in our community, but every single one of those measures has been opposed by the right hon. Gentleman and his party.

Mr. Duncan Smith: There are now 6 million pensioners on the means test—that is 2 million more than when the Prime Minister came to power in 1997. Two million pensioners have to go cap in hand to his Government just to make ends meet. Why will he not take people out of the means test, raise the state pension and give pensioners dignity and independence in retirement?

The Prime Minister: This is the Conservative party that now says that it is the great champion of linking the pension to earnings, but they are the people who took away the link between earnings and pensions. As for saying that people go cap in hand, in light of the 2 million pensioners and the many hundreds of thousands to come who are receiving large additional amounts, we make no apology for saying that the poorest should get most. Perhaps the right hon. Gentleman can explain how he can afford his policy without taking that money off those pensioners who are on pension credit? Every one of those 2 million pensioners, including those people who are watching us now, knows that his policy is to take that money off them.

Q5. [132027] **Mr. Huw Edwards** (Monmouth): Will my right hon. Friend join me in commending the work of the Territorial Army, currently employed in the reconstruction of Iraq, and in particular the 175 members of the Royal Monmouthshire Royal Engineers, based in my constituency, who are involved in infrastructure work and force protection? I talked to the commanding officer, Colonel David Caulfield, this morning. He wants to acknowledge the support of employers in allowing their staff to work for the TA. Does my right hon. Friend agree that when the TA leaves Iraq, there will be a great deal of humanitarian and infrastructure work for it to get involved in developing countries throughout the world?

The Prime Minister: I concur with my hon. Friend. I pay tribute to the four members of the Territorial Army who lost their lives while on mobilised service in Iraq. Our condolences are with their families, friends and colleagues.

The work of members of the TA who are from my hon. Friend's constituency and elsewhere has been of enormous assistance. As a result of what the British Army—both Territorials and regulars—is doing in the south of Iraq, it is possible to see real progress on the ground. When people hear the tragic cases of terrorist bombings and attacks, I only wish that they would also realise that massive good is being done by British and American troops. We can be proud of what they are doing.

Mr. Nigel Dodds (Belfast, North): Does the Prime Minister accept that the two parties from Northern Ireland that were invited to Downing street on Monday cannot deliver stability in the Province? Will he announce that elections, which he has twice postponed in North Ireland, will be allowed to proceed, that there will be no more attempts to save Dave or to appease the IRA, and that the people of Northern Ireland will have their say and choose who will negotiate a better way forward for them, based on an agreement that Unionists as well as nationalists can support?

The Prime Minister: We accept that elections should go ahead and we are considering when those should be. However, I have two things to say to the hon. Gentleman. First, I believe that the agreement has

delivered tremendous benefits for people in Northern Ireland over the past few years. No one who returns to Northern Ireland now after an absence of, say, seven, eight or 10 years could fail to see the progress that has been made. With the greatest of respect to the hon. Gentleman, that progress is a result of the courage of those leaders, including Unionist leaders, who have been willing to participate in the process.

Secondly, the hon. Gentleman says that some other agreement is waiting out there to be negotiated. As I said to some of his colleagues when they came to see me, I do not know what that agreement is, but I do not see him or his colleagues negotiating a better agreement. The agreement that we have is the only agreement on offer. To say anything else is deeply to mislead the people in Northern Ireland.

Q6. [132028] **Mr. Chris Bryant** (Rhondda): Further to the question asked by my hon. Friend the Member for Ealing, Southall (Mr. Khabra), does the Prime Minister agree that antisocial behaviour is an issue not just in inner-city areas, but in many rural and semi-rural areas, such as former mining constituencies such as the Rhondda and Sedgefield? My constituents are sick and tired of the antisocial behaviour of a few ruining the lives of the many. They want a police service that is so well resourced that the phone is answered every time and every incident is dealt with robustly. Will the Prime Minister assure my constituents that that is not simply a vain aspiration but his determined intent?

The Prime Minister: Overall in my hon. Friend's constituency and the country, crime has fallen in the past few years according to the British crime survey. We have record numbers of police officers and, in addition, community support officers. He is right, however, to draw attention to the fact that we need legislation to go with that. Antisocial behaviour legislation is important, as is the Criminal Justice Bill. I simply say to Opposition Members that the Conservatives in the House of Lords are still opposing central measures of the Criminal Justice Bill dealing with organised crime, previous convictions and other things that the police say are necessary in the fight against crime. I appeal to both sides of this House and the other place to support those measures because they are necessary in the fight against crime.

Mr. David Heathcoat-Amory (Wells): In his party conference speech, the Prime Minister promised to change asylum laws and end what he called the gravy train of legal assistance, and to stop judicial interference in such matters. How does he square that with the European constitution, under which all those matters will be transferred to the European Union to be decided by majority voting and asylum and immigration rights will be permanently entrenched in the charter of fundamental rights, which will be part of the constitution? That will mean more judicial intervention.

How can the Prime Minister promise things at home, while simultaneously negotiating the transference of all these matters to another jurisdiction?

The Prime Minister: The simple fact is that I am not. It is absolutely clear that the charter of fundamental rights does not enlarge the jurisdiction of the European Court. As for the laws that we propose in this country, under the European Constitution we shall have every right to pass them, and we will do so. I hope that when we do, we shall have the support of the right hon. Gentleman's party as well.

Despite what is, as usual, being said by the Conservatives—who have returned to their obsession with Europe after a brief interlude during which they appeared to depart from it—the plain fact is that we need this constitution to make a Europe of 25 work well. I make no apology for saying that this country's place lies not where the Conservatives want it, at the margins of Europe, but at the centre of Europe, leading in Europe.

Q7. [132029] **Tony Cunningham** (Workington): I taught for some 17 years, and have spent a lot of time in schools in my constituency. It is fairly obvious that educational standards are rising. This summer we saw some of the best examination results that we have ever seen. It is also fairly obvious that teachers are working harder than they have ever worked. While I am sure the Prime Minister will join me in paying tribute to their efforts, does he agree that we really need to do something about their workload?

The Prime Minister: My hon. Friend is right: overall, standards have risen significantly over the past few years. They have risen substantially in primary schools, and GCSE and A-level results are better.

My hon. Friend's point about teachers' workload is important. That is why we are negotiating a national agreement to reduce the workload. It is also important to get the right support staff into schools, which is why the introduction of 80,000 additional classroom assistants is so significant.

Q8. [132030] **Gregory Barker** (Bexhill and Battle): Which policy does the Prime Minister think would find more support with his Back Benchers, the Conservative pledge to link pensions with earnings or his own commitment to introduce tuition fees?

The Prime Minister: I will tell the hon. Gentleman what I think about both policies. In respect of tuition fees, I think that the Conservative policy of taking £500 million out of the university budget immediately would be disastrous for universities. *[Interruption.]* Yes—that is the Conservatives' pledge. They may think it an easy pledge to make; we will see how they explain it to the students who will have to leave universities as a result.

As for pensions and earnings, I think—as any sensible person does—that the additional money we give to pensions is best targeted at the pensioners who need it most. What the hon. Gentleman will have to explain come the next election is why all the pensioners on pension credit will lose it under the Conservative plan.

Mr. Robert N. Wareing (Liverpool, West Derby): Will my right hon. Friend give a categorical assurance that should Israel and the United States engage in hostilities against Syria, this country will not be involved?

The Prime Minister: We have absolutely no plans to engage in hostilities in respect of Syria. That is what my

hon. Friend would expect me to say. Let me also say that it is extremely important, obviously, for Israel to conduct itself with restraint in these very difficult times, but I hope that my hon. Friend understands how hard that is for a country such as Israel, a democracy that faces the carnage of so many of its citizens in these appalling terrorist attacks. It necessarily feels that it must react and do something about that.

I think that, in the end, the only way forward is to put the middle east peace process back on track according to the road map that has been set out. I hope that those who look at the situation in the middle east realise that although, of course, there is misery and degradation on the Palestinian side—which is why the peace process is so important—there is also terrible innocent suffering on the Israeli side. It is important for us to recognise and remember that because there is too often a tendency for the international community to look only at the faults on one side, and not at those on all sides.

Q9. [132031] **Mr. Nigel Evans** (Ribble Valley): Why does the Prime Minister dislike pensioners so much? Let us look at the facts. One of the first acts of his Government was to raid their pension funds. Then he and his Government bullied millions of pensioners into switching their pensions away from post offices to banks, thereby closing hundreds of post offices, four of which have recently closed in my constituency. Now we see pensioners struggling to pay the obscene increases in council tax—up to 70 per cent. since his Government came to power. For the Government to give some money with one hand and claw back more with the other is not a decent policy for our pensioners. When will the Prime Minister start supporting our pensioners and stop kicking them at every turn?

The Prime Minister: This Government have introduced larger than average rises in the basic state pension, the winter fuel allowance of £200, free TV licences for the over-75s and the free eye test. We are introducing in the pension credit money for the poorest pensioners, millions of whom will benefit as a result of it. People remember 18 years of a Conservative Government who broke the link between earnings and pensions, and who were associated with all the scandals of private pensions. As this is the Conservatives' latest opportunism, let me remind them what their social security spokesman said just a couple of years ago about re-linking earnings to pensions—that that is uncosted and unaffordable. The Conservatives have a plan in which they do not really believe, and which will mean that pensioners lose hundreds of pounds a year, because the pension credit will help pensioners and the Conservatives will take it off them.

Liz Blackman (Erewash): Like many Members, I represent a former mining community. Many former miners in my constituency have been compensated for the lung disease and vibration white finger that they contracted as a result of their former occupation. Others await redress. Can my right hon. Friend give me an update on the progress of the compensation scheme towards meeting those outstanding claims?

The Prime Minister: I do not have the exact figures, but I understand that hundreds of millions of pounds have been paid out in compensation claims. I know that there are still claims outstanding. As my hon. Friend recognises, part of the problem is that each claim has had to be assessed individually. We have made real efforts to speed up the process. Apparently, £1.6 billion has already been paid out, and I hope very much that we can deal with the remaining claims as swiftly as possible.

Q10. [132032] **Mr. Bill Wiggin** (Leominster): Considering that the Government were supposed to replace the special waste regulation for hazardous waste but have not done so, how are we supposed to trust them with radioactive waste? How much do the Government propose to spend on compensating communities that agree to have a radioactive waste management facility?

The Prime Minister: Perhaps I can write and give the hon. Gentleman a more detailed reply. With reference to radioactive waste, there are rules, plus an independent objective body that assesses risk. Those rules must be adhered to and the body makes a report on them. Some of the concerns that people have often turn out to be far less well grounded than they think.

John Robertson (Glasgow, Anniesland): Is my right hon. Friend aware of the fact that call centres make simultaneous calls to customers, and when a customer answers, all the other calls continue ringing and cause a nuisance, particularly to the elderly, when they answer the phone and find that there is nobody there? This has been happening ever since the call centres started moving abroad. Will my right hon. Friend look into the situation, and also try to stop call centres relocating abroad?

The Prime Minister: I am not sure that I can promise to stop call centres relocating. In the end it is a commercial decision that they must take, but I shall look into the point that my hon. Friend makes about the calls.

Mr. Mark Francois (Rayleigh): Council tax now represents the single largest outlay for many pensioners across the country, including those among my constituents in Rayleigh. Will the Prime Minister give a commitment to review the new formula spending share arrangements that determine how much money goes from central Government to local government, in order to overturn the iniquitous situation whereby so much money has been taken from councils in the south with the effect of subsidising Labour's friends in the north?

The Prime Minister: The hon. Gentleman's last point is simply incorrect. In fact, all councils have received real-terms increases since 1997; that compares with real-terms cuts in the last few years of the last Conservative Government. I have to say to him and his colleagues, who are asking for more money to be spent on virtually everything that they can think of—from schools to local government; even to hazardous waste—that the policy of the Conservative party is to cut public spending. That cut in public spending, which would include local government, would result in less money going to local government and therefore even more money on council tax. Whatever the solutions to the problems that the hon. Gentleman raises, they are not those put forward by his party.

Points of Order

12.31 pm

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Mr. Speaker. As the House knows, today is the last day on which the Government can call for Assembly elections in Northern Ireland if the elections are to take place by the date that is required by the legislation—15 November. Devolved government in Northern Ireland is an essential part of the Belfast agreement, which the Prime Minister described only a few minutes ago as the only agreement in Northern Ireland.

The people of Northern Ireland are entitled to the right to democratic, peaceful political expression, and it is very important that that right is restored to them. So far as the momentum of the peace process is concerned, unfortunately, as I predicted at the time, the postponement of the elections in May had no other consequence than to bring to a complete halt the negotiations that had been launched at Hillsborough.

In those circumstances, Mr. Speaker, the whole of Northern Ireland is waiting to see what the Government are going to do about the situation, given that they have taken it down to the wire in their usual arbitrary fashion. Have you had any indication that the Government are to make a statement today about an intention to hold elections in Northern Ireland by the required date; or that they are to come before the House, as they would otherwise have to, with proposals for new legislation to give them the power—very unfortunately and regrettably, if that is their decision—to postpone the elections for a third time?

Lembit Öpik (Montgomeryshire): Further to that point of order, Mr. Speaker. You will know that Liberal Democrat Members have been concerned that the silence on this matter is causing instability in Northern Ireland. I should like to associate myself with the hon. Gentleman's question and to add one. If the Government refuse to make a statement in the next few days, do you have any power to require a written statement from the Northern Ireland Office in order to provide clarification of the kind that the hon. Gentleman requests?

Mr. David Trimble (Upper Bann): Further to that point of order, Mr. Speaker. Is it not the case that under the existing legislation the Government have the power to call elections; that that power remains effective until 15 November; and that the legislation does not require the election to be held before 15 November?

Mr. Peter Robinson (Belfast, East): Further to that point of order, Mr. Speaker. Given that the Northern Ireland (Elections and Periods of Suspension) Act 2003 has a sunset clause, is it not a discourtesy to this House for the Government not to come to explain to Members why they have not today made a statement calling elections? They are required by statute to come to this House to let us know whether they are going to hold an election in time. Instead of trying to appease someone who has been attempting to run away from the electorate since last May, they should come to this House and explain themselves.

Mr. Speaker: This is not a matter for the Speaker. However, the points have been made and the appropriate Minister will have heard what has been said in the Chamber. I draw the House's attention to the fact that tomorrow we have business questions, during which such matters can be raised if right hon. and hon. Members so wish; and, of course, representations can always be made to the appropriate Minister.

Representation of the People (Consequences of Devolution)

12.34 pm

Andrew George (St. Ives): I beg to move,

That leave be given to bring in a Bill to make provision for a reduction in the number of Members of Parliament; to make provision for referendums on regional assemblies; and for connected purposes.

I am sure that I would be high on the list of Members whom certain people would like to cull from this honourable establishment, but it would cause me considerable grief even to contemplate anyone leaving it. For reasons that I shall explain, however, I believe that some tough choices need to be made as a consequence of the programme of devolution in this country.

Why am I proposing that we should significantly reduce the number of MPs in this House? I am not the first person to make the suggestion. I do so, first, because of a dislocation of the public from the political process and a disregard for politicians that is increasing over time; secondly, because there are more MPs in the United Kingdom than in any other European Union country, and certainly more than in any other comparable western democracy, because of the consequences of the process of devolution; and, thirdly, because we can make considerable savings by reducing the number of MPs. I am sure that the public would rather see those resources spent on front-line public services than on maintaining an unfeasible and inappropriate number of MPs in this House. I also believe that there would be operational improvements in the way in which the House operates.

Although I would have introduced a Bill of this nature in any case, I have to declare an interest, in that I currently face a boundary commission review in my constituency. With a population of 500,000, the five constituencies in Cornwall have an electorate per constituency of 77,000, which the boundary commission has decided is 7,000 over the national electoral quota. It has therefore decided that the number of MPs should be increased from five to six. We welcome the decision, of course, but it means that we face some difficult choices.

In my constituency, for example, the boundary commission has proposed that I should lose the whole of the Lizard, which is where I was born and brought up, but clandestine proposals have also been made by another political party to gerrymander the constituency's boundaries in another area, which would take out the town of Hayle, in which I live. That is not a choice that I welcome. The issue of under-representation in Cornwall should clearly be addressed, but we should do so in a quite different way—namely, by reducing the number of Members of Parliament coming to this House altogether.

I want to go through the points that I made earlier in more detail. The often-repeated claim that there is a dislocation of the electorate from the political process and a public disenchantment with politicians is often accompanied by the recognisable sound of hand-wringing and swift, energetic and urgent efforts to do absolutely nothing about the problem. The public have a perception that we vote ourselves generous pay rises and allowances and more favourable pensions than we offer to them. Of course, we need to address those issues as well. There is also a perception—I think that it is right—that we lead a relatively charmed and luxurious life in the House, in comparison with the majority of our constituents. Failing to face up to the tough choices will result in our continuing to lose respect, when we need to regain the respect that I believe that the majority of hard-working right hon. and hon. Members richly deserve.

With regard to the comparison with other countries, the House of Commons Library has provided me with some figures. The United Kingdom has more MPs than other European countries, and a smaller electorate than comparable democracies. For example, the UK has a population of nearly 59 million and 659 Members of Parliament, giving each constituency an average population size of 89,410. In Germany, the average constituency population size is 136,000. Spain has a population of 40 million, and 350 Members of Parliament, making the average constituency population size 115,000. In France, the average population size is 102,000. In the Netherlands, which has a population of only 16 million, there are 150 Members and an average population size of 107,000. In the United States, the average population size for Congress is 658,000; in Japan, the figure is 264,500. We need to address that matter and compare ourselves with other countries.

Issues clearly arise as a consequence of devolution, but it is not the intention of the Bill to focus on one country or place that has been the subject of devolution. We should spread the pain—or, rather, the opportunity—of this process. I believe that we should introduce these measures across the country, whether a process of devolution is in place or not.

On savings, the House of Commons Commission's annual report recognised that Members of Parliament cost the equivalent of about £211,000 per annum, which covers pay, allowances, office costs and so on, but there are other costs in respect of running this place. If we were to reduce the number of Members to 500, my estimate is that we would make savings of £40 million per annum. We should ask the electorate what they would rather we spent that money on; hospitals, schools, and other public services, or maintaining an inappropriate number of Members of Parliament in this House?

There are other operational reasons concerning the efficiency of the House that I do not have the time to go into. However, our debates are oversubscribed and there is the fundamental issue of comfort; not, perhaps, for the present debate, but certainly for others when we do not have enough room.

The second part of the Bill is to aid the process of moving towards referendums so that devolution can be accelerated. Currently, a referendum decision is entirely within the gift of the Government. Devolution is about letting go, not holding on. We have a void at the centre of Government policy that is based on a flimsy tautology, which basically says that a region is a region because it is a region. We must question the way in which the Government approach the matter and allow communities, a proportion of the population and local authorities to be able to call their own referendums.

[Andrew George]

The House might expect me to say that because I very much favour a referendum for Cornwall, where more than 50,000 people—10 per cent. of the population of Cornwall—have signed a petition in favour of such a proposal. The people need to be listened to.

I do not believe or expect that I will succeed today because parliamentary time is running away from me, but the Government must take heed of the issues. I know from speaking to many hon. Members that there is widespread support for the measure and concern about the dislocation between the political process and the electorate. We must address that point and the issue of savings, and we need to make a comparison with other countries. We must make efforts to ensure that we resurrect a better engagement between this House and the electorate.

Question put and agreed to.

Bill ordered to be brought in by

Mr. Andrew George, Mr. Graham Allen, Mr. Anthony Steen, Mr. Colin Breed, Nick Harvey, Sue Doughty, Mr. Paul Tyler and Matthew Taylor.

REPRESENTATION OF THE PEOPLE (CONSEQUENCES OF DEVOLUTION)

Mr. Andrew George accordingly presented a Bill to make provision for a reduction in the number of Members of Parliament; to make provision for referendums on regional assemblies; and for connected purpose: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 165].

Opposition Day

[18TH ALLOTTED DAY]

State Pension Reform

Mr. Speaker: I inform the House that I have selected the amendment in the name of the Prime Minister.

12.45 pm

Mr. David Willetts (Havant): I beg to move,

That this House expresses its deep concern at Government policies that have led to a decline in funded pension provision and a massive extension of dependence on means-tested benefits; deplores the £5 billion per annum pensions tax and the erosion of incentives to save, which have caused the halving of the Savings Ratio, and have resulted in only 19 per cent. of final salary pension schemes remaining open to new members; condemns the Government for extending dependence on means-testing to over half of pensioners, despite earlier promises to the contrary, and for ignoring the interests of 1.4 million of the poorest pensioners who, on the Government's own target, will still not be receiving Pension Credit in 2006; notes that Government policies have created a big disincentive to save and led to an increase in the number of pensioners in persistent poverty; and calls on the Government to support state pension reform to reduce dependence on means-tested benefits, to remove the disincentive to save, to improve the financial position of pensioners, including the 1.4 million poorest pensioners, and to provide better incentives to save.

I begin by drawing the House's attention to the relevant entries in the Register of Members' Interests.

We have called this debate because the Government never debate pensions in this House. We have had two Government statements on pensions in the past year but no debate on the pensions crisis, despite the semi-promise that was given when my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) raised the matter during a debate held earlier this year. He called for a debate on the Government's Green Paper proposals on pensions, and the then Minister for Pensions—we miss him so much—said in his inimitable style:

"Do not be so silly. I have made it absolutely clear that I welcome debates in the House."—[*Official Report*, 20 January 2003; Vol. 398, c. 58.]

The then Minister also said that the Government would "provide opportunities for debate", but there have been no such opportunities. On each occasion that this House has debated the pensions crisis, it has done so because the official Opposition or another party has called Ministers here to do so. The Government have failed to provide at any point a debate in which Members can give their views on their consultation document.

Meanwhile, as the Government produce their Green Papers and make their statements, what has been happening? The pensions crisis has steadily worsened. The CBI pointed out that, in the past year alone, more than half the companies that it surveyed closed their final salary pension schemes. Final salary funded pension schemes are closing, and at the same time—the next step in this process took place last week—more and more pensioners are on means-tested benefits. The arrival of the pension credit means that, for the first time in a long while in British history, more than half of all pensioners are eligible for means-tested benefits.

We called this debate because we think that those two trends in our society—fewer funded pensions and greater dependence on means-tested welfare—

constitute the wrong direction for our country to take. We wish to reverse those trends: we want more funded pension saving and fewer pensioners being dependent on means-tested benefits, but the Government's policies have caught us in a vicious spiral. As savings go down, more and more pensioners become dependent on means-tested benefits; and as entitlement to the latter is expanded, fewer people believe that it is worth while saving. That is the pernicious and vicious cycle in which we are now caught, and out of which we need to break.

Michael Fabricant (Lichfield): Does my hon. Friend agree that although we all—particularly those who are borrowing—welcome low interest rates, the crisis is being exacerbated by the fact that the income of those who have money on deposit is also being diminished?

Mr. Willetts: My hon. Friend makes an important point that I shall come to later. He is absolutely right: as interest rates have fallen, pensioners with modest savings in a building society have lost particularly heavily, and they lose under the pension credit.

Things were not supposed to be like this. The Government made it clear in their first Green Paper of 1998—one of its authors is here today, and, as always, he is very welcome—that pensioners were then getting 60 per cent. of their income from benefits and 40 per cent. from funded pension savings, but that the Government's objective was to reverse that ratio, so that in future pensioners would get 60 per cent. of their income from funded savings and only 40 per cent. from benefits. In pursuit of cross-party consensus on these important matters, we are happy to endorse that very desirable objective, which we believe in and are committed to. Sadly—as with so many of the Government's targets—since they announced that target the percentage of income that pensioners get from social security and welfare has gone up, and the percentage that they get from funded savings has gone down.

They are heading in the wrong direction.

The latest evidence for that was the arrival last week of the pension credit, for which more than half of all pensioners are eligible. It is a far cry from the pledge made by the Chancellor—then shadow Chancellor—to the Labour party conference only 10 years ago, when he said:

> "I want the next Labour Government to achieve what in 50 years of the Welfare State has never been achieved. The end of the means test for our elderly people."

That is not what Labour says now. We heard yet again at today's Prime Minister's questions a defence of the means test, despite the fact that many pensioners dislike it, that the savings industry opposes it and that there is mounting evidence that it does not work.

Mr. Steve Webb (Northavon): The hon. Gentleman issued a press release just before the Tory party conference entitled, "Tories to end the pensioners' means test by restoring earnings link". This afternoon, he has referred to reduced means-testing. Given that the press release promised to "end" it, in which decade does the hon. Gentleman envisage that happening?

Mr. Willetts: We have set out our proposals and I shall talk about them later in my speech. Over time, our objective is to get more pensioners off the means test. A target is necessary, and ours is to increase the value of the basic state pension so that it catches up with the level of the means-tested benefit. That is how British social security policy has always operated. The breach in the British way of running social security came under the present Government, who have put means-tested welfare so much higher than the basic state pension. That is the source of many of our troubles.

Several hon. Members *rose—*

Mr. Willetts: I want to make some progress and explain why Conservative Members are opposed to the spread of means-testing and, most recently, to the operation of the pension credit.

Ministers will say that it takes only one phone call to claim the pension credit—but some phone call it is! Pensioners have to reveal to the official at the other end of the line all the details of their financial affairs, all their savings and all their money around the house. In practice, they have to empty their pockets to a civil servant in order to receive a means-tested benefit. That is why pensioners, their representatives and the industry itself do not like means-testing. Let me quote the views of Help the Aged, which states:

> "Help the Aged believes that the Pension Credit is totally over-engineered . . . It would be so much simpler, and fairer, to boost the basic state pension".

That is Help the Aged's view and everyone knows that the pension credit is far too complicated.

Ministers say that after the one phone call pensioners can continue to receive the pension credit for five years without any interference or involvement. What Ministers do not say is how many different changes of circumstances have to be reported to officials. Pensioners have to tell officials if they have started marrying or cohabiting. They have to report whether they have died—I suppose that is logical. They have to report divorce or separation from a partner; change of name, address or payment location details; changes to any paid work; going into hospital or care home; going into prison and even joining a religious order. That is the information that the Government require.

The Secretary of State for Work and Pensions (Mr. Andrew Smith): In making his case, does the hon. Gentleman believe that he is encouraging pensioners to apply for what they are entitled to, or discouraging them?

Mr. Willetts: Let me make it clear that we all believe that every person should secure the benefits to which they are legally entitled. Hon. Members on both sides of the House will do their best to help constituents find their way through the incredibly complicated process of securing the pension credit.

Andrew Selous (South-West Bedfordshire): Does my hon. Friend share the concern of one of my constituents who, when he rang up to find out about the pension credit on behalf of his elderly mother, was told that he had rung the wrong number? He was then transferred to a further three people in the Pension Service, only one of whom was an expert and none of whom could provide

[Andrew Selous]

an explanation of his mother's entitlement to pension credit. In view of the length of time that the Government have had to introduce it, does my hon. Friend agree that that is a shambolic state of affairs?

Mr. Willetts: Yes, and it is a subject on which the Secretary of State made a written statement to the House yesterday—and it was indeed dismal news. The Secretary of State said that 1.9 million pensioner households were on the system and being paid the pension credit, but almost all of them had previously been in receipt of the minimum income guarantee and had been automatically transferred. After six months, it appears that only 200,000 extra pensioners are receiving the pension credit. The Secretary of State, having watched—doubtless in horror—the shambles that the Treasury made of the introduction of the child tax credit, had the ingenious idea that he could secure the smooth roll-out of the pension credit, provided that not many pensioners claimed it—the ultimate in bureaucratic mentality. Trains will run on time, provided that there are not any passengers; benefits can be paid smoothly, provided not many pensioners claim them. That is not how we believe the social security system should be run.

Mr. Bill Tynan (Hamilton, South): What would the hon. Gentleman say to one of my constituents who informed me this week that, as a result of the pension tax credit, he will gain £26 a week from October this year? Would he tell my constituent that that should no longer exist?

Mr. Willetts: I am again grateful for the opportunity to make the position clear. The Prime Minister outrageously misrepresented our proposals at Prime Minister's questions earlier this afternoon. Our proposals involve no change whatever in entitlements to the pension credit. Rather, we believe in increasing the value of the basis state pension slowly over time, so that fewer pensioners need to claim the pension credit. It is not part of our policy to abolish the pension credit.

Several hon. Members *rose—*

Lynne Jones (Birmingham, Selly Oak): Is not the hon. Gentleman rather misleading the House when he says that the Conservative policy is to allow the basic state pension to catch up with the means-tested benefit? In fact, he would allow that to happen by holding down the means-tested benefit and ending its link to earnings.

Mr. Willetts: The hon. Lady raises an issue on which I hope to receive some clarification from Ministers in the debate. In the course of preparing our own proposals, we attempted clearly to establish the Government's own proposals for the future of means-tested benefits and the pension credit. The Government have several times been asked to clarify whether they believe that the value of the pension credit would increase in line with earnings if, by some extraordinary mischance, they were to win the next election, but they have failed to provide a clear answer. When we know the Government's intentions on the uprating of the minimum income guarantee and the pension credit, we will be able to make our response. However, we do not yet know the Government's proposals for the future of the pension credit.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): We now have an opportunity to find out what the Opposition intend. In common with my hon. Friend the Member for Hamilton, South (Mr. Tynan), I have a pensioner in my constituency who is £106 a week better off because of the Government's policies. Pensioners such as him are worried that they would lose out if, by some mischance, the Tories came to power. Will the shadow Secretary of State tell the House whether the Conservatives intend to spend more or less money on pensioners? If it is more, from where will they find the extra moneys?

Mr. Willetts: Yes, we propose to pay more money to pensioners and we shall pay for it by offsetting savings in means-tested benefits and by the abolition of the new deal, which will allow us to increase the value of the basic state pension. Those are our proposals: no pensioners will lose and many will gain from them.

Several hon. Members *rose—*

Mr. Willetts: I want to make some progress with my speech. I have already taken many interventions and explained that the main problems with means-testing are complexity and low take-up.

The Prime Minister said today that the Government's approach provided targeted help for pensioners on the lowest incomes, but I am afraid that that is not so. I am sure that Labour Members who are genuine in their concern about poverty will be familiar with the statistics on the take-up of income-related benefits, which show that many pensioners who are entitled to means-tested benefits do not claim them and that many of them are among the poorest pensioners in our society. They are the people who are not reached by a Government who have become obsessed with spreading means-testing. I refer the Secretary of State and the House to table 1.10 on page 22 of the Department for Work and Pensions statistics on the take-up of benefits. I am sure that the Secretary of State is familiar with the document. It shows that approximately 60 per cent. of all the pensioners who do not claim means-tested benefits are in the poorest 20 per cent. for pensioner incomes. Our policy will help them, because our policy reaches the parts that the Government's policies do not reach.

I will not take seriously assessments of our policies that assume 100 per cent. take-up of means-tested benefits as the alternative approach. As one of the fundamental problems with the Government's approach is low take-up, it would be wrong, even absurd, to compare our policy, which would get to everyone, with an alternative approach that, sadly, does not reach many of the pensioners who are entitled to the benefits.

To prove how pernicious the spread of means-testing is, we asked actuaries to calculate how much people would need to save during their working lives to secure sufficient income to float them off means tests in their retirement. The answer is the shocking figure of £180,000. That is why Britain has a savings crisis. That

is why the savings industry tells us that it cannot encourage people to save. The industry is worried about being accused of mis-selling savings products if people retire and subsequently discover that they have lost means-tested benefits as a result of their savings. That is why our policy is not only right for pensioners, but is essential to get Britain back into the savings habit. Unless we can tackle the pernicious spread of means-tested benefits, millions of people will conclude that saving is not worth their while.

Mr. David Heathcoat-Amory (Wells): Unless pensioners are able to save, they will not be able to bear the burden of the council tax. At Prime Minister's questions earlier, the Prime Minister did not deny that the Chancellor was budgeting for a 7 per cent. increase in council tax next year and a 6.5 per cent. rise the following year. Is it not grossly hypocritical for Downing street to announce that it is considering forcing local authorities to have referendums before imposing council tax rises of more than twice the rate of inflation? Why are the Government raising expectations when they know that they cannot deliver?

Mr. Willetts: My right hon. Friend is right. Relations between No. 10 and No. 11 have reached the stage that No. 10 says that it will try to pass laws to stop people doing what No. 11 says is necessary for the public revenues to be secured. As an example of the failure of the Prime Minister and the Chancellor to communicate with each other, it is outrageous.

Huw Irranca-Davies (Ogmore): The hon. Gentleman will no doubt have read the Rowntree report that came out at one minute past midnight today. It says:

"Calculated after housing costs, more than 1.2 million pensioners will have been raised above the poverty line by policies that include the Minimum Income Guarantee."

It also says:

"Without the recent improvements made to the tax and benefits system for those with low incomes, poverty would be much worse."

Does the hon. Gentleman agree with the Rowntree trust?

Mr. Willetts: One of the best refutations of the Rowntree trust was in that widely read document, "Opportunity for all", the fifth annual report that the Government produced only a few weeks ago. Page 200 gives the evidence on the percentage of older people living in low-income households and with persistent low incomes. *[Interruption.]* Well, they say it is out-of-date—*[Interruption.]*

Mr. Speaker: Order. Let the hon. Gentleman reply.

Mr. Willetts: Thank you, Mr. Speaker. I have to work very hard reading these tedious documents and now and again I like to share the little gems that I find with the House.

Page 200 contains a chart entitled "Percentage of older people living in low-income households" and it shows the percentage of pensioners with persistent low incomes who have had incomes

"Below 60 per cent. of the median income in three out of the previous four years".

It shows a slowly increasing trend in the number of pensioners in that group, from 16 per cent. in the mid-1990s, to 17 per cent. and, in the latest three-year period, to 18 per cent. The Government's policy is not working because people do not like all these means tests.

As the Secretary of State knows, I have great respect for him and I do not lightly throw around charges that he has produced misleading information. However, I am very troubled that his information leaflet on the pension credit contains the assertion, which he endlessly repeats, that the pension credit

"guarantees everyone aged 60 and over an income of at least £102.10 if you are single; or £155.80 a week if you have a partner."

That is simply untrue. It is not correct. That is not how the pension credit works. As my hon. Friend the Member for Lichfield (Michael Fabricant) pointed out, if someone has modest savings, the pension credit assumes an income from those savings of 10 per cent. That is an interest rate on savings way above what any pensioner in the real world is able to secure. However, that assumption was made for the purpose of modelling the pension credit. I shall not inflict the detailed calculations on the House although I would be happy if the Secretary of State wished to intervene to correct my calculations. They show that a single pensioner with savings of £20,000 held in national savings, earning 3.1 per cent., would be assumed to receive an income of £26.92 a week on the £14,000 of her savings above the limit of £6,000, which she would simply not receive. As a result, her total income from her savings, the basic state pension and the pension credit to which she is entitled would be £98.78 a week, not £102.10. Any pensioner with savings of between £6,000 and £54,000 is caught in that trap. It is not the case that pensioners are guaranteed £102.10 a week under the pension credit. I hope that the Secretary of State will accept that the information leaflet is seriously misleading. It is just not the case that the pension credit works in the way that he claims.

Mr. Patrick McLoughlin (West Derbyshire): My hon. Friend should not be surprised by that. The Government do not want pensioners to save, because they want people to be dependent on the state. That is the message that pensioners get time and again from the Government. They are told to forget saving because it is irrelevant and even irresponsible.

Mr. Willetts: My hon. Friend gets to the heart of the issue. One of the worst and most pernicious examples of intrusive government is requiring millions of pensioners to fill in detailed claim forms to get means-tested benefits. The Conservative way is to try to roll back the means test, and provide people with a decent state pension, under which they are £1 better off for every £1 they save. That is what pensioners want.

Ms Sally Keeble (Northampton, North): Will the hon. Gentleman give way?

Mr. Willetts: No, because I must conclude so that the other hon. Members who wish to speak in this debate have a chance to do so.

[Mr. Willetts]

We have been driven by an ineluctable logic through the following stages of argument. We have concluded that means-testing under this Government has increased, is increasing and should be diminished. We wish to see pensioners off the means test. We also do not believe that it would be right to take any benefits away from pensioners. We do not propose to take cash off pensioners, because none of us believes that that would be the right thing to do. The only way, therefore, to roll back the means test is by increasing the value of the basic state pension so that it catches up with the value of the means-tested benefits. What more powerful way is there to signal a slow but steady process of increasing the value of the basic state pension than by saying that we will increase it in accordance with earnings rather than prices? That is the policy that we have put forward as a way of rolling back the means test.

Paradoxically, the policy can be financed because the Government have spread means-tested benefits so far. They have got more than half of pensioners on the pension credit. For all those pensioners, we will replace—gradually and over time—the income that they get from their means-tested benefits, and instead provide them with money on the basic state pension.

Labour Members always argue that the problem is that large numbers of very rich pensioners will gain from our policy, so I refer them to another classic publication from the back catalogue of the Department for Work and Pensions. The pensioner incomes series measures pensioner incomes by quintile—every 20 per cent. of population. It shows that nearly 80 per cent. of pensioners have below-average incomes. It is not the case that there are large numbers of rich pensioners. The figures for the five quintiles are as follows. The poorest pensioner couples have a gross income of £165 a week. The next poorest get £221 a week, rising through £276 and then £373. The top fifth of pensioner couples get £889 a week.

It is not the case that there are large numbers of very affluent pensioners. Only the top 20 per cent. of pensioners are anywhere near what the rest of society would regard as prosperity. I would rather that they faced a 40 per cent. tax rate on their incomes than that millions of pensioners on much lower incomes faced a marginal rate of 40 per cent. at the best, and quite possibly of 100 per cent.

The Conservative party has proposed a clear direction of travel that tackles the two problems at the heart of our savings crisis. First, we are proposing increases in the value of the basic state pension that will enable us, over time, to take pensioners off means-tested benefits by replacing those benefits with a decent state pension. Secondly, we are proposing measures to tackle the problem of the lack of incentives to save by introducing a much better way of using the incentives currently in contracted-out rebates. We believe that the combination of a simple, decent and straightforward basic state pension, with strong incentives to save, is the only practical way of solving the pensions crisis faced by the country.

I commend the proposals to the House.

1.12 pm

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the fact that people are living longer than ever before; welcomes Government action to tackle pensioner poverty and to promote retirement flexibility, occupational pension security and informed choice; condemns the inheritance of 1997, with millions of pensioners in poverty, many being expected by the Government to live on under £68 a week, and the legacy of pension mis-selling; endorses the Work and Pensions Committee's judgement that "current policies have been successful in reducing pensioner poverty"; notes that the Government is spending £9 billion extra per year in real terms on pensioners compared with the 1997 system; further notes that this is £5.7 billion more than if the basic pension had been linked to earnings; applauds the fact that the poorest third of pensioners will be £1,600 a year better off; welcomes the successful payment of Pension Credit from this month to over two million pensioners and the fact that 1.3 million are gaining more money than they had before; further supports the Government's approach to renew the pensions partnership, outlined in the recent Green Paper and Action Plan; commends plans to introduce a Pension Protection Fund, guaranteeing protection if a company scheme winds up; welcomes proposals to allow individuals to defer their state pension and draw it as a lump sum; looks forward to further measures enabling people to make an informed choice in pension provision, increase flexibility approaching retirement and to work free from age discrimination; and condemns the unfair, unaffordable and unsustainable policies of Opposition parties."

In moving the amendment, I am happy to set the record and proposals of this Labour Government against what we have just heard from the Opposition. This Government recognise the challenges that this country faces on pensions, and we are taking action to deal with pensioner poverty, to protect the pension promise, to help people save and to enable people to choose when to retire.

On pensioner poverty, pension credit is getting more money to those who need it and rewarding those with modest savings. On occupational pensions, we have said that we will legislate for a pension protection fund, and take action to stop firms dumping their pension obligations. On savings, we are simplifying the tax regime, enabling people—especially women—to build up rights in short-stay jobs, and giving people the information that they need to make their own choices on pensions.

On flexible retirement, we are giving people more options on when to retire, tackling age discrimination, and giving a better deal to those who defer their state pension. However, we will not force people to work longer, which is why we have not proposed raising the state pension age.

The House should remember that it is thanks to the reforms that this Government have put in place that, from next April, we will be spending more than £9 billion extra in real terms than in 1997. That is £5.7 billion more than if the basic pension had been uprated in line with earnings.

Paul Flynn (Newport, West): Does my right hon. Friend recall that for five successive years under this Labour Government, early-day motion 1 called for a restoration of the link between earnings and pensions. In some years more than 100 hon. Members signed the motion, but no Conservative Member ever did.

Moreover, the Conservatives did not support the restoration of the link after the Conservative Government broke it in 1980. Does my right hon. Friend think that the Opposition's sudden Pauline conversion to the idea of restoring the link is nothing more than a shameless piece of opportunism?

Mr. Smith: Yes, I do, and I shall have more to say on that later.

Andrew Selous: How can the Secretary of State tell the House that the Government are giving money to the pensioners who need it most when we have just heard that the pensioners in the most persistent poverty are either unwilling or unable to take up the very benefits that he is talking about?

Mr. Smith: This Government have introduced the minimum income guarantee and improved it by means of the pension credit. That means that we are getting much more help to the poorest pensioners. That is borne out by the statistics for households on below-average incomes. On the basis of an absolute measure of poverty, more than 1.5 million pensioners have been taken out of poverty thanks to what this Government have done.

The hon. Member for Havant (Mr. Willetts) referred to cross-party consensus. I am all for a bit of that where we can establish it. However, that cause will not be helped by a Conservative party that has learned so little from its last time in office. We will take no lectures from a party whose record on pensions has so often been part of the problem and not part of the solution. The truth is that on one issue after another this Government are acting where the Conservatives failed to act. When the Conservatives were in power, they chose to increase the value of the basic state pension just once in 18 years—and then only to compensate for imposing VAT on fuel. They left millions in poverty, and expected the poorest pensioners to live on just £68.80 a week. It is this Government who have made sure that no single pensioner need live on less than £102 a week, and that no pensioner couple need live on less than £155 a week.

Mr. McLoughlin: My hon. Friend the Member for Havant (Mr. Willetts) pointed out that the pension credit deems that some pensioners will earn 10 per cent. interest on their savings. Will the Secretary of State tell my constituents where they can get 10 per cent interest on their savings?

Mr. Smith: I do not blame the hon. Gentleman for asking that question, as the hon. Member for Havant (Mr. Willetts) slipped in what he really meant so quickly that one might not have noticed. The claim was not that people could earn 10 per cent. He actually referred to a 10 per cent. attributed rate above £6,000. We must remember that 93 per cent. of pensioners have less than £10,000 in savings. There is no attributed rate on the first £6,000, but the rate is £1 for each £500 of savings above that level. On £10,000, that equates not to 10 per cent. but to 4.2 per cent. That is the truth hidden in the small print of what the hon. Member for Havant said.

I am proud that it is this Government who are guaranteeing, through the pension credit, an income of £102 a week for single pensioners and of £155 for couples. We are also rewarding saving, whereas the Opposition penalised it by pound-for-pound withdrawals. Carp though they do about the pension credit, means-testing and the rest, the Opposition should have the grace to admit that, with the introduction of the pension credit, the Government have taken an important step away from pound-for-pound withdrawal. In government, the Opposition gave the strongest possible signal that it did not pay to save. Under this Labour Government, it does pay to save.

Gregory Barker (Bexhill and Battle): The Secretary of State has spoken about taking action, but the Government have in fact taken billions and billions of pounds out of pension funds. Since the Chancellor's first £5 billion tax raid, how much money year on year has been taken out pension funds in the past six years?

Mr. Smith: All hon. Members know that that was part of a comprehensive reform of corporate tax. The rate of corporation tax was cut by 3 per cent. as a way of ending the perverse incentive that existed in the system to distribute money through dividends rather than to reinvest it. I respect the sincerity with which the hon. Gentleman speaks, but I would have a great deal more respect for Conservative Members when they make such complaints if one of their Front-Bench team would pledge to reintroduce the dividend tax credit. They have been challenged time and again to do so and that is not their policy, so it is an argument that carries no force.

Several hon. Members *rose—*

Mr. Smith: I shall make a little more progress before I give way.

As a result of the pension credit and the other measures that we have introduced since 1997, the poorest third of pensioners are on average £600 a year better off than if the same money had been put into raising the basic state pension. The Conservative party was happy with the situation where pensioners who had saved had their benefit withdrawn pound for pound, giving the strongest possible signal that it did not pay to save. This Government, with the pension credit, are for the first time rewarding those who have saved and who have so often just missed out.

People will never forget that it was the Tories who presided over the pension mis-selling saga, leaving hundreds of thousands short-changed, just as they changed the rules on inherited SERPS, halved their value and forgot even to tell those affected. This Government have had to sort out the mess and take action to rebuild confidence in the system. This Government will stop employers walking away from their obligations, stop companies using takeovers to scrap pensions, and stop firms changing schemes without consultation.

John Robertson (Glasgow, Anniesland): Does my right hon. Friend agree that the Opposition have shown their true colours here today by speaking about the top 10 per cent. and forgetting the bottom 60 per cent.—the

[John Robertson]

people they should be looking after? Once again, the Opposition show that they have no concern and no care for the poor.

Mr. Smith: Yes, indeed. The Conservative party's proposals would do relatively more for better-off pensioners and relatively less for the poorer pensioners. It was ever thus.

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): What a surprise.

Mr. Smith: Indeed. The truth is that both on state pensions and occupational pensions we are taking the action that is necessary. We are concerned that a pension promise made must be a pension promise honoured. That is why we will introduce a pension protection fund to give employees the protection that the Tories never saw fit to provide. The fund will step in to guarantee that, when a sponsoring employer goes bust and the pension scheme is underfunded, pensions already in payment will continue to be paid out in full and, subject to a salary cap, those who expect a pension will be guaranteed up to 90 per cent. of that entitlement.

I listened to what the Conservative spokesman was saying about pension credit. Not for the first time, we heard those on the Opposition Front Bench twisting and turning—first, deriding Labour proposals and then being forced by public opinion to accept them. Does the hon. Member for Havant remember the winter fuel payment? He called it "a gimmick" and pledged that the Conservatives would abolish it. We do not hear much about that any more, do we?

On the pension credit, the Conservatives have carped and criticised. First, they said that they would scrap it; then they said that they would "reconsider" it; now, they say that they are going to keep it—and so they should, because around half of all pensioner households will be eligible and stand to gain £400 a year on average. As of last week, pension credit is helping more than 2 million pensioners throughout the country.

Despite the claims from the Opposition parties, the systems are working well. More than 1 million pensioners have already contacted us and feedback is showing that they like the help that they are getting from the Pension Service—the first ever dedicated service for pensioners in this country.

Mr. Michael Jabez Foster (Hastings and Rye): About 4,000 of my constituents are up to £30 a week better off in real money than they would have been under the old Tory system of simply keeping income support up to inflation levels. More importantly, does my right hon. Friend understand the Opposition's policy to be that they will not give another rise for the next seven years if we have to wait for pensions to catch up with present benefit levels?

Mr. Smith: That certainly seems to be the case. My hon. Friend is right. As I told my hon. Friend the Member for Glasgow, Anniesland (John Robertson), Conservative policy consistently skews the odds against the poorest in the pension system, which is just what the Conservatives did when they were in office.

We all realise that big challenges are facing the country in relation to pensions. Thanks to the good news that people are living longer, between us we need to save more or work longer, or some combination of the two, if we are to sustain a given standard of living in retirement. We have already set out a number of proposals for addressing these challenges.

The recent announcements of the hon. Member for Havant and what he told us today fail three basic tests. First, they fail the test of affordability. It is just three years since the hon. Gentleman said that he opposed reintroducing the earnings link as it was "not affordable". Nothing has changed. That is why his figures continue to show that the sums do not add up. Even after taking more than £200 million off pensioners in extra tax—that is part of the cost calculations that he left out of his list today—there would be a £500 million shortfall by year four of a Tory Parliament. That £500 million black hole would in reality be far bigger because they are claiming "savings" where there are none to be had. For example, they claim that they can save hundreds of millions of pounds by scrapping the new deals—new deals that have now helped more than 1 million people into jobs. The evidence shows that the new deal for lone parents alone has saved the Exchequer £40 million pounds a year by getting people off benefits and into work. The report of the National Institute of Economic and Social Research on the new deal for young people showed that it was virtually paying for itself. The truth is that scrapping the new deals would make it harder to pay for pensions, not easier.

Once again, the Conservative party is making the mistake of imagining that it can put Britain's finances in order by keeping people on the dole. The Conservatives have learned nothing from the last time they were in power, when the British people saw all too clearly that mass unemployment was the way not to stronger public finances but to a net public debt of 44 per cent. of gross domestic product, which is where they left it. They have not learned the lesson that we cannot pay for pensions tomorrow by pushing up unemployment today.

Their failure on a second test, sustainability, is even more abject. I cannot honestly believe that the hon. Member for Havant does not know that. The further forward one looks, the more unsustainable Tory policy becomes, even though we all know that pensions policy should be for the long term. The hon. Gentleman told this House just three years ago that restoring the earnings link would be

"a wild and uncosted policy".—[*Official Report*, 8 June 2000; Vol. 351, c. 440.]

Before that, he had boasted to the House that his Government had taken the "crucial" step of

"ending the link between the basic pension and earnings"

and he pledged that he would resist the

"seductive politics, but dangerous economics"

that

"bedevilled state pension arrangements in other countries". —[*Official Report*, 8 July 1993; Vol.228, c. 516.]

The hon. Gentleman has been seduced into dangerous and unsustainable economics. At that time, he appeared to understand what he seems to have forgotten now. After five years, the earnings link costs £4.3 billion more;

after 10 years, £9 billion more; and after 30 years, £45 billion more, which is equivalent to 14p on the basic rate of income tax. That is an unsustainable policy.

Mr. Willetts: The Secretary of State said that nothing had changed, but something important has changed: now that the pension credit has arrived and is being implemented, more than half of all pensioners are on means-tested welfare and, as he knows, the predictions are that the number will grow and grow. That is what we need to reverse, and that will secure more than half the cost of delivering the earnings link.

Mr. Smith: That is another way of saying that what the hon. Gentleman purports to give with one hand he will take away from the poorest pensioners with the other. No wonder the shadow Chancellor admitted that the Tory policy would do nothing for the poorest pensioners in our community. Given that unsustainability, it is hardly surprising that only last week the hon. Gentleman's Front-Bench colleague, the right hon. Member for West Dorset (Mr. Letwin), once again let the cat out of the bag when he admitted that

"we may have to make some further painful decisions"

to pay for the policy. He did not share his hon. Friend's confidence that they could afford it.

The Conservatives should tell the British people what painful decisions they have in mind. Where will the axe fall? Will it be on schools or on the police, or will it be on the hospitals on which our pensioners rely? The whole House will have been struck by the Conservatives' failure to match our commitment to invest in hospitals and schools.

Lynne Jones: I entirely agree with my right hon. Friend that it is essential that pensions policy is sustainable in the future, not least to allow younger people, who are currently trying to make informed choices about pensions, to know what they can rely on. Does he think that such people can rely on the current Government's pensions package being in place when they reach retirement age, because as he is aware, most informed commentators do not think that that will be the case?

Mr. Smith: I assure my hon. Friend that the Government's record shows that we have given more help to all pensioners and, especially, extra help to poorer pensioners in the dramatic terms that I have already set out. The combination of above-inflation increases in the basic state pension, the introduction of the winter fuel allowance—up to £300 this winter for those aged over 80—free eye tests, free television licences for the over-75s and the pension credit is the basis for helping pensioners out of poverty towards dignity and security in retirement. Of course, we shall need to do more for the future. Our record shows that as action becomes necessary, we will take it, but we shall do so on the basis of fiscal sustainability and financial prudence, not on the basis of opportunistic, unsustainable, half-cocked, half-baked, back-of-the-envelope, calculations like the Opposition's.

Bob Spink (Castle Point): As the right hon. Gentleman is talking about the Government's record on pensions, may I point out that it has been said that, under seven years of Labour Government,

"occupational pensions . . . have come under particular pressure, which has undermined people's confidence in pensions."?

That is a quotation from a letter to me of 14 October, from no less a person than the Minister of State.

Mr. Smith: As I made clear earlier, we recognise that there is a challenge in relation to occupational pensions. I have already charted the history. What did so much to damage confidence was the whole mis-selling scandal, the Maxwell scandal and all the rest. Through our action to put in place a pension protection fund and our actions on full buy-outs on the wind-up of schemes and the requirement for protection under TUPE—the Transfer of Undertakings (Protection of Employment) Regulations—so that firms cannot use takeovers or mergers as an excuse to scrap pension schemes, the Government are setting up the building blocks to restore confidence. We should have the support of the Opposition in doing so, because those proposals are supported by the—

Mr. Willetts: Will the right hon. Gentleman clarify an important point? Is it the Government's intention if re-elected to increase the value of the pension credit by earnings during the lifetime of the next Parliament?

Mr. Smith: Our pledge for this Parliament is to increase the pension credit by earnings, and so we will. As I told my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones), we will take such decisions for the future as are necessary and we will announce them at the proper time. Unlike what we have heard from the Opposition, those decisions will be based on what is financially responsible, fiscally prudent and sustainable. We are taking the long view and maintaining control of public expenditure, while the hon. Gentleman and his colleagues are seeking a quick fix that they know cannot be sustained. They are putting a false prospectus to the nation's pensioners. They know that they could not sustain their policy in the future, any more than they thought a few months or years ago—

Several hon. Members *rose—*

Mr. Smith: I must make a little more progress.

Nobody can believe the Leader of the Opposition—whoever that is—when the Conservatives claim on one hand that they can make such huge spending commitments for the future while on the other claiming that they can cut taxes.

The most important test that the Conservatives are failing is the test of fairness. Under their plan, as the shadow Chancellor conceded, nothing will be done to help the poorest pensioners, who would not only fall further behind but would see any increases in their state pension knocked straight off their pension credit. As a consequence, women would fare especially badly; half of them do not receive a full basic state pension so they would be seriously short-changed. With pension credit, women actually get two thirds of the available money, so our policy helps to tackle entrenched gender

[Mr. Smith]

inequality while the Opposition would make it worse, as borne out by an analysis published this morning by the Pensions Policy Institute.

On fairness, how typical it is of the Opposition to look for extra funds to benefit the better off by going straight to a cut in the support provided to unemployed people. That is madness, given that the best foundation for retirement and pensions is to have a job in one's working life, and given that the policies that the Opposition propose to abolish have helped more than 1 million people into work since 1997.

The hon. Member for Havant has re-started his war on lone parents. He only called it off a year ago, so the truce did not last long. He will deny them their opportunity through the new deal for lone parents by his proposal to abandon it. Furthermore, he has not come clean about how young children will be affected by his plans to force lone parents to look for work. That is another part of the hidden arithmetic behind his plans. He and his colleagues must make it clear how young a child has to be before the Tories would allow its mother to stay at home to look after it.

The Government have helped 200,000 lone parents into jobs and expanded child care provision, and we have also ensured that 15 million people on low to moderate earnings will be able to build up a better state pension. With the state second pension, 5 million carers and disabled people will for the first time be able to build up entitlement. Yet just as that is going into people's hands, along come the Conservatives with their half-baked plan to take it away. If their ramshackle policy were ever implemented, even the higher pension that they say they could deliver, taken with the scrapping of the state second pension, would eventually mean losses of £43 a week for millions of carers, disabled people and low earners.

While the Tory policy is unfair, unsustainable and unaffordable, the Government will continue our drive to tackle pensioner poverty, while giving more help to all pensioners. With pension credit, we put the poorest first and reward saving.

Mr. Michael Weir (Angus): As the Secretary of State is talking about fairness, does he accept that one element of fairness is ease of applying? The problem with the pension credit is its complexity, even when applying by phone. I spoke to an old lady who phoned the helpline, got a recorded message that she did not understand and was so frustrated that she gave up, so we had to intervene on her behalf. What would the right hon. Gentleman say to her? There is a problem even applying for the pension credit.

Mr. Smith: I should be happy to look into any case that the hon. Gentleman or other hon. Members would like to raise with me. Both the feedback that we are getting and our own monitoring show that the pension credit application line is working remarkably well and that 94 per cent. of calls have been answered within 30 seconds—not by a mechanical answering machine, but by a human voice. People really appreciate the help that they are being given.

I shall quote a letter in today's *Daily Mail*. It is not always my pleasure to quote the *Daily Mail* in the House, but I am pleased to do so now. The question at the head of the letter was, "Is pension credit too hard to get?" Someone wrote in and said:

> "Here's my timetable for having obtained the new pension credit. I received the letter from the pension service and phoned through my application last month. I was connected in seconds. My application form was completed in 20 minutes. Two days later the form was returned to me for signature and proof of income. I returned the form, signed and with the relevant proof. On September 23 my application was approved. I received my payment book on September 29 and my first payment on October 6. The application process is very efficient."

We are getting scores of messages from pensioners who not only find it easy to use the service, but are greatly appreciative of the individual help and support that they are getting from members of the Pension Service.

The hon. Member for Havant spent a large part of his speech claiming that he would keep pension credit; that the Conservatives would not want to take money away; and that, yes, everyone should apply, while spending the rest of the his speech—95 per cent. of it—branding the pension credit as means-testing, saying that it was complicated and effectively discouraging people from getting it.

People are getting that help and receiving the credit itself from a dedicated Pension Service and, along with all the other things that we have done to make the application procedure simple and straightforward, the policy is a million miles away from the old-style means test and the images of carting people's furniture out the door that it raises in people's minds. All hon. Members ought to join in helping the whole country to understand that pension credit is an entitlement, that it is helping poorer pensioners and rewarding saving, that the Pension Service is doing a first-rate job in delivering it and that we should all get behind it and make it a success.

Huw Irranca-Davies: I have visited my local pension centre and the telephonists who deal with the pension credit, and I was assured that, on average, applications are dealt with in less than nine minutes. People in the remoter parts of my constituency have been visited in their homes by people from the local Pension Service to help them to complete the forms. It seems that we are bending over backwards to make things as easy as possible. I am sure that my right hon. Friend would agree that the worst disservice that the House could do would be to put obstacles in people's way and dissuade anyone from applying for what is rightfully theirs.

Mr. Smith: I wholeheartedly agree with my hon. Friend, especially in suggesting that praise is due to his constituency's local Pension Service, which is clearly doing such a first-rate job.

Kevin Brennan (Cardiff, West): Was my right hon. Friend as surprised as I was that the hon. Member for Havant (Mr. Willetts) did not tell us about another of his hare-brained ideas for pensioners: that we need people to breed more to reduce the burden on the state? I know that the hon. Gentleman has been seduced by

something that he previously spurned, but in thinking that he can affect the birth rate, is he not exaggerating his own allure?

Mr. Smith: I shall not comment on that, except to say that I read one comment on the hon. Gentleman's unfortunate remarks in which someone said that nothing would be more likely to put her off having children than the idea that those on the Tory Front Bench wanted her to.

Ann McKechin (Glasgow, Maryhill): Does my right hon. Friend agree that the biggest pension crisis that we have inherited is a lack of proper pension provision for many of the oldest women living in our society today? The Opposition have offered nothing to assist those women. In fact, their policies will specifically work against them.

Mr. Smith: Yes, indeed. I certainly accept that the pension credit already has the potential to help much more effectively the older women on low incomes to whom my hon. Friend refers, but we must do even more, through the Pension Service, to ensure that they get their entitlement. As I said earlier, I believe that the fact that the pension credit comes through the Pension Service, rather than the social security system, helps to tackle the stigma. I invite any hon. Member to go out with those in the local Pension Service and to see the meetings that they are holding in sheltered housing schemes and lunch clubs and how they are sitting down with pensioners and helping them through this. That is the way in which we can ultimately ensure maximum take-up. I hope that I have the support of the whole House when I say that we want everyone to get their entitlement.

I will draw my remarks to a close now, but I shall sum them up by saying that, whereas the Tory policy is manifestly unfair, unaffordable and unsustainable, the Government will continue our drive to tackle pensioner poverty, while giving more help to all pensioners. With pension credit, we both put the poorest first and reward saving. Looking more widely, we will simplify the occupational pensions landscape, removing millions of pounds of unnecessary cost and making it easier for firms to get on and run good schemes.

We will offer the chance for flexible retirement, enabling people to combine part-time working with drawing a pension from the same employer—something that could be very popular—giving a better deal when people choose to draw their state pension later and tackling the age discrimination that is still a barrier to so many. We will also drive forward with our measures to bolster occupational pensions security, working in partnership with employers and trade unions.

As I have said, greater longevity brings challenges to both state and private pension provision, but we should never forget that longer lifespans are good news and that, to make the most of them, older people need security in retirement. They must be enabled to lead full and fulfilling lives. The measures that Labour has taken—and the further steps to come—will help them do just that.

1.47 pm

Mr. Steve Webb (Northavon): Hearing the Conservative party's announcements on pensions in the past few weeks has felt like stepping into a parallel universe. The Government are pledged to extend mass means-testing, but the old Labour Member for Havant (Mr. Willetts) demands that the link with earnings be restored. We might have assumed that a policy that became public only about 10 days ago would have formed the centrepiece of today's debate, so it is rather interesting to read the motion that the Conservative party has tabled. In rather a long motion about state pension reform, there is no mention of restoring the earnings link. If that is that party's flagship new policy, why is it not in the motion? It is possible that the Conservatives are not absolutely sure whether it is their party's policy, or whether it will survive any hypothetical change in leadership, for example.

The Conservatives might, if they had the opportunity, restore the earnings link for perhaps four years, although the sums do not add up, but they will then break it again. As the Conservative party spent 18 years undermining the real value of state pensions, can pensioners believe that it will restore the link and keep it? The hon. Gentleman has already stated in the past that the earnings link is unsustainable in the long term, and the costings that the Conservatives have put together to show how it will be afforded simply do not stack up.

During the hon. Gentleman's speech, I showed the House a press release from Conservative central office. That press release is not available on the Conservatives' website unless people have a password, but the password is available only to the press, because the Conservatives do not want the public to know what they are claiming about their policy because it is not true. The Conservative news press release is headed "Tories to end the pensioners' means test".

Kevin Brennan: What is the password?

Mr. Webb: I think that it is IDS, or something like that, but I cannot remember.

The Conservative motion says nothing about ending the means test; it suggests reducing it. One of the problems with that policy is that it is relatively limited—£7 over four years does not take people a terribly long way—yet that has been elided into getting rid of the means test. The means test is £25 above the pension, not £7, so despite the policy being described as ending the means test, that will be nowhere near by the end of one Parliament. The first problem with the policy is therefore that its potential benefits are absurdly exaggerated—spin indeed.

It gets worse. Other things are not included in the motion. The Conservative party conference also featured an announcement that the Conservatives want to scrap contracting out. That would give the hon. Member for Havant £11 billion burning a hole in his back pocket. He does not know what to do with it—he knows that he wants to scrap contracting out, which, dare I suggest it, is an £11 billion tax hike, and even I, in my wildest tax-and-spend moments would not go quite that far—so he is going to consult the industry. I have a suggestion for him. His motion suggests that the

[Mr. Webb]

Chancellor of the Exchequer is responsible for a £5 billion hole in pension funds. If he is going to have £11 billion burning a hole in his back pocket, why does he not pledge to use half of that to restore the dividend tax credit? That would have been a reasonable idea, but he did not propose it. Even when he has £11 billion to spend, spending it on restoring what is complained about in the motion is low on his list of priorities. His are crocodile tears.

The critical point on which the Tory policy is dishonest is that it conceals the fact that the poorest pensioners will do worse under it, because we have seen the minimum income guarantee linked to earnings. The Tories want to pay for some of their policies through those recipients of the minimum income guarantee and the pension credit getting smaller rises in future years, which is part of how they make the sums add up. The hon. Member for Havant says that the people who are not claiming it will do well out of a good state pension, which is right. He would accept, however—I think that he has used these numbers—that in a year or two roughly 3 million pensioner households will get the pension credit and 1 million will miss out. Of those 4 million poorest pensioner households in the land, therefore, three quarters will do worse under his policy than under maintaining the link with earnings of the means test.

Mr. Willetts: The hon. Gentleman may not have been listening when I asked the Secretary of State what his policy was. I did so to establish whether the Government intended that the pension credit should be uprated by earnings not prices. In our careful costings, we have used the cautious assumption that the pension credit will rise in line with prices. If and when we hear any alternative policy proposed by the Government, we can decide how we should reply. He should work on the basis of what we have just heard from the Secretary of State, not on fantasies that the rise will be in line with earnings.

Mr. Webb: We tend to judge political parties by their record in office. Whereas in their 18 years the Conservatives broke the link—so there is no reason to believe that they would restore it—we have the evidence that this Government have linked the means test to earnings and most of the projections produced by the Department for Work and Pensions are on that basis. If the Government go ahead with linking the means test to earnings, will the hon. Gentleman clarify what will be the Conservative policy in relation to poorer pensioners?

Mr. Willetts: Wait and see.

Mr. Webb: As the hon. Gentleman says from a sedentary position, up to 3 million poorer pensioners will have to wait and see. It is therefore no surprise that the Pensions Policy Institute has looked at the Conservative proposals and has found that they favour the better off.

Mr. Willetts: When I said, "Wait and see," what I meant was that we will wait and see what the Government say they will do to the pension credit. It is perfectly reasonable for us to say that, in preparing our plans, until we know what they will do to the pension credit, it is sensible for us to assume price indexation, which is all that they are committed to do. In relation to the Pensions Policy Institute, does the hon. Gentleman accept that the other flaw in that analysis is that it assumes 100 per cent. take-up? As one of the big problems with these means-tested benefits is low take-up, there is no point modelling effects that assume away one of the biggest problems that we all know that our constituents face.

Mr. Webb: The Pensions Policy Institute's analysis of the Conservative proposals published today considers an illustrative person who claims the pension credit. As I just said to the hon. Gentleman, of the 4 million poorest pensioner households in the land, we are agreed that 3 million will claim it, and 1 million will not. While the hon. Gentleman's proposal will be better for the 1 million who will not do so, it will be worse for the 3 million who will, because he wants to give them price indexation.

Kevin Brennan: As the hon. Gentleman has such a command of statistics, and as he is talking about illustrations, can he enlighten the House as to what proportion of pensioners in this country have savings of £20,000, as in the illustration given by the hon. Member for Havant?

Mr. Webb: Among pensioners who might consider claiming the pension credit, it would certainly be a tiny fraction. The hon. Member for Havant made another somewhat disingenuous observation. He harangued the Government for assuming that pensioners can get 10 per cent. on their savings when they apply for the pension credit, not mentioning that when he helped to introduce this system in 1988, the assumed rate was 20 per cent. Perhaps he has changed his view.

It gets worse. How will the largesse be paid for by scrapping the new deal, which is a flat amount every year, whereas the cost of the earnings link is a rising amount every year? That provides no sustainable way of paying for it. The hon. Gentleman's other proposal, apart from the netting off of means-tested benefits, which is of course what would happen, is forcing lone parents with secondary school age children to apply for jobs. Apparently, that would save £400 million a year by the end of this Parliament. I do not follow that logic. If we require a lone parent with secondary school age kids to look for work and she does not get it, we have not saved anything. If she does get it, unless it is a new job that has appeared like confetti from the sky, it is a job that someone else who was otherwise on benefit would have taken. Therefore, where does the £400 million come from, and how is the policy sustainable when most of it is paid for by abolishing something that costs the same amount every year? It simply does not add up. I hesitate to lecture the hon. Gentleman on fiscal rectitude, but as we believe in it in our party, I should share it with him.

Reference has also been made to other aspects of the hon. Gentleman's proposals for solving the pension crisis. The hon. Member for Cardiff, West (Kevin Brennan) mentioned the fertility proposals of the hon. Member for Havant. I have been back to the Conservative website to find a rather amusing proposal

on that front—*[Interruption.]* There is a different password for the section on fertility. The hon. Member for Havant's policy is headed, "Make more babies to solve EU population problems". It states:

"David Willetts has called on couples"—

not single parents—

"to have more children to counter Europe's ageing population and boost . . . flagging economic growth."

Later, it mentions a good soundbite:

"Europe has a birth-dearth."

The final line, if anyone understands a word of it, states:

"Feminism is the new natalism."

The hon. Gentleman's solution to the pension crisis is therefore that couples have more babies. The trouble is that he wrote an article in *Prospect* this month entitled "Too many kids". The general thrust of his argument is that on run-down estates there are too many kids and not enough adults. Therefore, it is really a problem of the wrong sort of people having the wrong sort of children.

What we have had from the Conservatives is an entirely opportunistic policy of allegedly restoring the earnings link and breaking it in four years, smaller rises for the poorest pensioners that cannot be paid for anyway, scrapping rebates—which is an £11 billion tax hike but they are not sure where the money will go—and, dare I say it to the hon. Gentleman, saying different things to different audiences. I always find that very difficult.

What of the Government's strategy for dealing with the pensions problem? The Secretary of State did not counter the hon. Gentleman's assertion that so far virtually everybody receiving the pension credit was already on the previous system. He published figures yesterday saying that 1.9 million pensioner households are now getting payments of pension credit. I understand that 1.8 million pensioner households, to the nearest 100,000, were getting the minimum income guarantee—I hope that he will correct me if I am getting anything wrong. That implies only about 100,000 to 150,000 new extra recipients. He has written to 1.6 million pensioner households, so fewer than one in 10 of them are gaining from those letters. If I am wrong on that, I hope that he will clarify the matter. That gives us real cause for alarm, however, about the prospects for hitting even his meagre take-up targets. If only one in 10 of the people to whom he writes are claiming, what prospect do we have of reaching the 4 million who should be entitled, or even the 3 million that he is trying to reach? If what is happening is that vulnerable pensioners are getting those letters and do not know what to do with them, or are not responding in significant numbers, his whole policy is flawed. He has not queried those numbers or that analysis, so we must take it that it is correct.

The other key pension crisis that we need to address is confidence in occupational pensions. If people's occupational pension rights are not honoured, they will find themselves claiming state benefits, and many people do not want to be in that position. At our party conference, we were visited by workers from Allied Steel and Wire, including workers from the sister plant to the one in the constituency of the hon. Member for Cardiff, West, and by workers from Dexion in Hemel Hempstead. They will not benefit from the pension protection fund to which the motion refers, because it will come in too late for them.

We have joked about a cross-party consensus, and a key question for the House is the problem faced by a relatively small number of people. About 20,000 seems to be the best estimate, but if the Secretary of State disagrees with that figure, I hope that he will provide me with an alternative. Those people have worked hard for firms and saved hard, but found as they came up to retirement that their company had gone bankrupt and that there was not enough money in the pension fund. Those people have lost catastrophically; they have lost not just a pound or two but potentially all their life savings.

We met Dave Allen from Dexion in Hemel Hempstead, who told us that he was coming up to his 40th year of working for the company. All his pension was in that pot and, because he will receive virtually no pension, he feels that he has failed himself and has failed to provide for his wife in retirement. In the town where the company is based, the people who have retired and who are drawing their pensions cross the road rather than talk to him. They feel embarrassed, because they receive a pension when he will not. The problem is dividing communities and causing catastrophic losses for relatively small numbers of people.

Although we are not talking about millions, the problem is critical for each of those whom it affects. I condemn the Government because they do not know how many people are affected. When a scheme winds up, the Government do not ask for and collect the information. Ros Altman and the campaign groups have been to see the Secretary of State and they have come up with their own estimates. They think that about 20,000 people are affected and that it will cost an average of £60 million a year to sort out the problem. The Secretary of State's Department has annual unallocated expenditures of £150 million for next year and £200 million for the year after that. I should have thought that, prior to the introduction of the pension protection fund, such a scheme would make good use of unallocated departmental resources to help a small number of people who would otherwise suffer catastrophically.

I listened to the Secretary of State's conference speech with great care, and he repeated the same soundbite in his speech today. He said:

"A pension promise made must be a pension promise honoured. When a firm goes bust, it can't be right that workers see their life savings destroyed."

We say "Amen" to that, but why is that not true now? Why will it be true only in 18 months' time? If a pension promise made should be a pension promise kept, why should not those workers receive some form of compensation? Governments of different parties have in some cases required them to join company schemes—it was often a statutory requirement—and the Pensions Act 1995 put them at the back of the queue when the schemes wind up. Subsequent legislation removed the requirement on companies to warn them that their pensions were not safe. These people have been done down by successive Governments, and they deserve compensation.

Kevin Brennan: We all understand the usual reluctance of Governments to legislate retrospectively,

[Kevin Brennan]

but is there not a special case to be made for such workers? I do not think that anyone, including even the most virulent opponent of the Conservative party, would suggest that the Pensions Act 1995 ever envisaged that workers would be left to suffer from the jaw-dropping injustice that resulted from the collapse of these companies. As the pension promise was made by successive Governments, is there not a case for considering providing compensation in these instances?

Mr. Webb: That is right. It is helpful that the campaign group, for which I have an enormous amount of respect, has not called for future legislation to be made retrospective. It is not suggesting that these workers will be covered by the insurance scheme in some way. It has done the work that Government should have done by finding out how many people are affected and how much it would cost to solve the problem. The solution is relatively cheap, because if all the balances of the funds go into one big pot of money, it will not be necessary to buy annuities, which are very bad value for money. It will cost the taxpayer nothing for a few years and then, on average, £60 million a year. In the context of even the Department's spare cash, that is affordable.

I hope that people across the parties will recognise that this small group of people has lost catastrophically. Some of them will end up claiming means-tested benefits if we do not help them, and the savings there have not even been included in the costs that I have given. The net cost could be less than I have suggested.

John Robertson: Will the hon. Gentleman tell me his party's policy on compulsory employer and employee contributions?

Mr. Webb: I will deal with that point in a second, but I want to round off my points on the issue of compensation.

Trying to amend the forthcoming pensions Bill against the will of the Government will always be an uphill struggle. I hope that between now and the final drafting of the pensions Bill further discussions will take place. I know that a number of Labour Members are keen for them to take place. My colleagues will be happy to help in a positive way to see whether something can be done. I know that many people have seen the Secretary of State and his colleagues about the issue, but the losses to some people are catastrophic. It is time that we addressed the problem.

I know that many folk wish to contribute to the debate, so I shall draw my remarks to a close. However, I shall deal with the intervention that I have just taken. If the strategy is not mass means-testing or the opportunistic restoring of the earnings link for a few years and then stopping it, what is the alternative way forward? The hon. Member for Havant and the right hon. Member for Birkenhead (Mr. Field) used to say—the right hon. Gentleman still does—that we can target poverty without resorting to mass mean-testing by using the fact that most poor pensioners are old pensioners. In that way, we avoid all the problems of take-up that the hon. Member for Havant referred to and can tackle the problem in a sustainable way. In the short term, using the state pension that is claimed but with additional amounts for older pensioners tackles poverty effectively. However, in the longer term, the Liberal Democrats believe that compulsory contributions—we would have to begin with employers—are the way to ensuring that we do not let people retire poor and try to catch them inefficiently through a means test. We would make sure that as many people as possible build up good pension rights from the state and the private sector while they are working so that means-testing becomes for the few and not for the many.

2.6 pm

Mr. Bill Tynan (Hamilton, South): I welcome this debate, but I am surprised that the Conservative party has chosen it for its Opposition day. Normally, it would select an issue on which the Government were failing and not making progress and on which the electorate were not benefiting from Government policy. When the Conservative party selected this debate, it was good news for the Government. Perhaps the choice is part of a plot to sustain the Labour Government in power until the Opposition manage, perhaps with a new leader, to attract some voter support.

We have no need to apologise for what we have done for pensioners. Many issues have been raised, and I commend the hon. Member for Northavon (Mr. Webb) on his thoughtful speech. He made several excellent points that I shall touch on briefly in my short contribution.

Targeting payments at the poorest people is essential. They are not able to save for retirement, and current pensioners do no have that luxury. The poorest people never had the option of being able to save for retirement, so there is no contradiction between some people saving for retirement and others receiving benefit from the Government. Such benefit can support the people who need it most and who never had the chance to save in the past. We must dispel the myth that targeting the poorest pensioners will create the conditions in which people will not save. The pension credit overcomes that problem and it creates an opportunity for people who have saved.

In the general election campaign, I remember speaking to someone whose support I was seeking. His big concern was the minimum income guarantee. He had contributed to a small occupational pension scheme and, because of that, he did not benefit from the minimum income guarantee. I was able to tell him that there would be a pension credit, and I asked for his vote. I hope that he voted for me. If he did not, he will now realise that what I said at the time was correct. We have introduced the pension credit and he will be one of the beneficiaries.

The issue of occupational pension schemes has been raised. I have come across the problems caused when Melville Dundas went into liquidation in Scotland. People who had 36 years' service and contributed to a sixtieth pension scheme are now worried that they will receive nothing. They do not know whether they will get 100 per cent., 10 per cent. or 15 per cent. of their pension. They have been told that the matter is in the hands of Aon and that they will have to wait and see what money will be available from the pot. We must address that issue in the future.

A television series that was broadcast over three Sundays a few weeks ago showed the dire poverty in which people lived in the early 1900s. I was fortunate

because I was not born until 1940, but I lived in a tenement. Conservative Members might not know what a tenement is—they will never have lived in one.

Mr. Peter Duncan (Galloway and Upper Nithsdale): I know them well.

Mr. Tynan: I am delighted that someone knows what a tenement is. I lived in a two-room and kitchen with three sisters, my brother and my mother and father—there were seven of us. My mum and dad had to let one of the rooms so that they could survive in 1940. One should think about the means-testing that applied at that time and the disdain with which people were treated when they asked for help from the state. If their request was successful, the uniform that they were given to wear was made up of the same jacket, trousers, blouse and skirt, so it could be recognised that they had been to the parish. That was a real stigma for those people. My mum and dad were too proud to accept such help because they did not want their sons and daughters to be identified as those for whom their mum and dad could not provide. That is what I call means-testing.

I despair when I hear people speaking about the 5 million people who are means-tested because elderly people in our society remember the stigma of the means-testing days. At the moment, we are reaching out to the people who most need our help. They have the opportunity to phone a helpline or ask a person such as an MP to help them to fill in a form so that they will receive more money. That is something that we should applaud. We talk about cross-party support, but if we were working efficiently and effectively, we would not worry about take-up because as long as we continue to refer to the means-testing that once existed and deprecate what exists now, we consciously encourage people not to participate in the pension credit. I implore every hon. Member to ensure that we do the best that we can to encourage people to take up the benefit.

Mr. Duncan: I am grateful to the hon. Gentleman for acknowledging that at least one Conservative Member knows what a tenement is. I accept that hon. Members of all parties want all benefits to be accepted by as high a proportion of the population as possible. Why does he think that after three years of pension credit, 1.4 million pensioners, by the Government's figures, are still not in receipt of it?

Mr. Tynan: There are people in this country who are in poverty and some who are not taking the opportunity to get recompense from the Government. We continue to debate means-testing but that system is stigmatised in this country. We must get out of the mindset of comparing the current system with what existed before. I believe—although I have obviously not impressed the hon. Gentleman given that he made his intervention—that it is essential that we do as should be done.

Mr. Oliver Heald (North-East Hertfordshire): When the last Conservative Government were in power, the Labour party talked about means-testing. In "Getting Welfare to Work", it said that means-tested benefits were claimed by more than 3.5 million people. The document went on to deplore the fact that 600,000 people did not receive the income support to which they were entitled and said that those people were forgoing £14 per week and were among the poorest in Britain. The Chancellor—he was not the Chancellor then—called for the end of the means test. Now that Labour is in power and failing with the means test because people will not claim the benefit to which they are entitled, surely it is a bit rich for the hon. Gentleman and his colleagues to say, "Oh, don't let's talk about this; let's keep it quiet." We should not keep it quiet because it is a disgrace.

Mr. Tynan: I thank the hon. Gentleman for his intervention but the final part of it was a disgrace. My position is clear. I am speaking from the perspective of the constituents whom I represent. I was not a Member in 1996 but I understand the damage that the Conservative party did to the poorest people in this country during its 18-year reign—that was a disgrace, as far as I am concerned. If we continue to have the mindset of depriving each other due to the means-testing provision, we will destroy a great opportunity for the people whom he and I represent.

Lynne Jones: Although my hon. Friend is right that we must try to encourage people to apply for the benefits to which they are entitled, stigma is not the only problem with means-tested benefits. Does he agree that there is a problem relating to younger constituents who try to make an informed choice about how to save for their retirement? We are not addressing the disincentive for younger people to save for retirement when they do not have a clue what the state will provide for them in 20, 30 or 40 years.

Mr. Tynan: Occupational pension schemes are the key to moving forward on retirement. I was fortunate to be a member of a good occupational pension scheme. It was a sixtieth scheme that allowed me to transfer to a full-time officials' pension scheme and then the parliamentary scheme. No hon. Member will need the state pension when they retire because they will earn much more than £400 a week. I hear people talking about pensions as a universal benefit and saying that everyone should receive the same benefit. If that system is put against one that allows the poorest people to get more, I believe that the system should be run in the latter fashion. People might think that I am wrong but we should target the poor. I understand that one third of pensioners in this country receive more than £400 a week, although I am sure that I will be corrected if I am wrong. They do not need to be targeted because they receive a substantial pension. We need to target those who do not have a substantial pension at present, which is what the Government are doing.

I accept that there are problems with occupational pension schemes. As I said, a constituent contacted me about Melville Dundas. He was a foreman but, unfortunately, he had no union representation at the plant. As a union official, I recognise the benefits of trade unionism—I am sure that some hon. Members disagree with that. After 36 years' service with two years left to go, my constituent thought that he was protected for his retirement. He thought that his pension scheme would give him £17,000 a year but he is now in despair because he does not know how much he will receive. I ask the Government to consider seriously redressing the

[Mr. Tynan]

problem experienced by the 20,000 people who have been identified. It will not be easy to decide how to do that because those people will find themselves in a situation in which they might receive some money from the pension scheme. We may need to compensate people on a universal basis if, through no fault of their own, and through no fault of the Government, they are suffering because a company and its pension scheme, run by trustees, has gone bust. We should apportion blame where blame exists. We must be sympathetic and deal with the problem. The Government should seriously consider that.

As for compulsion, I believe that employer contributions, whether they be 2.5 per cent. or 4 per cent., to occupational pension schemes are the best way forward for this country's future. We need to grasp the nettle on compulsion.

David Hamilton (Midlothian): Does my hon. Friend agree, however, that occupational pension schemes will not deal with the many hundreds of thousands of people who receive just above the minimum guaranteed wage? We will always have to look after that group because when they reach retirement age they might not have contributed enough.

Mr. Tynan: I agree wholeheartedly, but we have to start somewhere. Once we address the problem of occupational pension schemes, we can move forward and deal with other problems.

I am grateful for the opportunity to participate in the debate. We need cross-party consensus on pensions because that will enable us to make progress on eradicating poverty. We make no apology for what this Government have done for pensioners. We no longer talk about the changes to the rules governing the 52-week stay in hospital, but those changes were sought for a long time. We have taken a great step forward. The debate is essential. I look forward to the Government considering the suggestions made.

2.22 pm

Mr. Peter Lilley (Hitchin and Harpenden): It is a pleasure to follow the hon. Member for Hamilton, South (Mr. Tynan), whose concern for pensioners is obviously genuine. All I [illegible] in response is that pensioners in my constituency do not think that it is politicians who stigmatise the means test, but that it is the means test that stigmatises them. They hate having to prove how little they have saved or have by way of income in order to claim benefits and to find that every extra pound of savings that they have made results in a loss of some, all or a commensurate amount of benefit.

I congratulate my hon. Friend the Member for Havant (Mr. Willetts) on securing the debate and putting the focus on means-testing. That is central to the consideration of pension issues. It is good that the Opposition have chosen to debate pensions because the most important single issue facing every modern Government in developed countries is how to provide pensions for an ageing population with fewer children.

The UK used to be better placed to face that problem than most of our European partners because we had persuaded more of our population to put aside savings. As a result, we had more funds to meet future pension liabilities not just than any other country in Europe, but than all our partners in the European Community put together. Now that very healthy situation is under threat. The situation with regard to the provision of occupational pensions, not least of defined-benefit pensions, is little short of meltdown. According to Adair Turner, the pensions tsar appointed by the Government, 60 per cent. of occupational schemes have already closed to new members and a further 10 per cent. have closed entirely, and that is weighted by membership of those funds. Employers are contracting members back wholesale into the state system. We know that that is not purely the Government's fault. The stock market fall was a shock to the system and the anticipated rises in longevity have increased the liabilities of pension funds, but the Government must stand convicted of imposing a £5 billion a year tax on pension funds and introducing means-testing, which will increasingly affect the majority of pensioners, thus making it less likely that they will save for the future.

Four key questions have to be asked and, more important, answered when we consider what to do about pension provision. For those who cannot stay until the end of my speech, they can obtain a copy of "Save Our Pensions" for £15 from the Social Market Foundation or free from my website, www.peterlilley.co.uk.

The first key question is how much, if any, pension provision should people be required to make during their working life? My conclusion is simple. Everyone in work should be required to provide for a pension that will be sufficient to avoid dependence on means-tested benefits when they retire. That is the ideal. I do not prejudge whether that provision should be made through a state pay-as-you-go system or funded savings. When I initially considered the matter, I was hostile to compulsion until I reflected that we already compel people to contribute towards the basic state pension and the state second pension if they are in employment. We also compel taxpayers, including those who have made voluntary provision for themselves over and above anything required by the state, so ensuring that they do not need means-tested benefits, to pay through the tax system for those who do need means-tested benefits.

We would all agree that everyone should pay through the tax system to provide help for those in retirement who need means-tested benefits because during their working lives they could not provide a sufficient pension for retirement, perhaps as a result of disability, unemployment or some other misfortune. But is it right to compel people to pay through the tax system to provide state benefits for those who could have made provision for their old age but failed to do so? It is better that the compulsion, if it exists in the system at all, should compel everyone to provide for a basic minimum pension for their retirement, sufficient to ensure that they do not need state means-tested benefits if at all possible.

John Robertson: I know that the right hon. Gentleman is knowledgeable about pensions. He talks about compulsion for the employee. What about the employer?

Mr. Lilley: The compulsion applies to employee and employer because they both contribute to the national

insurance system and, through that, to the state system, and to people who contract out but who receive rebates from national insurance. I hope that that answers the hon. Gentleman's question.

The second key question is, how much of any compulsory requirement of provision for retirement income should be funded by saving? I concluded that the state second pension should be replaced by a mandatory funded pension system set at a level, together with the basic state pension—which would remain unchanged—that is sufficient to float clear of means-tested benefits. The Government have set an admirable target of increasing the proportion of future pension liabilities that are met from genuine savings to 60 per cent. against the current 40 per cent. That is good and I am glad that my Front-Bench colleagues have endorsed it. I cannot envisage an alternative way of achieving that target other than to require people to have a funded state pension. That would avoid leaving many people—indeed, an increasing proportion of people—contracted back into the state second pension when they could be contracted out.

I propose that everyone in work should be required to have a pension fund of their own into which national insurance rebates would be paid that are sufficient to meet the level of pension that I have described. That rebate would mirror the structure of the present state second pension, having a strong flat-rate element that is the same for everyone, even if their income is below half the average earnings, which is probably the rough target. That element of the pension should be guaranteed by the state. If, when people retire, they find that, owing to bad investments or for any other reason, their pensions cannot be provided at target level, the Government should top them up—just as, in a defined-benefit scheme, an employer guarantees a certain pension level.

The system that I propose would be introduced gradually. Initially everyone under 30, say, would benefit from the fund, but eventually it would apply to everyone entering the labour market.

Rob Marris (Wolverhampton, South-West): I am listening carefully to the right hon. Gentleman's thoughtful speech. Is he aware that the system that he is describing exists in broadly the same form in Canada, under the Canada and Quebec pension plans? If so, will he tell us whether he thinks it is working there?

Mr. Lilley: It would be truer to say that the system that I propose has counterparts in Australia, where everyone is now required to have a personal or occupational pension fund and is compelled to make a minimum level of provision. That has demonstrated one of the benefits of my proposed scheme. When everyone owns his or her pension, with ownership comes greater choice. It is easier for people to choose to save more. They need not go through the hassle of setting up pension funds, because they have them automatically. They can make marginal extra contributions if they wish—and in Australia the level of additional voluntary contributions has doubled since everyone has had his or her own fund.

Mr. John Horam (Orpington): I am interested in my right hon. Friend's proposed scheme. How would he deal with the low-paid worker who finds it difficult to save any money at all?

Mr. Lilley: As under the present state second pension scheme, the low-paid worker would receive a flat-rate rebate. At present, he accrues flat-rate pension entitlement. If he earns less than half average earnings, he is treated on the assumption that that is the case. Under my scheme, he would receive a rebate on the same basis—a flat-rate rebate. Even if no additional voluntary contributions were made, everyone would be able to save enough to be free of means-tested benefits; but people would find it easier to save more, and I think that many would take advantage of that.

The third question is, how long should people be required to work before drawing a pension? If we do not adopt a scheme like the one that I propose, the Government will be able to achieve their objective of enabling 60 per cent. of pension liabilities to be met from genuine savings only by postponing retirement—by reducing the amount that people pay by making them retire later. That is the only arithmetical possibility, and the Government are clearly edging, or nudging, in that direction.

One great advantage of everyone having his or her own fund is choice. After all, this should not ultimately be an issue on which the state makes the decision. Whenever possible, the individual should be free to decide how long to work and when to retire. When people have their own funds, once those funds are sufficient to ensure that they require no additional state benefits, they should be free to retire—but once they have the funds, they will have a double incentive to work for longer. For every extra year they work, they will be able to make an extra year's contribution, or have it paid automatically into the fund if they choose. As they will have one year's less pension requirement to fund, they can look forward to a higher income in retirement.

The present system is not fair on those with low incomes and in manual or stressful occupations, who tend to have the lowest life expectancy. The life expectancy of manual workers retiring at 65 is four years shorter than the upper quintile. Although they are paying into the system on the same basis as everyone else, they are drawing out four years' less money. At present, the annuity providers accentuate the problem, because annuities are based on the life expectancy of those who buy them and are thus geared towards the long-lived rich, who are artificially subsidised by the less long-lived and less well-off. I should like the providers to be able to produce annuities that reflect average incomes during people's working lives and that correlate with their life expectancy. It would be easier if we could provide information from the national insurance recording system computer, such as an income tax code number giving a coded overall picture of lifetime earnings. The least well-off would then be in a better position to choose what to do in retirement, and consequently to enjoy a more prosperous retirement.

[Mr. Lilley]

The fourth question is, how can we cut the costs of pension provision—costs that are absorbed by administration or other measures and do not go into saving and investment to provide for the future? The stakeholder pension schemes were designed to help to achieve that by setting a cap of 1 per cent. on costs, and I hope that the Government will think carefully before relaxing that; but it has not worked, because stakeholders have not spread the costs over a greater volume of savings.

In fact, the single most effective way of reducing the cost of providing funded pensions would be to make them compulsory. If everyone has a pension fund, there will be a larger volume of savings over which to spread the costs. More important, between half and two thirds of the costs at present are absorbed by the costs of acquiring customers. If customers are delivered on a plate, those costs will be greatly reduced, and in some cases eliminated.

Mr. Edward Davey (Kingston and Surbiton): I hoped that the right hon. Gentleman would speak today, because he has thought long and hard about a long-term vision. But will he comment briefly on the short-term policy that we are discussing today? His policy was price indexation, while that of his hon. Friend the Member for Havant (Mr. Willetts) is earnings indexation. Will he now give us a ringing endorsement of earnings indexation?

Mr. Lilley: My hon. Friend the Member for Havant correctly identified the big problem. A huge gap, which did not exist in the 1980s when we ended the earnings link, has opened between the basic state pension and the level of means-tested benefits. I propose filling that gap with compulsory funded savings, and my hon. Friend hopes to reduce it by restoring the earnings link. It must be done in one way or the other, and I think that my proposals and those of my hon. Friend are compatible, based as they are on a common analysis. I am only sorry that we heard nothing from the Liberal Democrats about what they propose to do, this being an issue in which creative thought rather than party political point scoring is needed, although, to be fair, the hon. Gentleman is less prone to party political point scoring than many of us.

Lynne Jones: The right hon. Gentleman will correct me if I am wrong, but he seemed to be saying earlier that people at the lower end of the income scale might be forced to make contributions to private pension schemes in order to retire on an income similar to that of means-tested benefits. Why should people obtain better value for money by doing that than they would obtain by contributing more to a state scheme that assured them of a decent pension in the first place?

Mr. Lilley: I commend my pamphlet, which may explain what I mean more clearly. The essential point is that we compel everyone in employment to contribute to a state second pension. At present, that is done on an unfunded pay-as-you-go basis; we hope that the amount will subsequently be met from future taxation, but I should prefer it to come from savings that have accumulated through investment and to be underwritten by the taxpayer, so that the target level is a certainty—the target level being higher than the current compulsory level, which leaves people still subject to means-tested benefit. I hope that that explains the matter a little more clearly than I had evidently done up to now.

I return briefly to the point that I was making about reducing costs. Compulsion will reduce costs. In Australia, despite the fact that I have many criticisms of the Australian system and the fact that it has not paid much attention to reducing costs, overall costs have been steadily falling and are down to the sort of level that the Government are talking about for stakeholder pensions, because of the increasing volume over which those costs are spread.

There is one aspect to which little thought has been given as to how we can reduce the costs. After people have accumulated their pension fund, it is converted into an income for the rest of their life—an annuity or a pension income. Annuity or pension provision is a good way of pooling risks within a population with known characteristics. We know the mortality rates on average for the whole population and we can pool them. The annuity companies do that and pay out, taking that into account.

There is no effective way of taking into account the possibility that the characteristics—the mortality rates—of the population as a whole may change in unexpected ways in the future. The companies have all been caught out because longevity has increased more rapidly than they anticipated. They therefore have to make provision not for the best estimate of future longevity, but for conceivable but unlikely increases in life expectancy that may occur. If they do not occur, people will be paying for something that they never receive, so they will be paying too much.

Since the greatest risk about unexpected future life expectancy is that people will live beyond, say, 85, my proposal would require that they provide themselves, through the state rebate system, with a funded pension for the first 20 years of retirement, and that, after that, the state resume paying on a pay-as-you-go basis for the over-85s at a similar rate to that guaranteed for the years prior to 85. That would mean that the state was bearing the risk of unanticipated increases in future longevity, and that it would not be borne by people who subsequently get no benefit from it.

I believe that the proposals that I am putting before the House are compatible with those advanced by my hon. Friend the Member for Havant and are based on a similar analysis. They would mean the greatest extension in wealth ownership that this country had seen since the spread of home ownership. Everyone would own a pot of money that was theirs. If they died prematurely, they could leave it to their heirs and successors. They could add to it and would have an incentive to do so. They would have a stake in the wealth-creating system because they would know that they, through their pension pot, would benefit from it. That would transform relations between people in this country and the economic system in a way that was profoundly to the country's benefit.

2.43 pm

Ms Sally Keeble (Northampton, North): It is a great pleasure to follow the right hon. Member for Hitchin and Harpenden (Mr. Lilley).

Compulsion is an interesting issue. It has often been pointed out to me that the quid pro quo of compulsion is sanctions. What happens if people do not take part in the compulsory scheme? Are they to be denied benefit when they are old? It has consistently been shown that the British public will not tolerate pensioner poverty. Pensions policy must not only tackle absolute pensioner poverty, but make sure that pensioners can lead comfortable and satisfied lives, which implies a reasonable level of income, services and so on. There has never been a satisfactory response to the question of what happens to those who do not take part in a compulsory scheme. Are we to apply sanctions when those people are at their most vulnerable? I have not read the right hon. Gentleman's leaflet, but I shall do so.

After the Conservative party conference, two approaches became apparent. Is there to be a graduated system of state support that targets and progressively wipes out pensioner poverty and provides people with increasingly comfortable lives in their old age and good options, or is there to be a single flat-rate system, which is regressive and might give money where it is not needed? That money might be clawed back through the tax system, but such a system would put many people back into an unacceptable level of poverty.

It is clear from the debate this afternoon that the choices are not quite so stark. It is important that we consider carefully what the Conservative Opposition spelled out. Although the hon. Member for Northavon (Mr. Webb) made an immensely amusing speech, he did not tackle some of the key issues. He did so in the previous debate on the subject, and his proposals then fell into the same hole as the Conservative proposals today.

The Conservative spokesman said that his party would continue with the pension credit for as long as it took for the flat rate to catch up. The pension credit is means-tested, and the means test or any other kind of assessment cannot be abolished as long as the pension credit is retained. That was the point raised by the hon. Member for Northavon last time. The Conservative Opposition might be offering something different, but it is not the ending of the assessment of pensioners' income and the provision of additional benefits.

If we take £77 as the basic state pension and either £98 or £102 as the means-tested level, so to speak, and we assume an inflation rate of about 3 per cent.—it could be a little more or less, depending whether it was based on prices or earnings—it would take at least seven years to catch up, assuming that the means-tested levels were capped. The present system would have to continue for at least the lifetime of one Parliament. The Opposition should be honest about that when they spell out options to the public, on which they will have to decide. Decisions about pensions are critical and, as other hon. Members have pointed out, they must be kept in place for a long time because of the time span between paying in pension contributions and retirement.

I have no doubt that the first approach, the one adopted by the Government, is the right one, with money being paid to those who need it most. We need to make sure not only that pensioners are not poor—nobody wants to see pensioners living in absolute poverty—but that they have comfortable lives with dignity and good services. They should be able to make good choices about their quality of life not just for a couple of years after they stop working, but possibly for another 20 years or so. The only way that that can be achieved is through proper targeting.

We all know the state of pensions in 1997. In my constituency people who had worked virtually all their adult lives were still left poor, particularly the women, mostly because they did not have the employment and contribution history to qualify for pensions, and they did not have the same occupational pensions.

Mr. Heald: The hon. Lady will have heard the Secretary of State say that in 1997 there were people managing on £68 a week. Those were people who were not claiming means-tested benefits. Today, there are people managing on £77 a week because they are not claiming means-tested benefits. Only proposals such as we are putting forward tackle that problem. The pension credit does not. According to the Government's own figures, by 2006 1.4 million pensioners will not be claiming it.

Ms Keeble: I take the point about the difficulty of getting people to claim their entitlement. I intended to deal with that. People should not be on just the basic state pension. They should have access to a range of other benefits, including the minimum income guarantee and the targeted benefits that have been described. The increase in personal tax allowances for pensioners and the introduction of a 10p starting rate in tax have certainly been important for my local pensioners, many of whom have income and employment profiles that differ from those in big city communities.

Now we have the pension credit, too. It is completely wrong to scare people off from claiming it by likening it to means testing—I agree with my hon. Friend the Member for Hamilton, South (Mr. Tynan) about that. The approach taken to assessment of income is exactly the same as that taken in respect of claiming the child tax credit, whereby every family with children gets child benefit, and its income is assessed to decide whether extra income is needed. The procedure does not take place every year, but after five years or if circumstances have substantially changed—for example, if people get married, which is fairly straightforward to declare.

The working of the pension credit introduces important changes that take into account the consultations that took place on the proposals. I had such a consultation session in my constituency, where pensioners expressed concerns that have since been addressed. For example, they wanted to keep their nest eggs, which are mostly not huge amounts of more than £10,000, but around £5,000. They do not want that money to be touched by any kind of means-testing, because they want it to pay for their funerals. The assessment considers factors such as income from savings and it can be done on the phone, which is important. I particularly congratulate the Pension Service on its outreach work. I have run street stalls with the Pension Service and Age Concern. Of course, some people will have criticisms, but we are encouraging

[Ms Keeble]

pensioners to apply for the benefit and making it easier for them to ensure that they can get the extra money to which they are entitled. Take-up in the Northampton area has been quite good, which has a lot to do with the innovative work of the Pension Service.

I accept that there is more to do to ensure that people can enjoy the living standards and life chances in retirement that we would all want for ourselves. We need to tackle a range of issues such as annuities and the problems of occupational pension schemes, as well as council tax and house rentals, about which large numbers of pensioners complain. I am particularly concerned about pensioners' housing. We should support schemes similar to an equity release scheme to enable them to realise some of the value of their property in order to carry out home improvements and thus to live in their own homes in comfort for a longer period. It is also important to ensure that people are not ripped off by home income plans and equity release schemes, which represent a growing sector of the market.

The flat-rate approach is an illusion, because any flat rate that the country could afford to apply across the board would not be enough for people who rely solely on this benefit to live on. It will always be necessary to have the option of increasing income over and above the flat rate level. Any system that is to provide an enhanced income will have to include measures to allow for its proper assessment. Otherwise, it becomes completely insupportable in tax terms; and I have no doubt that my constituents would be the first to complain in the event of large tax increases.

Lynne Jones: Has my hon. Friend studied the proposals by the Institute for Public Policy Research suggesting that the basic state pension could be set at the same level as the means-tested pension credit if the state second pension were to be done away with; and that it could be done over 30 years if the retirement age increased to 67? In that context, it is not correct to say that it is impossible to set a reasonable level of basic state pension without substantially increasing taxes.

Ms Keeble: I shall look carefully at that publication. My hon. Friend mentioned a progressive increase in the retirement age over 30 years, but we need to consider the matter over a shorter term than that. I do not see how one can get from £77 a week to £98 or £102 a week in a few years without a very big tax increase, which will not be supported. Moreover, most people would recognise that taxpayers' money has to be spent in the most cost-effective manner—that is, where it is most needed. There is no way round that, unless, as the right hon. Member for Hitchin and Harpenden suggested, one develops a system that makes it possible to feed money in at the savings end to get the equation right in terms of support for pension schemes. I fail to see how one can have a flat rate that is comfortable without having a very big tax increase. Furthermore, in any flat-rate system the pensioners who would be most likely to miss out are women, who often have the most interrupted employment patterns, the most difficulty in making up contributions, lower earnings and longer life expectancy. We have to be careful about holding out a flat-rate approach as a panacea.

We should consider how much pensioners' expectations have changed in terms of making choices. The speech from the Conservative Front Bench was completely opportunistic and targeted at getting the so-called grey vote. People should remember which party gave them the pensions mis-selling scandal—people paying into a Government-sponsored, Government-advertised scheme that sold them down the river—and the botched handling of the abolition of the widows' state earnings-related pension scheme.

Mr. Peter Duncan: Would the hon. Lady care to remind the House which party has given people a £5 billion per year tax grab on pensions?

Ms Keeble: I just say this: which party gave this country the most stable economic management, with the lowest unemployment and lowest inflation, that I can remember in my lifetime? It was this party. The sound working of the economy is the underpinning of any pensions policy. That is why, painful as it was, the decision on tax credits was right.

Who gave us cold weather payments? We should remember the lack of dignity involved in trying to get benefits at the time when if the temperature went below a certain level for four nights one could claim £5. As a councillor, I ran around in the snow with claims forms so that bitterly cold pensioners could claim £5; now, they automatically get £200 as of right.

I also remember who introduced the eye tests. Let us think back to the time when only the pensioners who lived in Labour areas got bus passes; now all pensioners have them as of right because they have a Labour Government.

Women will remember how, if they were lone parents, they used not to be able to get out to work because they did not have help with child care costs or nursery provision, and they did not get the support that they now receive through the new deal for lone parents, which is one thing that the Conservatives have said they would scrap. Having been unable to get out to work, those women then copped it by not having proper pension provision or carer's allowance for their old age. I hope that people will remember what happened before and think about how things have now changed. Pensioners can now be warm enough in winter, and women can go out to work and have a proper pension entitlement.

We all recognise that life is not perfect, but I hope that people will realise that this Government's carefully worked out approach to pensions is on the right track—even though everything is not perfect yet—and that there has been a quantum leap in the living standards of older people in this country.

3.1 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): Yet again, it is an Opposition day debate that provides us with the opportunity to discuss the pensions crisis in the United Kingdom. The hon. Member for Northampton, North (Ms Keeble) talked about the carefully crafted approach to pensions, but I came across some extraordinary figures yesterday that referred to the liabilities in Government pension funds. They showed that, whereas in 1997 the liability figure

was £290 billion, it is now estimated by Mercer—an independent consultancy firm—to have exceeded £600 billion. In the last year alone, it has gone up by £110 billion. Is it any wonder that we are debating—in Opposition time—a pensions system that is in crisis?

There was a regrettably long delay last year before the appointment of a Pensions Minister, and this year we have seen a tax grab of another £5 billion. I think that the cash register is now ringing up a figure of £35 billion taken from the nation's pensions. Is it any wonder that the system is in crisis? We have no debates on this issue in Government time because, irrespective of what the hon. Member for Hamilton, South (Mr. Tynan) says—I regret that he is no longer in his place—the Government do not want to talk about pensions because they know that there is a crisis in the system.

John Robertson: May I inform the hon. Gentleman that the reason that my hon. Friend the Member for Hamilton, South (Mr. Tynan) is not here at the moment is that he is in the European Scrutiny Committee? My hon. Friend said earlier that the Conservative party had done absolutely nothing to help the poor; perhaps the hon. Gentleman can tell the House what he would do in that regard.

Mr. Duncan: I am grateful to the hon. Gentleman for making that point. I shall come to that matter in a second, and I shall be delighted to have the opportunity to do so.

My hon. Friend the Member for Havant (Mr. Willetts) rightly pointed out the spiralling system of lower-funded schemes and increasing means-testing. In 1998, the Green Paper stated that the Government wanted that situation to be reversed. Has the policy changed, or has it just failed? I hope that, if nothing else, the Minister will provide an answer to that question when he responds to the debate.

As a constituency MP, I am aware that 60 per cent. of the pensioners who are not claiming means-tested benefits are among the poorest fifth of pensioners. My constituency is very rural and isolated, and a significant problem is that many of those who live in rural areas are simply excluded from the most complex and detailed of benefit systems. I am engaged in a regular dialogue with the Dumfries and Galloway elderly forum, which I am happy to recognise as the pensioners' voice in south-west Scotland. It is an active organisation that gives politicians a hard time. It is not party political; it gives politicians on all sides of the fence a hard time, and I am delighted to recognise the role that it plays in doing so.

The forum's members are powerful advocates for all pensioners, and particularly for the poor. They would recognise that, as the Pensions Policy Institute has pointed out, the income of the bottom fifth of pensioners in 1979 was 23 per cent. of average earnings, yet by 2001 this figure had fallen to just 21 per cent. The poorest pensioners are getting poorer. Pensioners recognise that, I recognise that, and I hope that, if nothing else, this debate will give us the opportunity to provide a pointer towards a way of reversing that trend.

Pensioners have welcomed the proposal elaborated at our party conference last week to restore the earnings link. They remind me constantly that that is the one item that they wanted to see: a simple restoration of the link that would give a benefit to each and every pensioner up each and every farm track, including those who do not have access to the telephone and free phone lines. Each and every pensioner should be able to get an earnings-linked pension, and I am delighted that my Front-Bench colleagues have proposed such an innovative scheme. Our proposal is supported by all pensioners' groups. Help the Aged has welcomed our

> "commitment to lift pensioners off a dependence on means-tested benefits. The pledge to link pensions to average earnings will allow older people to share in the rewards of growing national wealth."

I, too, welcome the proposal, and I hope that it will reach fruition when we see a Conservative Government within the next two years.

Means-testing is part of the problem, not part of the solution. In 1993, the shadow Chancellor of the Exchequer, now the Chancellor, said:

> "I want the next Labour Government to achieve what in 50 years of the Welfare State has never been achieved. The end of the means test for our elderly people."

He understood the problem; he saw that means-testing was part of the problem and not the solution in terms of providing dignity for people in their old age. Yet, since then, we have seen an extension of means-testing. I accept the genuine approach of the hon. Member for Northampton, North to the question, but the fact is that, if the pension credit looks like a means test, breathes like a means test and walks like a means test, it is a means test. Pensioners know that. When this Government took office, 40 per cent. of pensioners were dependent on means-tested benefits; that figure has now reached more than 60 per cent. and is heading for 75 per cent.

Ms Keeble: The hon. Gentleman said that he was in favour of restoring the link to earnings. Would that include the catch-up for what has been lost? What level does he envisage for the pension? A figure of £84 has been floated.

Mr. Duncan: I shall try to put this as simply as possible. Pensioners' groups throughout the UK will welcome the fact that the next Conservative Government will restore the annual link between the old age pension and average earnings.

The trend towards greater means-testing is wrong and is taking away people's dignity in retirement. The hon. Member for Hamilton, South—who I understand is now in Committee—painted a moving picture of life in a tenement where means-testing had a stigma attached. I understand that, and to many people, there is still a stigma attached to lifting the phone and having to go into great detail about their life savings. That does not provide them with any dignity. An increasing proportion of our pensioners have to go cap in hand to the Chancellor of the Exchequer to find dignity in their retirement, and I believe that that is wrong.

The pension credit was lauded by the Government as their great solution, but the simple fact is that 1 million households will be excluded from it after three years. Even on the Government's own figures, some 1.4 million pensioners will not be getting the money to which they are entitled. I do not want Labour Members to suggest that I am talking down the pension credit. I am always accused, when discussing Scottish issues, of talking

[Mr. Duncan]

down Scotland. I am talking down neither Scotland nor the pension credit. I want every single person in my constituency who is entitled to this credit to get it, but the Government's own figures tell us that it will not reach every person who is entitled to it.

I was particularly impressed by the evidence in the report of the Select Committee on Work and Pensions, which the hon. Member for Greenock and Inverclyde (David Cairns) will know intimately. It states that the pension credit

"does significantly increase the number of pensioners who fall within that means test."

I find it surprising that the hon. Gentleman suggested in a sedentary intervention that MPs say, "That's what we're paid for", when dealing with increased inquiries to expand the use of the pension credit. It is the Government's role to provide benefits to those entitled to them. I was astonished by the amount of time it took my office to sort out the chaos in the child tax credit a few months ago. I was willing to do that because it is part of my role, but it should not have been necessary. It was chaos of the Government's making and it is shameful that they have continued to preside over a system that does not provide benefits to those entitled to them.

There is a growing perception, and reality, that looking after oneself is not worthwhile. I was shocked last week to be described for the first time as old; I am only 38. I read that I was at the end of the baby boom generation, born between 1945 and 1965, who are now becoming old and having to look after themselves. Where is the incentive for people of my generation to start looking after ourselves?

Figures provided by Mercer, the independent consultants, show that a pension fund of £180,000 is required for a married couple before they are better off. If that is not the case, the Government must deny it. That is our understanding. It is a shocking figure and an indictment of how means-testing has so permeated the system. Means-testing takes away all incentive to look after oneself, not least by the ridiculous 10 per cent. assumed rate on savings beyond £6,000, which, as my hon. Friend the Member for Havant said, is an appalling travesty of reality.

The pensions crisis will never be resolved until we reverse the trend towards greater means-testing and go back to a system whereby it is in people's own interests to start looking forward to their old age and the opportunities that it provides, and until we provide dignity in what is surely one of the most attractive phases of life.

3.11 pm

Lynne Jones (Birmingham, Selly Oak): There is no doubt that the Government have substantially increased the incomes of many of our poorest pensioners. Many are better off than they have ever been in their lives. Certainly that is what my mother told me; she is looking forward to receiving about £10 a week pension credit because she receives a small occupational pension as a result of 25 years of working and paying into a scheme.

My problem is that even at £102 a week the pension credit still does not provide a high standard of living. Age Concern says that a modest but adequate income for today's pensioners would be about £130 a week. The other concern is the disincentives built into the system as a result of the universal benefit—the basic state pension—being set at nearly £25 a week below the means-tested benefit. Under Labour's proposals, the pension credit would be set to increase over the next four years to about £122 a week—making various assumptions about rises in earnings—whereas the basic state pension would be expected to rise from £77.45 to £85.55 a week. The gap between those two pensioner benefits would continue to increase.

The Tories have proclaimed that they have suddenly seen the light and decided that they want to restore the link to earnings. That is not what they are proposing. Their concern, and I agree, is that there is too big a gap—I do not think there should be a gap at all—between the basic state pension and the means-tested benefit, and they want to reduce the gap. Over four years, they would do that by restoring the link to earnings; that is a four-year commitment.

Under the Tory proposals, according to the Institute for Fiscal Studies, the basic state pension, instead of being £85.55 as under Labour's proposals, would be £92.40. In order to bridge the gap between the pension and the means-tested benefit, about which the Tories are rightly concerned, they would thus slightly boost the level of the basic state pension but hold down increases in the means-tested benefit. Under the Tory proposals, if the means-tested benefit were linked only to earnings, it would be £10 a week below Labour's proposals. In other words, the Tory proposals reduce the maximum help that would be available to the poorest pensioners. It will not be acceptable in 2009 if the means-tested pension is a mere £112.70 a week, in today's figures.

It is dishonest of the Tories to suggest that they would restore the link. They want, rightly, to reduce means testing; in that, I agree with them entirely. But we must also ensure that we tackle pensioner poverty, and the Tories have not come up with proposals to deal with that.

A person in their twenties planning for retirement will have to bear it in mind that when they retire in 40 years' time, there will be 40 per cent. more pensioners. The Government's plan is that we should spend no more than 5 per cent. of GDP on state pensions—the current level. Clearly, if there are to be 40 per cent. more pensioners, that is an unrealistically low and socially unacceptable level at which to aim.

It might be possible to have a massive increase in private saving, but under the current arrangements with means-testing, that seems unlikely to be the case. My concern is about younger people who are trying to make an informed choice about saving for retirement, something the Government say they should be able to do. Unfortunately, the complexity of the current system makes it impossible for them to work out what they can expect from the state when they retire in up to 40 years' time. People doubt that the state will commit to paying a decent basic pension, particularly those who, unlike Members of Parliament, are not fortunate in having reasonably high salaries and good pension schemes. People on low incomes cannot see the point of saving for pensions, hence we see the crisis in the private pensions system, fuelled by an inadequate state system.

If we want to alleviate pensioner poverty, we have to save more for our pensions. The question is how that should be done and what the combination of state and private contribution should be. For the last 20 years, the financial services industry has tried to persuade opinion formers that state provision is failing and that the Government should privatise the process. Clearly that is what the right hon. Member for Hitchin and Harpenden (Mr. Lilley) believes.

The financial services scandals have proved that markets cannot provide the level of security needed by people on low incomes if they are to be persuaded to put their money into retirement savings. We must decide what gives us the best value for money; whether it is putting money into a state pension through national insurance or taxation, or whether it is through private investment. The only way in which there will be a better return if money is put through private investment is if that increases growth in GDP above that which would have been the case had the state invested the money. There is nothing to indicate that that is the case. People now realise that the stock market is not a secure place for people on low incomes to invest their savings. In talking about compulsion, we need to guard against potential future accusations that the state forced people to contribute to a pension that did not give a decent return on their investment. If they are not careful, those who advocate compulsion could be accused in future of mis-selling.

If we are to have a sustainable pensions policy, people of all political persuasions must come together to create it. I welcome the Conservatives' commitment to the establishment of the means-tested benefit at the same level, hopefully, as the basic state pension. That would surely provide a foundation for people to plan for the future. I do not believe, however, that in being committed to that, they are also committed to ensuring that pensioners are kept out of poverty. If that really is their aspiration, they would have to ensure that the basic pension is set at a decent level. There are plenty of arguments for spending more, in terms of contributing to a state pension. The Pensions Policy Institute said that bringing the basic state pension up to the same level as the means-tested benefit would cost 0.5 per cent. of gross domestic product. This Government should aim for that over time, because it would then be possible to phase out the pension credit. That would also provide a real incentive for younger people, in that they could keep for themselves everything that they saved above the state provision.

I am an unreconstructed believer in universal benefits, coupled with a progressive taxation system through which people such as me—who benefit from child benefit or, eventually, a basic state pension—pay higher taxes if they have a sufficiently high income. That is a simple, affordable system that people can understand. Organisations such as the Institute for Public Policy Research and an increasing number of people in the pensions industry are saying that, to encourage private saving and to save taxpayers' money and spending on future means-tested benefits, we must set the basic state pension at a decent level.

We need to start talking about how we can simplify the system. If the Government really want people to make informed choices, they must tackle the interrelationship between basic state provision and private provision. I urge my hon. Friends to extend the remit of the pension commission, so that it can examine this important issue.

I shall examine the proposals of the right hon. Member for Hitchin and Harpenden, but it appears that they have nothing additional to offer today's pensioners or future pensioners, when compared with the Government's state second pension. Of course, if we were to do away with contracting-out provision and examine how we spend tax relief for private provision, we could release some £17 billion. That money would be much better spent on ensuring that the basic state pension is set at a decent level, and on giving greater incentives to people on lower incomes to save privately, or in other ways. For example, Richard Murphy, Colin Hines and my hon. Friend the Member for Nottingham, South (Alan Simpson) have come up with an interesting proposal in a pamphlet entitled "People's Pensions", which is about investing in Government bonds. I remind Members that in the 1960s, 50 per cent. of pension fund assets were invested in Government bonds; now, only 6 or 7 per cent. are so invested. So there are ways other than equities—investing in equities is a highly risky business—in which people can invest money, over and above what the state provides. I encourage people to look at such provisions.

We have to do more to ensure that people on low incomes can rely on the state, and on the fact that anything that they save will be available to them when they retire, rather than being clawed back through means-tested benefit. That is the real flaw in the Government's policy, even more so than the question of stigma. The Government are not making clear to younger people what the state will provide for them when they retire. That is a crucial flaw, and I urge the Government to rectify it.

3.26 pm

Hywel Williams (Caernarfon): I shall be brief as I appreciate that time is rather short. I must confess that this debate has a slight feeling of unreality, given the free transfer of policies that we have witnessed between Government and Opposition Front Benchers. As that great philosopher Yogi Bear might have said, "It looks like yet another case of déjà vu, Boo Boo." The party that broke the link between pensions and benefits and earnings—albeit under different circumstances—is now advocating the re-establishment of that link and a return to universalism. And the party that condemned the breaking of that link—to its credit, it established it when in government, between 1974 and 1979—is now arguing contrariwise.

Many good people in the Labour party who are my friends—some of them are even in the Labour party in Wales—despair at the Government's determination to extend income testing even further. These are the people alongside whom I worked to ensure that child benefit was retained and, indeed, improved as a universal flat-rate benefit. They are the same Labour people who argue, rightly, that applying the income test guarantees that some people—often the poorest, who should be receiving additional benefits—will not claim, for a variety of reasons. Those people are guaranteed to lose out in the very long term.

They are also the Labour party people who realise that applying the income test on an ever-increasing scale will inevitably lead to ever-increasing complexity, which

[Hywel Williams]

has been a theme of today's debate. The Government might say that their new income test is not like previous tests, and I am sure that there is an element of truth in that assertion. But in the end, we cannot buck the fundamentals. If the payment of benefit is contingent on an individual assessment, that assessment has to be carried out. Even the simplest and most infrequent of individual assessments will inevitably lead to more complexity and more scope for mistakes, and to disincentive effects on claiming and saving. We know that, in reality, those assessments will not apply for five years, because people will have to report changes much more often. I wish that I shared the confidence of the hon. Member for Northampton, North (Ms Keeble), who said that reporting the changes would be straightforward and unproblematic. It might be unproblematic for Members, but not to older people in my constituency and throughout Wales.

I want briefly to draw attention to some of the problems experienced at the Swansea pension centre—the only pension centre in Wales. It is our national pension centre and its problems are a national issue in Wales. It has proved a problem to get through to workers dedicated to particular cases, rather than to a different person every time that people phone. Indeed, people certainly experience a problem in accessing the telephone lines. I look to the Minister for an assurance—perhaps in a letter—that the workers who staff the telephone lines, and particularly the Welsh language telephone line, will be suitably trained and qualified. They should be directly employed by the pensions centre and not, as people suspect, agency workers.

I have to say that the experience of my constituents is not good, certainly in respect of the computer system. Members will be interested to know that this morning I phoned the new directory inquiries companies to ask for the pension line number. One company had no idea what I was talking about, so I phoned a competitor company, which was equally baffled. So much for the privatisation of the old 192 system. Pensioners in my constituency who are looking for the number will be equally baffled.

Reference has been made to home visits. Local pension clinics are certainly held in my constituency and their work is valuable, but they are run fortnightly and there is a question about what counts as local. I shall provide one example for people who are familiar with the geography of north-west Wales. A clinic is held in Porthmadog, which my constituents might be able to attend, but, unfortunately, it is about 30 miles away and public transport is not what one would like.

We know that pensioner poverty is not evenly spread; it is much worse in northern England, Scotland and Wales. Such regional problems are real. Will the Minister give an assurance, again by a letter, that the Government have targets for take-up in the appropriate regions of England, Scotland and Wales? What are those targets and what is the time scale for their achievement?

The pension protection plan, which has already been discussed, is welcome. However, Plaid Cymru Members, particularly my hon. Friend the Member for East Carmarthen and Dinefwr (Adam Price), highlighted the scandal at ASW months ago. The Secretary of State for Wales said that the then proposed protection was a gimmick. I am glad to see that that gimmick has now crossed the Floor from these Benches to the Government Front Bench.

Another issue is the extension of the right to work up to the age of 70. Members on both sides of the House are concerned about extending employment protection to those working longer into their lifespan. The right to sue for unfair dismissal is essential and should be in place now rather than in 2006, if it comes at all.

I should like to finish with a couple of points that apply particularly to Wales and to some of the ways of solving the conundrum posed earlier by the hon. Member for Birmingham, Selly Oak (Lynne Jones)—how to pay for it all. My party's policies on regional economic matters and national Welsh economic matters come into play. The inactivity of large parts of the work force over the age of 50 is an important factor, and such economic inactivity is much worse in Wales, Scotland and some English regions than in the south-east of England. On some calculations, if the rate of economic activity were raised in those regions, it would provide sufficient tax take and national insurance contribution to pay for a much better pension. I am no mathematician and I am not sure that that income would be enough, but I certainly commend that way of dealing with the problem. Finally, my party believes that greater means-testing will play badly in Wales, particularly among poorer people. It is not the way to proceed.

3.34 pm

John Robertson (Glasgow, Anniesland): I was interested in the contribution from the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) or, as he is known in Scotland, the Tory one. I feel that he is a friend, but a misguided one. I have been surprised by the crocodile tears of the Conservatives. Those tears are a ruse: they do not care one jot about means-testing and that has been shown over many years. Nor do they care one jot about the poorest in society. It is political point scoring at its worst and it is done without any thought of or consideration for the people who they are using to make those points.

I represent Glasgow, Anniesland, and we have some 13,500 pensioner households on a conservative—with a small c—estimate, or about 18,000 over-60s. The pension credit appears to be working well. The complaints that we have heard today about the telephone lines are not matched in the Anniesland area. The only problems that we have relate to paperwork and letters received. I have talked to the pension people and, apparently, the letters are written by a computer. They are formulated according to the answers given on the forms. However, that is not the way to do it when dealing with real people, especially the elderly. I ask the Minister to look at the problem—I have mentioned it to him before—so that people receive letters that they can understand. More importantly, MPs should be able to understand them—it has taken me a few readings to work some of them out. I have some knowledge of what has happened with the pension credit, however, and I pay tribute to the people manning the telephone lines for the good work that they are doing.

We should remember what the Government have done and people should realise what could be lost if the Conservatives were to come to power. My pensioner households receive £200 every winter as their winter fuel allowance, not the measly £5 that was mentioned earlier by my hon. Friend the Member for Northampton, North (Ms Keeble), who talked about running all over her constituency trying to hand out forms. The £200 is given to every pensioner household every year and I am glad to say that after my prompting and prodding the Chancellor put it up to that amount. I take personal credit for that.

Mr. Peter Duncan: Are any of the pensioner households that the hon. Gentleman mentions paying more council tax? Is that increase greater than the £200 that he mentions?

John Robertson: I thank the hon. Gentleman for that intervention. The sad fact is that many pensioner households in Anniesland do not pay council tax, because they are so far down the economic ladder. However, for those who do pay it, the council in Glasgow has kept it fairly level over the past four or five years and it has actually gone down in real terms. I thank him for that question because I am sure that it has added a couple more votes to my majority.

The Government have not and should not apologise for means-testing. It was not introduced by this Government, but it is necessary if we are to find out who are the poorest in society. The number of people we have taken care of holds up against any Government in the past and, I hazard a guess, in the future as well. The Government should be commended for their work on pensions. It is important that we look after those who need to be looked after the most. Anybody who suggests otherwise is talking through a hole in their head.

Rob Marris: Other than their mouth.

John Robertson: Exactly. The across-the-board increases mentioned by the Opposition sound very nice, but—as was clear from their speeches—they are trying to help only the top 10 per cent. The Opposition do not care about 60 per cent. of the population. Why not? Because that 60 per cent. do not vote for them. If that 60 per cent. voted for them, they would start to care about them. As it is, the Conservatives are happy to throw that 60 per cent. in a dustbin.

I am aware of the time and I shall be interested to hear what the Opposition spokesman has to say, but I have one further comment about the 18 years of misrule during which the Tories did little for pensioners. We have known for decades that there is a pension problem. It is not confined to the UK, but affects the rest of the world, especially those countries in the western hemisphere that do rather well in financial terms.

We do not need to take lessons about pensions from the Opposition. The Conservative Government created 4 million unemployed. Where were the pensions of the long-term unemployed? I congratulate the Government on what they have done, and want them to do an awful lot more. I wanted to say a word about final-salary pensions, but that will have to wait for another day.

3.40 pm

Mr. Oliver Heald (North-East Hertfordshire): We have had an excellent debate this afternoon. The hon. Member for Glasgow, Anniesland (John Robertson) got a little overheated, but even he made some excellent points about the need for everyone involved to take a serious look at this issue. Early in his remarks, he made the point that there must be means-testing if we are to find out who are the poorest pensioners. That contrasted with the comment made just before by the hon. Member for Caernarfon (Hywel Williams), who said that it is the poorest pensioners who will not and do not claim under the means test.

A range of excellent speeches were made by Back-Bench Members. My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) made a distinguished contribution, to which I shall return. My hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) did not deserve the somewhat uncharitable comments from the hon. Member for Glasgow, Anniesland, as he made an excellent speech too. Hon. Members of all parties recognise, as the hon. Member for Birmingham, Selly Oak (Lynne Jones) noted, that reform is needed. We must improve the situation with the state pension scheme in particular if we are to tackle the problems that the country faces.

Before this Labour Government came to power, Labour Members were deeply concerned about means-testing. I remember well a document published in 1996 entitled "Getting Welfare to Work", in which the Labour party made the point that means-tested benefits at that time were claimed by 3.5 million people over state retirement age. It complained that 600,000 were not receiving the income support to which they were entitled, and said that they were among the poorest people in Britain. In fact, the present Chancellor of the Exchequer called at that time for an end to the means test, and spoke about the massive increase in inequality among pensioners. He made the point that the poorest pensioners were those who did not claim.

In this debate, we have heard the comments made by the hon. Members for Hamilton, South (Mr. Tynan) and for Northampton, North (Ms Keeble), by my right hon. Friend the Member for Hitchin and Harpenden and by my hon. Friend the Member for Galloway and Upper Nithsdale. They all noted that we parliamentarians will have to work hard to encourage people to take up the benefits to which they are entitled, and of course they are right.

When I was a junior Minister, we used to have take-up campaigns with Age Concern. We used to push hard for take-up. The current Government have made a real effort in that regard, but it has not worked. That is what has led the Opposition to review our policies.

Labour made bold statements in opposition, but the income of the bottom fifth of pensioners, as a percentage of national average earnings, is now lower than in 1979. Stakeholder pensions were supposed to be the solution for those earning between £9,000 and £20,000 a year. The information company Datamonitor has said that that policy was simply "cannibalising" existing retirement provision, and noted that almost everyone joining the schemes was simply changing within the system, rather than being a new applicant. Ninety per cent. of the company schemes set up for stakeholder

[Mr. Oliver Heald]

pensions have no money in them. Pension credits have been introduced, and they have spread means-testing to more than 50 per cent. of the population.

The Government's ambition means that in 2006—that is, in three years' time—1.4 million of the poorest pensioners will still be missing out on the benefits to which they are entitled. And the Government say that they are targeting help on the poorest pensioners. It is nonsense.

The modelling assumes that every poor pensioner will claim the benefits to which he is entitled—the Secretary of State is always saying that, but he is defying the experience of Ministers and individuals who have been concerned about the problem for the past 10 years. We have seen what happens; it does not work. One has only to read the comments of people such as Gordon Lishman, who heads Age Concern, to realise that. He says that there is further evidence that money is not getting to the poorest older people and that hundreds of thousands of older people who are eligible for the minimum income guarantee do not claim because they are put off by the stigma or because they do not understand their pension rights. He has explained all the difficulties.

It is not enough to suggest, as some hon. Members have, that if one calls the means test something else, one gets rid of that stigma. That is not what is happening. Let us look at the latest figures, six months into the pension credit. Of course, there are the 1.8 million households that were transferred automatically to the new system, but only 100,000 further households have been processed in six months, which is fewer than 200,000 individuals. The case load is 3.1 million. How long will those people have to wait for the money that the Government have already committed themselves to? They say that those people are entitled to the money, but it will take years even to reach the point where 1.5 million people get it. It is a failed system.

The hon. Member for Birmingham, Selly Oak has been involved in these issues for years. She and others who spoke in the debate, such as my right hon. Friend the Member for Hitchin and Harpenden and, of course, my hon. Friend the Member for Havant (Mr. Willetts) in his opening speech, pointed out that there is a massive disincentive to save if we have means-tested benefits so high up the income scale. The approach is misplaced. Even the right hon. Member for Birkenhead (Mr. Field) pointed out that the current arrangement is damaging retirement income because it is such a disincentive to save. Under this Government the savings ratio is half what it was under the Conservatives.

What has happened to funded pensions? My right hon. Friend the Member for Hitchin and Harpenden described them as being in "meltdown" and other hon. Members have described the situation as "disastrous". Why did that happen? There was the £5 billion a year pensions tax—the ending of dividend tax credits—and the erosion of the basic protection provided by the minimum funding requirement, which the Government twice deliberately eroded. They slashed it. There were the contracted out rebates, which have not kept pace with the actuarial value of the rights for which they are supposed to pay—a further £1.5 billion pension tax imposed by this Government. Then, we are supposed to be surprised—they say that it is due to the economic conditions—when only 19 per cent. of final salary schemes are now open to new members. What will that do to the future livelihoods of our people? For the first time in generations, workers will expect a worse income in retirement than their predecessors.

Twenty-six organisations have called for state pension reform. The Conservative party has looked into that and come up with proposals that are costed, hold water and will improve the situation. People throughout the country are despairing about the fact that this Government will not even consider reform—even members of the Labour party in Wales are despairing of that fact, as the hon. Member for Caernarfon said.

All that the Government have come up with are proposals designed to limit the damage that they have done: proposals for protection schemes, for example. One can cautiously welcome such proposals, but what about creating incentives to save? As my right hon. Friend and most other hon. Members who have spoken in the debate have acknowledged, savings are what will give people the pensions that they need. Until we have a system that gives pension schemes, employers and individuals some scrap of incentive to save, we will not solve the problem.

I have a lot of sympathy with the point made by the hon. Member for Northavon (Mr. Webb) about the winding-up victims. I have met them and marched with them. We have held debates in the House about them. We supported the Second Reading of the Bill promoted by the right hon. Member for Birkenhead, but blocked by the Government time after time after time.

The Government promised so much. They promised less means-testing, but we got more; more equality, but we got less; better take-up, but we got worse take-up. They promised a move towards more saving and funded provision compared with state benefits, but we got less. Some people say that less is more and perhaps in the language of new Labour—the language of spin—that is the case, but the truth is that this is the failed record of a failed Government. They live in such an unreal world that they believe that failure is the new success. "New Labour—best at its boldest." Bold as brass—brass neck!

Hon. Members: Follow that.

3.50 pm

The Minister for Pensions (Malcolm Wicks): Follow that indeed. I was about to say that we had heard a fine debate with thoughtful speeches, but it went off a bit towards the end. I had not realised that I was following a marcher and a demonstrator. I can imagine the chant, "What do we want? Tory leadership. When do we want it? Now".

The debate has been useful. The Liberal Democrat spokesman, the hon. Member for Northavon (Mr. Webb), made a significant speech that I much enjoyed. I did not agree with all of it but it was an important speech. I heard recently that the Liberal Democrat leader had shuffled away all the lefties. I have never seen

a leftie on the Liberal Democrat Benches, but it is good to see that the hon. Gentleman is still in his place in the senior common room.

The hon. Gentleman mentioned the concerns of the shadow Secretary of State about the nation's fertility but I shall not follow him down that path. We do not want the hon. Member for Havant (Mr. Willetts) to be referred to as "two brains and three or more babies".

My hon. Friend the Member for Hamilton, South (Mr. Tynan) made an important speech in which he contrasted the mean-minded means-testing of yesteryear, drawing on his family's past and experience, with the approach to pension credit today—*[Interruption.]* I hope that people will read his speech, including the laughers who were not in the Chamber during the debate, and that, whatever their concerns about income testing, they will at least understand the significant points that he made. It was a moving speech.

The right hon. Member for Hitchin and Harpenden (Mr. Lilley), a former Secretary of State, made an important speech about occupational pensions. He modestly advertised his new Social Market Foundation pamphlet. I already have a copy, but I imagine that others might wait for the January sales to get a better bargain. He presented his proposals with great care and research and I enjoyed his speech.

My hon. Friend the Member for Northampton, North (Ms Keeble) talked about policy objectives and the importance of ensuring not only the relief of poverty but also comfort and dignity in old age. I commend her efforts in Northampton in boosting pension credit; such action is important.

The hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) referred to issues in his rural constituency. I should like to talk to him more about that so that we can ensure that our local Pension Service, which is doing a good job across Great Britain, can be of greater significance in his constituency in respect of the location of advice surgeries. I shall be happy to talk to him about that.

My hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) outlined her concerns, which are well known. I appreciate her points although I do not agree with them. She was in some difficulty; I thought that I heard a tremor in her voice when she said that she agreed with the Conservatives' new approach to the earnings link. However, as the right hon. Member for Hitchin and Harpenden praised the Australian Labour Government's approach to pensions, it has probably just been one of those interesting afternoons.

The hon. Member for Caernarfon (Hywel Williams) expressed some concerns about the Pension Service in Wales. I should like to talk to you seriously about those. I think that the service is doing a good job there, but if there are concerns I want to look into them and I should appreciate your advice.

My hon. Friend the Member for Glasgow, Anniesland (John Robertson), among other things, paid tribute to our Pension Service.

Mr. Adrian Flook (Taunton): Will the hon. Gentleman give way?

Malcolm Wicks: May I make some progress? I will give way if you catch my eye again.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. May I remind the hon. Gentleman that he should be speaking in the third person? I let it go to start with but he seems to have got into a groove.

Malcolm Wicks: I am so carried away by the debate on pensions, Mr. Deputy Speaker.

We have touched on a range of issues about the state's responsibilities for pensions. Of course, those important responsibilities include establishing a reasonable basic pension and related rights; tackling poverty, which I want to come on to; increasing access to second and earnings-related state pensions; promoting confidence and trust in pensions, which has been a theme today; and informing and educating the public, particularly younger people, about pension choices and the importance of pension forecasts.

Finally, the responsibilities include enabling the development of flexible work and retirement patterns so that we can promote work among the over-50s, abolish age discrimination, promote favourable financial arrangements for those who defer the state pension—my right hon. Friend the Secretary of State has introduced proposals—and, of course, allow older people to draw their pension and continue employment at the same time.

On the central issue today—pension credit—I urge right hon. and hon. Members to be careful about how we discuss such issues. It is important to have a debate and there are differences between us, but if we use words such as "stigma" in relation to claiming pension credit, I am afraid that we may achieve the result that we all do not want to achieve.

Mr. Flook: In the Minister's tribute to all those who have contributed to the debate—sadly, although I have been sitting here, I was unable to do so—he has still not mentioned the word, "means-testing". Given that means-testing has increased dramatically under this Government, can he explain how my generation can be encouraged to save for the future?

Malcolm Wicks: I am sorry that the hon. Gentleman missed the debate. No doubt he will catch up by reading *Hansard*. The point that I am trying to make is that, if we talk about stigma, we will put off frail and vulnerable people from applying for their rights to pension credit.

Let me quote from *The Times* of 10 October. My right hon. Friend the Secretary of State quoted the *Daily Mail*; I want to go up market and quote from *The Times*, where someone writes:

"I fail to understand why the current pensions regime should attract so much criticism. As someone who has recently dealt with the pension service on behalf of an elderly relative, I can say that

[Malcolm Wicks]

the process of applying for pension credit was extremely straightforward, with the form being almost fully completed over the phone."

Mr. Heald *rose—*

Malcolm Wicks: No doubt, the hon. Gentleman wants to talk about stigma again.

Mr. Heald: Does the hon. Gentleman think it wrong for the director general of Age Concern, who helps the Minister to run his campaign on take-up, to refer to stigma? The quotation came not from me, but from the director general of Age Concern.

Malcolm Wicks: Yes, I think that the director general is wrong. That is the short answer to that question.

We have had much success on pension credit. All those on the minimum income guarantee have been successfully transferred to pension credit. We have written to 1.6 million households, and 1.1 million households have already gained extra money as a result of pension credit. It is heartening to hear many of the success stories about people ending up with £86 more a week—not only from pension credit, but from other benefits, such as housing benefit—and, in another case, in Essex, with £35 more a week.

The Tory proposal to return to the earnings link is far-fetched, given that a Conservative Government abolished it back in 1980. If this goes on, we will soon see the shadow Home Secretary visit a comprehensive school just to show that he understands such things and, no doubt, he will talk to the lads and lasses about whether they prefer fox hunting or fives as a sport.

Gregory Barker: Will the hon. Gentleman give way?

Malcolm Wicks: I have not got time.

I am afraid that, if the Conservatives were ever to implement their policies, it would be bad news for women, who should be major gainers, and the very group who would not receive any help would be the very poor. Let me quote what the shadow Chancellor of the Exchequer said on the Dimbleby programme on 5 October. He said:

"Those who are entitled to the pension credit and do claim . . . will not be better off"

under Conservative proposals. There we have it. If the Conservatives abolished the state second pension, carers would be no better off either.

The fact of the matter is that, whatever the Conservative party says today, people contrast the Conservative Government's record, when nothing was done for the poorest, with the policies of this Labour Government who, as well as bolstering the basic state pension, have helped the poorest, with the pension credit, free television licences for the over-75s, the winter fuel payments and re-establishing the eye tests that the Conservatives abolished.

That is our record. We will debate it, put it to the British people, and compare it not with the promises of the shadow Secretary of State for Work and Pensions but with the record of the previous Conservative Government. I hope that everyone will go out and argue for the pension credit and ensure that those people in our communities and constituencies who most deserve pension credit receive it. Our take-up target is 100 per cent. We want everyone to get it. There will be those who sneer, but we will do our best to ensure that everyone who deserves pension credit will receive it.

Question put, That the original words stand part of the Question:—

The House proceeded to a Division.

Mr. Deputy Speaker: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 200, Noes 331.

Division No. 324] **[4:00 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver

Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Angela Watkinson and Mr. Mark Field

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cabom, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Ann *(Keighley)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew

Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. John Heppell and
Mr. Fraser Kemp

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the fact that people are living longer than ever before; welcomes Government action to tackle pensioner poverty and to promote retirement flexibility, occupational pension security and informed choice; condemns the inheritance of 1997, with millions of pensioners in poverty, many being expected by the Government to live on under £68 a week, and the legacy of pension mis-selling; endorses the Work and Pensions Committee's judgement that "current policies have been successful in reducing pensioner poverty"; notes that the Government is spending £9 billion extra per year in real terms on pensioners compared with the 1997 system; further notes that this is £5.7 billion more than if the basic pension had been linked to earnings; applauds the fact that the poorest third of pensioners will be £1,600 a year better off; welcomes the successful payment of Pension Credit from this month to over two million pensioners and the fact that 1.3 million are gaining more money than they had before; further supports the Government's approach to renew the pensions partnership, outlined in the recent Green Paper and Action Plan; commends plans to introduce a Pension Protection Fund, guaranteeing protection if a company scheme winds up; welcomes proposals to allow individuals to defer their state pension and draw it as a lump sum; looks forward to further measures enabling people to make an informed choice in pension provision, increase flexibility approaching retirement and to work free from age discrimination; and condemns the unfair, unaffordable and unsustainable policies of Opposition parties.

Neighbourhood Policing

Mr. Deputy Speaker (Sir Alan Haselhurst): We now come to the second debate on the Opposition motions. I must inform the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

4.17 pm

Mr. Oliver Letwin (West Dorset): I beg to move,

That this House welcomes the emerging political and professional consensus about the need to increase the level and effectiveness of neighbourhood policing in Britain in order to restore the confidence of the public but regrets that the Government is seeking to achieve this through a burdensome and ineffective bureaucracy; and urges the Government instead to return power to decentralised local policing and to make local policing more accountable to local people.

As I will mention some things on which the Opposition and the Government are not in total agreement, I begin by acknowledging the significant overlaps and degrees of consensus that exist between us on neighbourhood policing. I am heartened that all three main parties agree, I think, that we need to do something serious to improve the effectiveness of national and international policing by increasing the co-ordination of the many bodies involved in that endeavour. That includes not only parts of the Metropolitan police, but other agencies—the National Crime Squad, the National Criminal Intelligence Service and parts of Customs and Excise, the immigration and nationality department and the security services. I hope and trust that we can advance on the basis of agreement, although we may be at variance over time, and sustain change in that aspect of our national life. I add that it is remarkable for a senior chief police officer to make a speech in which he applauds both the Home Secretary and myself for moving in the same direction on something, as he did on that policy.

The second and last matter of consensus is that the Home Secretary and I agree—I suspect that the new spokesman for the Liberal Democrats, the hon. Member for Winchester (Mr. Oaten), whom I welcome to his position, will also agree—on the need for effective neighbourhood policing. That is not as anodyne as it might seem. Some years ago, many chief constables and the political parties would not have regarded that as a priority. For some years we were all under the sway of the idea that real, proper, professional policing involved turning away from the neighbourhood and towards the pursuit of the serious criminal by means of the intelligence model and other devices rightly and admirably developed by Sir David Phillips and others in our police forces.

I think that, partly as a result of seeing what has been done in other countries—primarily in some American jurisdictions—we have all now concluded that we need, in one way or another, to add to the splendid pursuit of effective means of containing the serious criminal a renewed emphasis on neighbourhood policing. I think that we also agree that this is not just a matter of reassuring people and making them feel comfortable, but of taking ownership of the neighbourhood—a matter of putting the police officer into the neighbourhood and making him feel that he is its custodian. It is a matter of ensuring that the low-level intelligence that comes from a police officer's really knowing the people for whom he or she is responsible, and from their really knowing the officer, can be used to benefit the control of not just crime but—equally important—disorder.

I believe that those aims are shared by Members throughout the House; it is about the means that there is so much debate. The Home Secretary and the Government have adopted a number of means to try to achieve the neighbourhood policing of which I have spoken. For instance, a huge amount of energy has been poured into initiatives, most recently—in the last 36 hours—the initiative on antisocial behaviour. [HON. MEMBERS: "Hear, hear."] We shall see whether Labour Members' delight persists.

There have been many initiatives from the Home Secretary—I believe that they are currently running at roughly one a week—but the record has not been entirely good. The night courts turned out to cost £8,000 a case, and have been abandoned. The cash point fines did not cost anything, because they were abandoned before they could. The child curfews have cost nothing, because there have been none. The proposal most apposite to the antisocial behaviour initiative—the proposal to withdraw housing benefits from bad tenants—has never been implemented.

It might be regarded as a mere piece of cheap politics to point out that many of the initiatives do not exist, but a deeper issue is at stake. It must be admitted that some initiatives have been carried through and that some, in their own terms, have enjoyed some success. The question is, has anything sustainable been left behind?

Let us take the street crime initiative. I have admitted publicly, and will go on record as admitting today, that it has succeeded to some extent, for a period, in the places to which it has been applied. It is true that it has been rather expensive—I believe that it costs about £14,000 per mugging eliminated—and that it has, to a degree, distracted the attention of the local constabulary: in the areas where street crime has fallen, burglaries have increased. Those, however, are not my main points, and over time they may no longer apply. The situation will vary from area to area.

The real issue is that the lasting effect is unlikely to be great, because an initiative cannot deal with underlying problems. Drug-related crime is an example. The street crime initiative rightly identified, for instance, the need to ensure that the young hard drugs addicts who, I regret to say, are responsible for a huge proportion of acquisitive crime—especially acquisitive street crime—were treated, and correctly stated that they would be treated very quickly. It failed to note, however, that no effective intensive treatment was available. As we all know, a large number of those young people were led up the garden path: they secured appointments, but they never secured intensive treatment. That is a serious failure to tackle the underlying problem.

It is not just me who says these things. The Lord Chief Justice, who I do not believe is a supporter of the Conservative party—not that he is a supporter of any party; he does not speak from a political position—said:

"You can have initiative after initiative . . . but if you don't touch the basic problems, you will never achieve public confidence."

[Mr. Oliver Letwin]

I know that from time to time the Home Secretary comforts himself with the thought that members of the judiciary are wholly out of touch. I do not believe that, but the Home Secretary does, so let us hear from Jan Berry, the head of the Police Federation—one could not get much more in touch with reality than that—who said:

"There is a real danger that with the centre increasingly dictating police priorities, police resources will increasingly be skewed to respond to the latest high profile cause célèbre"—

she uses the term "cause célèbre" because she is an intellectual; I use the word "initiative"—

"to hit the media. Policing is not just about quick wins or one-dimensional responses. We are in the business of delivering long-term sustainable solutions to crime and disorder."

That is indeed the business that we ought to be in. I do not believe that initiative after initiative is likely to deliver that result.

It would be very unfair—I hope that I have some reputation for being fair about these matters—to accuse the Home Secretary of merely engaging in initiatives. His energy is limitless, and initiatives occupy only a small part of it. He is also fond of creating bureaucratic structures. He inherited many and he has much amplified them. In the Home Office there are 63 units, 10 teams, six directorates, five groups and 25 miscellaneous bodies. In case that seems too abstract, let me retail to the House—my hon. Friends will be surprised by this, as I was—a small sample of the units particularly concerned with a topic close to the Home Secretary's heart, criminal justice.

There is the criminal justice performance directorate, the criminal justice local performance and delivery support, the criminal justice confidence team, the criminal justice strategic planning and analysis team, the criminal law and policy team, the Criminal Justice Bill team, the criminal law policy unit and the criminal procedure and evidence unit. I do not know what the ladies and gentlemen in those many directorates and units do or say to one another, but I rather imagine that there is some connection between confidence, performance, local performance, strategic planning, policy, Bills and procedure. If there is a connection, one wonders why there must be eight such units in the Home Office. And it is not just a matter of units. There could be a small number of people divided into a large number of parts, and that might be an effective way to proceed, but the Home Office statistics show that those are not small bodies. The criminal policy group has 537 members. The police and crime reduction group has 663 members. The community policy directorate—I do not know what the community policy is, but the directorate is undoubtedly responsible for it—has 216 members.

Of course, these hard-working and no doubt stressed-out officials, who probably need stress counselling because they are so busy talking to one another, are complemented by a tremendous apparatus for ensuring that the public are aware of their efforts. That is why the national publication directorate within the Home Office—a remarkable term—has 233 members, and the communications directorate 232. I do not know why the communications directorate deserves one member fewer than the national publication directorate, or whether the communications are published by the communications directorate, or whether the publications are communicated by the publication directorate, but one way or another these 465 people are involved in communicating and publishing I know not what.

I must inform my hon. Friends and the House as a whole that great effort goes into administering these administrators. The corporate development and services directorate and personnel directorate have 952 people between them—952 people administering the administrators.

Dr. Nick Palmer (Broxtowe): If I have counted correctly—he will correct me if I am wrong—the right hon. Gentleman has so far mentioned a total of around 1,300 people. The proportion of the crime prevention budget represented by those people is less than 0.1 per cent. When will the right hon. Gentleman come on to the remaining 99.9 per cent. of our effort?

Mr. Letwin: I will proceed to that. I have considerable respect for the hon. Gentleman, as he knows, but the main problem about these ladies and gentlemen is not the amount that it costs to maintain them—although that is undoubtedly considerable—but the costs that they impose on the system by obscuring it, obfuscating and destroying incentives. How do they engage in the activity of lessening the effectiveness of our police forces? An admirable document has been produced, entitled "The National Policing Plan 2003–2006". I can best describe the wonders of that plan by revealing—I summarise—that it is about ensuring that KPIs fit into BVPIs so that they form part of the PPAF so that they can be made part of the PR so that the PSU can ensure that the Home Office delivers its PSA. That is the great work that is being done under the heading of the national policing plan.

What does that mean in practice? I shall quote at some length—I hope that the House will forgive me—from the magazine "Constabulary":

"the Home Office, attempting to satisfy the Treasury's demand for numerically measurable results, converted the initiative into a bureaucratic obstacle"—

that is, obstacles such as those I mentioned to the hon. Member for Broxtowe (Dr. Palmer). The magazine continues:

"They insisted that persistent offenders must be defined as those who had been convicted of at least six offences in the previous 12 months."

The Home Secretary may feel that that is admirable, but the chief constables were not so persuaded. They

"complained that was a definition not of a persistent offender but of a stupid one; that it diverted their efforts from the clever offender who had evaded conviction and also from the imprisoned offender who was about to be released without any recent convictions simply because he had been locked up; that it invited them to go after the schoolgirl who had been caught shoplifting six times but not the habitual burglar who had only been caught twice."

That is an example of my point: the targets distort things.

The Secretary of State for the Home Department (Mr. David Blunkett): So when the debate on bad character takes place and the Conservatives vote in the House of Lords, will they support us in ensuring that the police

can take evidence to the courts in situations such as those that he describes, where people have not been jailed for offences?

Mr. Letwin: The Home Secretary and I have a slightly different view of the meaning of justice—that has emerged during the debates on the Criminal Justice Bill. I have never quite believed that being shown to be innocent on several occasions is a good basis for being shown to be guilty on the next. I believe that effective policing is directed towards those people about whom the police have suspicions, but that in court, proof beyond reasonable doubt of the particular offence is the greatest bulwark of our liberties.

Mr. Blunkett: So what is the definition of an "offender"? Is it someone who has been found guilty of an offence, or is it someone who is suspected of having committed an offence but has never been arrested or found guilty of it? Given the right hon. Gentleman's ridiculing of the definition of a persistent offender as one who has been found guilty six times, I presume that he would want to back the police in saying that those who have not been found guilty and designated an offender should now be designated an offender according to that definition.

Mr. Letwin: The Home Secretary needs to engage in a paradigm shift. He seems to believe that my attack is on his target, but the problem lies not only in the target, but in the idea of such a target. The police need to know which people to go after and to go after them, not spend their time working out whether those people fit the definition in the Home Secretary's national policing plan. That is the fundamental difference between us. I accept that he passionately and sincerely wants to get the same result as I do. He wants to get those people behind bars, or at least off the conveyor belt to crime. I accept that there is unity between us on that. He thinks that he can achieve that through bureaucratic targets; I think that it should be done by letting the professionals get on with the job. That is the fundamental difference between us.

Mr. John Denham (Southampton, Itchen): Does the right hon. Gentleman agree that it would be sensible if the police went after not only those who are regularly convicted but those who are identified locally—for example, through the national intelligence model—as being a significant cause of crime in the area? If so, does he also agree that the national policing plan, which was published last year, makes it clear to the police that they should pursue the very people being identified by the national intelligence model? What the right hon. Gentleman has portrayed today as the contents of the plan are not in fact the contents of the plan.

Mr. Letwin: I hope that my response will not be seen as unfair, but I very much welcome that intervention because it enables me to remind the former Minister, who was to some degree responsible for the national policing plan, just what the chief constables said about it.

Chris Ruane (Vale of Clwyd): What do they think about your sheriffs?

Mr. Letwin: I think that the hon. Gentleman will reflect in a moment that that might not have been a wise intervention.

I shall quote again from an article in *Constabulary*:

"For many months, in private, the most senior officers in the land told Mr Blunkett their opinion of this central manifesto of the Government's attack on crime."

That is referring to the national policing plan. I apologise in advance for this, Mr. Deputy Speaker. I hope that what I am about to say is parliamentary language, but it is in a quotation. The article continues,

"One chief constable captured in a single vivid sentence the message his colleagues conveyed: "Frankly, sir, with respect, this is crap."

Mr. Denham: He did not actually ever say that; that is the problem. I hope the House will accept that, although I may not have been present at every meeting that took place between my right hon. Friend the Home Secretary and the chief police officers, I was there for virtually all of them. I was also present at every meeting at which the Association of Chief Police Officers was represented at the most senior level in drawing up the national policing plan. The right hon. Gentleman quite reasonably quotes from something that has been published in a non-official magazine, but I hope he will accept that those words were never said in relation to the plan, and that the plan was agreed by a whole variety of organisations, including ACPO. It would be wrong to proceed on the basis that things were any different from that.

Mr. Letwin: Because I know that the former Minister—I say this without a hint of irony—is someone who is persistently determined to tell the truth, I accept that the magazine might be wrong in the particular. However, I spend a large amount of my time—as the former Minister used to—going round the police forces of this country, and I hear what chief constables tell me when they are not under the Minister's eye and when they have not been able to be persuaded by the power of the purse. I can assure the House that the chief constables' view of the national policing plan is not something that would make happy reading for Ministers.

We cannot take lightly the demoralisation that these tactics of excessive bureaucracy have created. The gentleman who is currently the Secretary of State for Education and Skills was once a Minister in the Home Office. *[Interruption.]* I do not know about that, I was not in my present post at the time. I do know, however, that in December 2000, the right hon. Gentleman said one thing that was very true:

"The number of people leaving a profession may be taken as an indicator of morale."—[*Official Report*, 11 December 2000; Vol. 359, c. 65W.]

That is not a statement by a Conservative or Liberal Democrat spokesman or a Back Bencher; it is a statement by a Minister.

[Mr. Letwin]

In 1997, there were 774 resignations from the police forces of this country. In 2001-02, there were 1,644 resignations—an increase of 112 per cent. As we go round the country, the reality strikes us over and over again. I hope that the Home Secretary will attend to this; he must know that it is the case. There is intense demoralisation in our police forces as a result of the amount of bureaucracy with which they are faced. The Home Secretary can deny that to himself or deny it in public as much as he likes, but the fact remains—*[Interruption.]* It is not fantasy, as the Minister for Crime Reduction, Policing, and Community Safety says, chuntering from a sedentary position. If she is so protected by her officials, her cars and her grandeur that she cannot understand what the ordinary police officers of this country are feeling, it is very bad news. I accept that it is difficult for reality to pervade the Home Office, but that is the reality.

Interestingly, at a recent meeting with a prominent chief constable, some of my colleagues were told—I have heard this over and over again—that there is an increasing disinclination at present even to use stop and search because of the Home Secretary's recent proposals to enforce over-burdensome reporting.

On Friday, I was in a police station in East Yorkshire—[HON. MEMBERS: "For begging?"] I had no opportunity to beg. Police officers were telling me time and again that they simply could not bear the number of forms they were now compelled to fill in.

Mr. Blunkett: It is important to put it on record that we have not introduced the new reforms to stop and search in East Yorkshire.

Mr. Letwin: Is that not remarkable? It was not in East Yorkshire but elsewhere that the report about stop and search was given to a colleague. I will have a private conversation with the Home Secretary and tell him where it was. In East Yorkshire, coppers were showing me other forms that they had to fill in and were telling me of their demoralisation. I have no reason to suppose that they were trying to mislead me; they were giving me an impression that emerges over and over again.

There is another point that is at least as important, if not more so, as demoralisation, resignations, chief constables feeling that their priorities are distorted or complaints by the Police Federation, although all those are of some importance. The most important point is where the attention lies. As in any organisation, the effectiveness of the police will depend on where they are focused. They can be focused only on one of two places. They can either look upwards to the Home Office or downwards to the customers they are meant to be serving: the populations on whose behalf they are policing. It is not possible to face in both directions at once.

The common experience of people at all levels in the police force today is that they are being driven to look upwards, which will diminish and not increase their attention to their customers. In May, the chairman of the Police Federation said:

"We are seeing more and more priorities, targets and diktats handed down from the centre but often they fail to reflect public concerns and divert—that is my point—police resources away from the kind of policing the public want and indeed the style of policing that can make a genuine difference to tackling disorder."

He added that policing was not just about number-crunching, record burglary detection rates or street robbery initiatives. It was about providing reassurance to the public closer to home.

Mr. Robert Key (Salisbury): Does my right hon. Friend agree that the Home Office police forces also need to look sideways? If he casts his mind back to a visit to Bulford in my constituency, he will recall that he came across the Ministry of Defence Police's DARE—drug abuse resistance education—project, which is educating children in schools against drugs and alcohol. He will recall that, in many areas, Home Office police forces are working closely with the MOD police and the military police and we must see this in the round if we are serious about neighbourhood policing.

Mr. Letwin: Of course my hon. Friend is right. The DARE project is a good example of the long-term attitude to policing that I am recommending. I suspect that not a single target set by the Home Office has ever been brought closer to fulfilment by the DARE project. I suspect that if chief constables were to follow exclusively the recommendations of the national policing plan and try to fulfil the targets set for them by the Home Office—I pray that that will never be their sole objective—they would pay no attention all to the DARE project, which seeks to lead youngsters away from drugs. The Home Secretary wants that to happen just as much as I do, but he is creating an apparatus that has the opposite effect.

James Purnell (Stalybridge and Hyde): The right hon. Gentleman has been speaking for nearly half an hour and has not even mentioned his policy from his party conference about increasing police numbers. Is that because it has fallen apart so badly that he has already ditched the policy? If he is not to have targets, performance monitoring or a national police plan, how will he enforce his policy in the first place?

Mr. Letwin: I am sorry to ask the hon. Gentleman to exhibit just one and a half minutes' more patience, but my next plan of action is indeed to mention our policy.

Several hon. Members *rose*—

Mr. Letwin: I have taken many interventions from Labour Members, I hope to the benefit of debate, but I shall take none further as I have been invited to pursue this issue.

Before I move on to describing the alternative that we proposed at our party conference, and which we will continue to propose during the next 18 months—hopefully, we will eventually have the opportunity to implement it—I want to point out that it is not just the Conservative party, the constabularies of this country and ordinary electors who have noticed that there is a problem. The Home Secretary certainly speaks the language of community policing, and as if he wants to increase the focus on the customer, but that does not persuade even *The Guardian*—a journal which I think supports the Labour party on the whole. One of its leaders stated:

"New Labour doublespeak continues: much talk of devolution to local basic command units, while new powers are consolidated at the centre. Stalinism won't work because constables have to have discretion."

What is our alternative? It is threefold and quite simple, and I am grateful to the hon. Member for Stalybridge and Hyde (James Purnell) for prompting me to describe it. First, there must be resources; secondly, there must be professional autonomy; thirdly, there has to be local accountability. The resources issue is plain. As Members are probably aware, I am not the greatest proponent in this House of expanded public expenditure. On the whole, I have been devoted to reducing public expenditure, so I did not begin in my current post by assuming that what the police need is more resources. But like the Home Secretary, I have been to other countries, talked to other police forces and seen what has been achieved. One common pattern that emerged—I hoped that this issue might prove common ground, but I fear that the Chancellor of the Exchequer has come between us—is that our police forces are relatively and absolutely under-resourced. They do not have enough coppers to undertake proper pursuit of serious criminals under the national intelligence model, or to get police on to the streets. There is no solution to that problem, other than to provide them with the resources that will enable them to get police on to the streets.

I want to congratulate the Home Secretary, although I hope that he will not object and think it a brussels sprout congratulation. *[Interruption.]* The Home Secretary referred to me in that way in his party conference speech, so it is his phrase, not mine. I want to congratulate him on increasing very significantly this year the rate at which he is increasing police numbers. Some 9,000 extra coppers have been recruited since the election. The right hon. Member for Blackburn (Mr. Straw) reduced police numbers when in his previous post, which was not the right direction in which to go; indeed, he needed a little encouragement in such matters. To the current Home Secretary's credit, he has increased police numbers, which is marvellous. We have 9,000 extra coppers—just 1,000 fewer than the number of additional administrators taken on since this Government took office.

The strike rate is now respectable. As I understand it, the Home Secretary has allowed the police forces to employ more than 4,000 additional coppers in the financial year. Marvellous. That rate now needs to continue for seven or eight more years. We need to achieve a figure of some 40,000 additional police officers, and I do not believe—I hope I am not being over-optimistic—that any Labour Member in the House today, or anyone who has the right to sit on the Labour Benches, disagrees with that well-known fact.

Mr. Mark Oaten (Winchester): Will the right hon. Gentleman give way?

Mr. Letwin: I would not normally do so, but as the hon. Gentleman is making his first appearance in the House in his current guise, I feel compelled to give way.

Mr. Oaten: I am most grateful. Can the right hon. Gentleman explain how he arrived at the 40,000 figure? What independent assessment informed him that this country needs 40,000 extra police officers?

Mr. Letwin: I shall indeed tell the hon. Gentleman how we came by that figure: it is not an independent assessment—it is ours. Indeed, it is the responsibility of a possible future Government to assess that matter. We looked at the level of policing available in New York, which is the most successful example of neighbourhood policing in the world. Since it began its new neighbourhood policing and its serious attack on disorder, it has reduced crime by about 60 per cent. on a sustained basis over 10 years.

The level of policing that we recommend for this country is per capita almost identical to that in New York. That was the basis on which we derived our figures. We then cross-checked—this will interest the hon. Member for Winchester who is also concerned about rural areas—against the question of how we could be sure that a police officer would be available for every parish in this country. We found, not altogether to our surprise, that roughly the same number would enable that to occur. If this country were one in which our cities were policed as in New York and in which our rural areas were able, after many years of failure, to have a police officer in charge of the parish who knew the parish, it would make a huge difference to public confidence in the control of public order in this country.

Mr. Ivan Henderson (Harwich) *rose*—

Mr. Letwin: I will not give way.

I turn now to professional autonomy. There is no hope of restoring serious professional autonomy so long as the Home Office continues to run local policing. There is too much of a temptation for Ministers to do exactly what the Home Secretary and his colleagues have done—try to run the whole show on the basis of strings pulling puppets. That applies to the present national policing plan or any other such plan. We have to move power away from the centre to the localities and give back to the police the professional autonomy that comes from not being controlled from on top.

Mr. Henderson: Will the right hon. Gentleman give way?

Mr. Letwin: No.

That is why I proposed at the Conservative party conference last week—and will continue to propose and develop—our plans to give serious autonomy to the police.

Mr. Henderson: Will the right hon. Gentleman give way?

Mr. Letwin: I will not: otherwise Government Members will accuse me of continuing for too long.

We have to create for the first time in English law a statutory version of the Denning doctrine. We must establish the absolute right of the chief constable to operational independence, so that no politician—local or central—can tell a chief constable how to behave in respect of operations.

The third element—that of local accountability—is equally important. Once we have removed powers from the Home Office, we cannot dispense entirely with the democratic check. If the check cannot, in order to avoid a top-down centralist bureaucracy, be from above, it

[Mr. Letwin]

must be local. If a serious transfer of power to the localities goes ahead, we can expect local electorates for the first time to take an interest in those elected to police authorities under a system of direct election.

Mr. Henderson *rose—*

Mr. Letwin: I have every confidence that that thesis is gaining ground. I say that because, just a couple of days—*[Interruption.]*

Chris Ruane *rose—*

Mr. Letwin: When the hon. Member for Vale of Clwyd (Chris Ruane) hears who I am about to quote, he might change his mind. A couple of days after our announcements, Sir Ian Blair, deputy Commissioner of Police of the Metropolis, and two other chief constables with whom he was working, came up with a most illuminating, inspiring and excellent set of proposals. I shall quote from Sir Ian's speech:

"It is now becoming increasingly clear that what we would describe as policing for the purposes of reassurance has got to become a matter as significant as preventing and detecting recorded crime; we have to understand what it is that people see as being the signal events which show disorder within their community . . . I am quite certain that this will be pointing the police service towards its role in the strengthening of communities . . . We need to go much more local, much more accountable . . . However, it is no use doing so, unless those local policing boards can actually determine what the local police should broadly be doing . . . If localism is to work, then the number and weight of national . . . targets must lessen."

A direction is discernible here that is not only the direction of the constabularies and the Conservative party, but of the most serious professionals in today's police forces.

In summary, the argument is simple. The need for neighbourhood policing is a matter, as I said earlier, of consensus. That top-down bureaucracy directing insufficient resources to the police does not work is an emerging consensus among those most seriously involved. A consensus is also emerging that the way forward is a properly resourced professional autonomy subject to local democratic accountability. The Home Secretary is part of that emerging consensus at the level of rhetoric. *[Interruption.]* As he says quietly from a sedentary position, he writes such things. He does. He writes and says such things, but he does not do them. The question is, when will the Home Secretary stop merely talking about localism and professional accountability and autonomy, and start doing them?

4.55 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the Government's investment in policing which has resulted in 136,386 officers by the end of August 2003, an increase of more than 4,000 since December 2002 and the highest level ever; notes that there are now more than 1,900 Community Support Officers and record numbers of police staff assisting police officers in their work; further notes the priority given by the Government to reducing bureaucracy to enable officers to concentrate on frontline duties; and welcomes the Government's commitment to further reform to improve accountability and engagement between the police and the communities they serve."

I welcome the right hon. Member for West Dorset (Mr. Letwin) back from his exertions in Blackpool, which profoundly demonstrated to the world his grasp of inner city problems and the difficulties of disadvantaged areas and how glad he is that he has nothing to do with them. Well, I do. I was brought up in such an area, I represent such an area and I am proud to say that what is happening in my area, as a result of the last six and half years of this Government, is transforming the life chances of children, giving hope to adults, engaging them in the solutions that they want for their communities and inspiring them to believe that they can make a difference. That is the difference between the right hon. Gentleman and myself.

We are all looking forward to the right hon. Gentleman's forthcoming visit to fantasy island, once he has identified which island it is. On that island, with the asylum seekers, there will be sheriffs and new local boards. They will seek to hold to account the local chief constable who will have been granted complete autonomy. Not only could the Home Secretary not require or demand anything on behalf of the people who elected the Government who then selected him, but of course the local board and sheriff would not be able to demand anything of the local chief constable. Autonomy means complete freedom from any political direction and complete detachment from any requirement from whoever has been elected locally or nationally. That cannot be the same thing as accountability. The right hon. Gentleman used the word "direction" and he quoted Sir Ian Blair accurately. We agree with Sir Ian Blair, but he also mentioned responsiveness and accountability.

Mr. Letwin: Does the Home Secretary recognise the difference between operational autonomy and the general character of policing in an area, and does he accept that a force can be operationally autonomous and also accountable to a local, directly elected police authority for the general pattern of policing?

Mr. Blunkett: Of course I accept that, and the police already have operational responsibility. At another time and in another place, we might have an interesting intellectual debate about where the line lies between operational responsibility and some form of accountability. If the police authorities, or their successors under the Conservative scheme—or revisions under the scheme that I shall bring forward for consultation—have any form of influence, let alone power, there has to be an understanding of where the power lies. Otherwise, we would have a Home Secretary who appeared on the "Today" programme and bemoaned the fact that nothing could be changed. Under the scheme devised by the Conservatives, Home Secretaries could not do anything, because they would have no power. They might want to suggest change, but they would have to get in touch with the multiplicity of different police forces, sheriffs and boards. What is more, the local sheriffs and boards would not be able to effect change, because nobody would know what they could ask the chief constable to do.

Mr. Ivan Henderson: Is my right hon. Friend aware of the comments by Robert Chambers, the chair of Essex

police authority, on the Conservatives' proposal to introduce sheriffs? He has tried to raise his concerns, and those of his colleagues, with the right hon. Member for West Dorset (Mr. Letwin), but he says in an article on the subject that he has not even had the courtesy of a reply. Does my right hon. Friend agree that the right hon. Gentleman should start listening to his own members and to the chairs of police authorities before he introduces such a ridiculous initiative?

Mr. Blunkett: I agree entirely with my hon. Friend's prognosis. We do not have to disagree with Opposition Members: they disagree with each other so readily that the matter is taken out of our hands.

In future, we may disagree more with the Liberal Democrats than with the Conservatives. I should like to take this opportunity to welcome to his new post the hon. Member for Winchester (Mr. Oaten). I am sure that the House will be looking forward to shorter speeches from now on. I have paid tribute to his predecessor, who had real commitment and understanding and who was certainly around a long time in connection with Home Office matters. His contributions were enjoyable but—

Mr. John Bercow (Buckingham): He got paid by the word.

Mr. Blunkett: As the hon. Member for Buckingham (Mr. Bercow) says from a sedentary position, the hon. Member for Winchester's predecessor was, like Dickens, paid by the word. We understood his words, and we heard them often and tediously. Nevertheless, we are very pleased to welcome the hon. Member for Winchester, who I believe is the chairman of the Peel group. That group aims at uniting moderate Conservatives and Liberal Democrats, and will no doubt give new meaning to the adage that, if one peels a Liberal Democrat, one will get the taste of the Conservative underneath. We look forward very much to seeing the unity of purpose between people in Dorset and in Hampshire—and wherever else the Liberal Democrats can manage to take Conservative seats in the next general election.

Mr. Peter Kilfoyle (Liverpool, Walton): Will my right hon. Friend give way?

Mr. Blunkett: How could I resist?

Mr. Kilfoyle: Before my right hon. Friend moves on, does he share the suspicion that some of us have about what the right hon. Member for West Dorset (Mr. Letwin) means when he speaks of local democratic accountability? Does he suspect that the right hon. Gentleman does not mean the accountability to the broader community that my right hon. Friend and I understand, but accountability to a group of the local great and good? That might be acceptable to the right hon. Gentleman, but not necessarily to the communities involved.

Mr. Blunkett: My hon. Friend makes an interesting point. These days, the word "sheriff" refers to those who are appointed to represent the Queen's interests and to attend dinners and banquets. I am sure that the role is very important, and I commend the people who perform it. However, times have changed since the days of the sheriff of Nottingham, who it must be said did not have too good a reputation in mediaeval England. I should be interested to hear the definitions that will be produced in due course.

However, I was going to say that the one matter on which the right hon. Gentleman and I appear to agree is that we require more law enforcers and crime fighters. We are very proud that there are 136,386 police officers now. That is some 9,000 more than when we came to office, and 4,110 more than at the beginning of this year. We are proud that we have almost 2,000 community support officers, who did not exist until we pushed the idea through this House and encouraged local forces to take them on. At the time, it was claimed that that would not happen, but of course it has, and the new officers are welcome on the ground.

I want to remind the House, and the Opposition, about street wardens. We supported that initiative, and funded it through what is now the Office of the Deputy Prime Minister. People are very keen about including those wardens in the police family.

Mr. Mark Francois (Rayleigh): Will the Home Secretary give the comparable figures for the numbers of special constables in the police service over the years to which he is alluding? He will be aware that there has been a large decline, with many special constables leaving the force because they were so disillusioned.

Mr. Blunkett: Yes, there has been a decline in the number of specials. I regret that, as the civil renewal agenda requires that people who are not full-time police officers but who are prepared to devote some of their own time to the job—often between six and eight hours a week—should be encouraged to do so. I want to find ways to encourage employers to release people for a little time each week. I want to look into new ways to encourage the badging of those involved in crime prevention and protection with the powers that special constables have at present. Yes, there has been a reduction. Of course, my figures are for full-time equivalents. The number of people employed as full-time police officers and CSOs is a great deal higher than the 9,000 extra people I mentioned because some of them are part-time. We should bear that in mind.

In the past six and a half years, there has been a drop in crime of more than a quarter. That has been true of burglary and car theft. Under the street crime initiative, there were 17,000 fewer theft and mugging offences last year and I am proud of that. We took that initiative. It made a difference to people's lives. Returning to what the right hon. Gentleman said about Jan Berry's comments, the public demanded that initiative because people were being mugged and robbed on our streets. If we had the right hon. Gentleman's system and the Home Secretary and Prime Minister had no powers, we would not have been able to act.

The interesting aspect of this debate is that there would be no point in having it under a Conservative Government. Why debate community policing, the role of the Home Secretary and what the Government want, if the Government have no power and if full autonomy means that the Home Secretary merely does as the right

[Mr. Blunkett]

hon. Gentleman suggests? I suppose that the idea has been drawn from the ideological vacuum in which the Conservatives have been living—it is what Nicholas Ridley once described as a situation where a Secretary of State would convene a lunch once a year, let contracts and then go on holiday. I suspect that the right hon. Gentleman, who is gentler, more convincing and more understanding than the late Nicholas Ridley—for whom I had a lot of time as an ideologue but not as a politician—actually believes the same sort of garbage. Nicholas Ridley once said that we could solve London's traffic problems if we did away with traffic lights. There was a free market logic to that. When people were so snarled up that they could not get their cars out of their driveway, they would go on the tube. The only problem is that unless one invested in public services to improve the tube, they would not be able to get on that either.

Yes, we want investment and accountability, but we want it in the real world, to reflect what is happening on the ground. The motion talks about the return of powers. The return of powers to whom? Is it to the chief constables? Which powers have this Government taken away from them? How have we diminished the powers of constables on the street? We have increased them. We have given them greater powers, although they do not always know that they have them. My right hon. Friend the Member for Southampton, Itchen (Mr. Denham) said on the radio yesterday that he had just discovered a local constable who did not know of the powers on off-road vehicles and their confiscation in the Police Reform Act 2002.

The motion talks of decentralising to "local policing". Does that mean the sheriff, the board, or the chief constable alone? Are we simply to say that there should be 43, 80, 140 or whatever number of fiefdoms, which is what would happen under the Tory plan? Who will be the powerful person? Who will make the decisions? Who will be able to wield influence on behalf of the public?

That brings us back to the intervention of my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle). In the end, we need to find a system that at the local level, in the neighbourhood, holds to account those who are working there and the commander of the unit, and gives them power and resources. Who has delegated the £50 million directly to basic command units? It happens to be this Home Secretary and this Government. Who has devolved to 30 of the basic command units with the highest levels of drug-related crime—under the new initiative on criminal justice and drugs—the locally decentralised resources? It happens to be the same centralising, overbearing and over-powerful Home Secretary who is being criticised this afternoon.

Mr. Graham Allen (Nottingham, North): Some years ago, we tried the sheriff system in the city of Nottingham and it was found wanting.

Is not the test for all parties what happens when there is consensus for community policing, or neighbourhood policing as it is referred to in this debate, but the local chief constable decides not to enact it, even when that chief constable has more police officers to deploy than at any time in the past? What do we do? What can local Members of Parliament, members of the public and indeed the Home Secretary do when confronted with that test? How do we surmount that problem?

Mr. Blunkett: That is an important question and I invite chief constables, police authorities and Members of Parliament to assist us during the year ahead in a sensible dialogue about how to make the tripartite system work. This afternoon, the shadow Home Secretary has done away with the tripartite system, or he would do so if he had the power, which God forbid. The system cannot be tripartite if one of the three legs is taken away. The right hon. Gentleman would remove one leg—the Home Secretary; he would remove the power and relevance of the post that he wants to occupy. He is asking the electorate to give him a majority to put him into a position that he could no longer occupy or take power to use. Secondly, he has made it clear that the rest of the tripartite approach would be disabled overnight by giving full autonomy to chief constables. The police authority would be able to think, but it would be unable to act.

I want a dialogue about accountability in the neighbourhood and about how to achieve responsiveness without taking away the operational rights of the police. We cannot second guess or put in place the action necessary to catch criminals, to deal with criminal gangs and overcome antisocial behaviour, but we can give support and provide additional powers and resources. We can legislate, but we cannot do it all.

There is a real issue about how we ensure that the extra police and those who work with them are visible, available and accessible on the street. How is it that we have 136,000 officers and all their additional support staff, including 10,000 additional civilian staff, amounting to a staggering 200,000 crimefighters—36,000 more trained and uniformed police officers than 30 years ago—yet people see fewer officers on the beat and in their communities and certainly feel that the police are not as accessible or responsive as they used to be? That question is profound.

Even if we left aside the Police and Criminal Evidence Act 1984, which had to be brought in to overcome the injustice and misuse of power that was taking place, and if we stripped away the requirement to monitor at least basic equality of provision across the country, how could we get rid of the remaining burdens that are, it is claimed, the obstacle to the police being out on the beat? I said "claimed" because when we actually ask people—not just chief constables, but commanders—to manage, they are inclined to suggest that it is not their job. However, I suggest that it is and that the six forces that have removed 2,800 surplus and unnecessary forms are the leaders in getting rid of bureaucracy. I cannot get rid of bureaucracy purely from the centre; we need local forces to do it, too.

That exercise was started by my right hon. Friend the Member for Southampton, Itchen who examined the diary of a police officer to see what was keeping officers in the station. We found that local forces were duplicating national forms. They were collecting data that had never been requested by the Home Office and asking constables to do things that were no longer required.

Let us join things together. The O'Dowd taskforce, which included police officers of different ranks, came up with a set of proposals, some of which have been

acted on. Some [illegible]in to be acted on and that must be done swiftly. However, the cry that all we have to do is remove the Home Office and get rid of any central involvement is nonsense. The moment that we did so there would be cries from across the country to reinstate the system.

Yesterday, I met some of those people in the Conservative party who have embraced what the Government have done. I met those in the community protection department of Westminster city council who have effectively used the powers granted to them by using CCTV or embracing the new powers that we have given to local government through antisocial behaviour orders and the Crime and Disorder Act 1998, which has been so often ridiculed, but which is so often praised locally. I commend my right hon. Friend the Foreign Secretary for what he did in introducing that Act, which is being used.

I shall tell the House what those in Westminster council told me. They told me that, two years ago, 1 per cent. of the borough's landmass accounted for 25 per cent. of the crime and that Leicester square was virtually unusable. They have used the powers in the 1998 Act and the resources that we have given them, as well as their own initiative, to pull together in that new community protection department, working hand in hand with Metropolitan police, to clean up Leicester square and the surrounding area, so it can be used by local people and visitors alike. I commend that Conservative council for its initiative in that respect, although not in any other way, and for using Government money—after all, Westminster gets enough of it, as those of us who were in local government know. If my city received anything like the per capita investment that Westminster receives, we could do a damn good job with it.

Mr. Julian Brazier (Canterbury): Will the Home Secretary also listen to Westminster council on the subject of what the Licensing Act 2003—put through by his hon. Friends in the Department for Culture, Media and Sport—will do for the very issues that he mentions, not just in Leicester square, but across the whole area?

Mr. Blunkett: That Department is pulling together its licensing, trading standards, health and safety and other activities to ensure that the lessons can be learned. I am absolutely certain that the Secretary of State for Culture, Media and Sport would agree that, if it were proved that those changes—the liberalisation—caused a major disadvantage or problem, we would address that. I should have thought that the Conservative party in its new free-nation mode would welcome the ability to act more flexibily at local level, although perhaps, with Charles Moore's departure from *The Daily Telegraph*, there will be a change in stance on the free-nation front.

The police, local authorities and all those involved welcome the new powers that we have given to them to use fixed-penalty notices, which cut out bureaucracy. */Interruption./* It is no good laughing. Wherever we go, the police tell us that they welcome the fixed-penalty notices because they cut out the prolonged process that has bedevilled them. They welcome the investment that we making in new technology, including the Airwave system—£500 million of new technology—to make it easier to do the job. They welcome street arrests and cutting out the existing unnecessary burdens that are placed on them.

But it is not this Home Secretary who is refusing to use the new video identification scheme in 18 forces; it is not this Home Secretary who is using helicopters, rather than people on the ground; and it is not this Home Secretary who introduced the mobile police, rather than the community police. In fact, most of that occurred under a Conservative Government. Sir John Stevens, the Metropolitan Police Commissioner, bravely said that the initiatives—I use the word advisedly—that were taken 10 years ago and that moved away from community policing were a mistake, but they were not my mistake. They were not even Douglas Hurd's mistake. They were a mistake made, presumably, at local level; it was a trend that was picked up and used.

Mr. Dominic Grieve (Beaconsfield): The Home Secretary makes a point about bureaucracy, but I can assure him that, on the specific issue of the bureaucratisation of stop-and-search powers and their recording, the fact that those powers will be used less because of the associated bureaucracy is causing the police serious disquiet. I have to tell the Home Secretary that that is entirely the result of his Government's policy and we pointed out at the time that that policy would have exactly that consequence.

Mr. Blunkett: It is very difficult to know what consequence the hon. Gentleman is talking about. We can judge the consequence when we have done it. We agreed to phase in a new programme, using technology and slimmed-down methods of simply writing down why someone had been stopped and searched. Correctly done, that will save time and difficulty and allow constables—who are accused constantly of racism—to have greater confidence in undertaking stop and search, as they will be able to outline why it was undertaken and provide that note. That is not impossible, but because it causes such fear in the police service we said that we would experiment, ask forces to volunteer and see which approach worked best. That is what we promised to do and that is what we are doing. I do not think that it is unfair to provide people who are stopped and searched in the street with an explanation as to why, as long as we do not burden the police—on which I agree with the hon. Gentleman—in a way that would preclude them from doing it, and there is no evidence whatever that that is likely to take place.

Let me quote from the shadow Home Secretary's speech in Blackpool, which is material to the debate this afternoon. He said:

"No more so-called National Policing Plans"—

so there would be no overview from the centre in future. He said:

"No more centrally imposed targets"—

so there would be no drive for the street crime initiative to achieve a particular goal. He continued:

"No more Whitehall-based units and initiatives".

[Mr. Blunkett]

When is an initiative not an initiative? I suggest that it is when the Opposition propose it rather than the Government. An initiative is a decision to take action to overcome a perceived or real problem. Action is what Governments should be about, not ineptitude, inaction or inertia. It is about ensuring that when there is a problem, democracy can deal with it. If democracy cannot deal with it, we will see the rise of the British National party. A delegate at the Labour party conference in Bournemouth made the fair point that the way in which the Liberal Democrats sometimes behave undermines democracy, as they pretend that there are simple solutions, and that if only they were in power, all the difficulties would disappear. Well, they would not disappear, because government—locally and nationally—is difficult, as the Lib Dems found out in Sheffield, which is why they were booted out.

James Purnell: My right hon. Friend will remember that I used to be something of a policy wonk, and I think that the shadow Home Secretary used to be one, too. Is not the idea about sheriffs and, as my right hon. Friend mentioned, the possibility that the BNP could run policing in my area or his area, policy wonkery gone mad? Is not it the kind of ideological extremism that we would expect from the person who came up with the idea of the poll tax?

Mr. Blunkett: That is absolutely certain. Once the Opposition get into an ideological framework that has a dead end, and their leader pleads for a novel idea—as the Leader of the Opposition said the other day, no one would deny that they had not come up with eye-catching initiatives—

Mr. George Osborne (Tatton): That was Blair's phrase.

Mr. Blunkett: Ah, they were not initiatives. Fantasy island is not an initiative but a fantasy. When an initiative is from the Opposition it is a fantasy, but when it is from us it is an initiative. I am happy to plead guilty to an initiative, however, and I am happy to plead guilty to all the units that the right hon. Gentleman would also do away with, because they include the antisocial behaviour unit that we have established, which will drive forward and spread best practice at local level. Incidentally, if there were sheriffs—here is the rub—they would need information. Even if they were going to approach or e-mail the chief constable to take him or her out to dinner to plead with him or her to do something, they would need comparative information. They would need to know the performance of their own force vis-à-vis other forces across the country. Is that agreed? [HON. MEMBERS: "Yes."] I am very pleased that it is agreed, and there were even some voices from the Opposition Benches who agreed. At the end of this wonderful quote from the shadow Home Secretary in his conference speech, he said, "and performance monitoring". Who by? Oh, by the centre. Therefore, each of the 140 police services would set up their own little monitoring unit so that they could find out what other forces were doing, how they were doing it and what the performance looked like vis-à-vis their own. That is game, set and match.

Mr. Letwin *rose—*

Mr. Blunkett: I am happy to give way for clarification.

Mr. Letwin: I apologise, because for quite a long time I thought that we were having an interesting debate. We now have slapstick instead.

The Home Secretary surely realises that his standards unit, which is trying to run the activities of every basic command unit in Britain, collects information from the localities, brings it to the centre and then dispenses it back to the localities to tell them what to do. We are simply short-circuiting that activity in having the information at the local level where it can be acted upon effectively without the level of bureaucratic intrusion that is required when one is trying to operate such things from hundreds of miles away in Whitehall. That is a rational proposition. We may disagree about it, but surely the Home Secretary understands that there are two possibilities.

Mr. Blunkett: Yes, there certainly are. To use the New York analogy, unless one can collate the information at the centre—that is what the commissioner in the New York force did from the various units—one cannot make sense of the data and one cannot spread best practice. *[Interruption.]* I shall wind up, because I do not want to be speaking after all the Conservative Members have crept off to the 1922 committee to determine the future of their leader and their party.

Mr. Letwin: The Home Secretary has put in mind a point that he will find very difficult to wrestle with. If he thinks that New York is the model, does he believe that the Federal Government or the mayor run policing in New York?

Mr. Blunkett: As the right hon. Gentleman will know, the mayor of New York had much more power over the police than I have over the police in Britain or that the Home Secretary had over the Met when he was directly responsible for it, which incidentally was the policy under the Conservative Government until we changed it. Six commissioners were sacked or removed under the previous mayor.

To return to the issue, there is a real cost in any ideas that are put forward. The real-life costs of what Conservative Members want would not be felt in Dorset but in constituencies such as mine and those of many other hon. Members. The articulate can usually get their way. Those who have access to the media usually have their voice heard. Those who have the cash can move out of the areas of greatest disadvantage and antisocial behaviour. They can install alarm systems in their houses, and they can even live in enclaves where they employ what amounts to their own protection service.

We want the same protections for the people we represent. When they approach us, we want to be able to tell them that a Member of Parliament can approach the Home Secretary and that there will be just a chance that the Home Secretary might be able to do something about the problem. We want to appear at the Dispatch Box with some levers to pull that would make a

difference to the lives of the people we represent. We want democracy to work in such a way that when people vote, they believe that it will make a difference. We want to link that to greater accountability and responsiveness at local level and to a new debate about the reform agenda for the police and those working with the police in the family of the police.

We want to do that as part of the regeneration programme at local level. We want to build the capacity of people to be able to take part in that debate and to be able to bring influence to bear. If we can get this right, the new tripartite approach will not take away responsibility for operational policing, but it will restore confidence that the police will react to the needs of the local community and that the Government will remove bureaucracy. However, the Home Secretary and his colleagues in Parliament will at least be able to go into a general election accepting some responsibility for what happens in our country, for the steps that we take to spread best practice, for the units we have established in making a difference and for the investment to go effectively into changing the nature of policing. That is what we are advocating; that is what we will vote for later tonight.

5.29 pm

Mr. Mark Oaten (Winchester): I start by thanking the Home Secretary and his shadow for their warm welcome, although I suspect that it will not last for long. I also pay tribute to my predecessor, my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes). He had enormous energy and was a great guardian of civil liberties in this place. As chair of the Liberal Democrats parliamentary party for the past two years, I note the point about the length at which he made speeches—I was aware of that myself. I shall try to be brief because I am sure that a much more interesting event is taking place on the Corridor Upstairs—I note that fewer than 25 Conservative Members are in the Chamber.

I am delighted to have the opportunity to talk about the police in my first Home Office speech. There is nothing more important than ensuring that we have a strong police force in this country that can protect and reassure people—it is essential for that to be in place. Despite the differences that have emerged during the debate, it is important for hon. Members in all parts of the House to recognise that this country has an absolutely wonderful police force and that compared with many countries, ours is safe and secure. That is sometimes forgotten when we debate these issues.

It is rightly in the nature of politicians to examine constantly how things can be improved, to react constantly to new problems and to want to endorse and approve new forms of technology so that we may improve the police force. Although I am sometimes critical of the fact that politicians always want change, it is right to try to respond and make improvements. With that in mind, I welcome several of the suggestions and initiatives that have been proposed by the Conservative party this afternoon. We need new thinking on the police and although I disagree with many aspects of the party's document, it brings forward new ideas that are worthy of merit, which I shall talk about later.

A much bigger question is bubbling under the debate with which all three parties are trying to come to terms: what is meant by devolving down, new localism and central control? That is a real difficulty because politicians of all parties increasingly want to move toward a more local solution but, instinctively, we are nervous of doing that because we like to keep a form of central control given that we make promises at elections and such control is the only way to deliver on them. The hon. Member for Nottingham, North (Mr. Allen) hit the nail on the head in his intervention because the real worry about letting go is not knowing what will happen when the system goes wrong or where the blame culture will lead. Devolution underlies the debate and I shall talk about it a little later in my speech.

I largely agree with several of the shadow Home Secretary's criticisms of the Government's approach on crime and policing, although I do not have a clue what the reference to brussels sprouts was about. It must be an in-joke between him and the Home Secretary, so perhaps I shall be let in on it when I have been part of the club for a little longer. We have all heard anecdotally from our constituencies about the difficulty that the police have when juggling their real job of catching criminals, reassuring the public and reducing crime, and their burden. The word "burden" is used constantly and although I understand the Home Secretary's sensitivity, I have been in my job for only 48 hours and the word has been used many times by the police. They say that I must address the burden of their work load.

I want to address the critical question of what the police should be doing. What do we mean by neighbourhood policing and what are the priorities? The Home Secretary said this week—and passionately this afternoon—that he is dissatisfied that some of the new police officers, whom I welcome, are not visible enough. It is hardly surprising that they are not visible enough because there is no doubt that they could be described as almost handcuffed to their paperwork and desks. I was troubled to experience that a couple of months ago when I went out on a Friday night in Winchester, which is not one of the most violent places on a Friday night.

I was amazed by the lack of respect toward policemen and the extent of the provocation to which they were subjected. One policeman was spat at—middle-class children under the influence of drink were doing such things. The problem was that there were only six officers out on that Friday night. I was amazed when they were spat at and called rude names, so I asked why they did not do something about it. They said, "Look, we can't do something about it. If we do, we have to go back to headquarters and we will be in there for a couple of hours. Our judgment is that it is better to ignore it and stay out for the rest of the evening in case something worse happens." That cannot be right. Despite the Home Secretary's protests, there is concern about the work load balance. The Home Office report a year or so ago said that 17 per cent. of police time is spent on patrol. That means an awful lot of time is spent doing other things. I acknowledge that a lot of that work is worth while, but much of it is not appropriate police work.

We welcome the establishment of a bureaucracy taskforce, but we also acknowledge that many police authorities think that that will only touch the tip of the iceberg. One message that came through in my discussions with police officers over the past 24 hours is that although the taskforce is welcome and many of the recommendations are good, much of the work revolves

[Mr. Mark Oaten]

around switching from a paper-based system to an IT-based system. That is costly, complex and needs a great deal of support. Jan Berry, the chairman of the national Police Federation, sums it up well by saying that for far too long officers have been

"hamstrung by an unwieldy and excessively bureaucratic system."

There is concern about that.

I welcome the fact that the Home Secretary wants to tackle such issues. Perhaps he could take some of the pressure off chief constables, especially by reconsidering targets on burglary and robbery. I was interested in the evidence given to the Public Administration Committee by the chief constable of Thames Valley. He reported that when he faced what he regarded as unrealistic Home Office targets, his police authority chose to ignore them and to set its own. According to Home Office targets, Thames Valley would have been set a target this year of reducing robbery by 25 per cent. Instead, the local judgment is to reduce it by 10 per cent. Robbery fell by 18 per cent. in the previous year. Having achieved that cut, the police authority thought it unacceptable to move on to a Home Office aspirational target of 25 per cent.

In such circumstances, it has to be right to give chief constables greater freedom to set targets as they think best. Central targets, inspections, audits and ring-fenced money undermine the ability of chief constables and police authorities to act. They are, after all, on the ground. They know the lay of the land, can identify the large problems and should have the freedom to set more targets themselves.

Dr. Palmer: I worked in industry for many years and as a manager I would have liked to set the targets that I was to achieve. Does the hon. Gentleman not fear that chief constables will set targets that they are confident they can achieve so that they give themselves a slightly easier life?

Mr. Oaten: I have yet to meet a chief constable who takes that approach. Most chief constables that I have met are committed to delivering a good and realistic job locally. They are not in the business of raising public expectations on which they cannot deliver, a criticism that we could, perhaps, level at some politicians.

Mr. Michael Clapham (Barnsley, West and Penistone): The hon. Gentleman says that chief constables will be concerned with the local situation and adjust targets so that they are reasonable in the local context. Will that be based on figures produced by the local crime community safety groups? If so, does he agree that the Crime and Disorder Act 1998, and the organisations that it established, moved the focus on to neighbourhood policing?

Mr. Oaten: I agree that a key tool for chief constables is better and clearer intelligence drawn from data that reflect local experiences. I do not mind whether the data are managed locally or centrally and then used for local decision making. I want chief constables to take decisions based on the best possible forms of data available.

On visibility and the politicians' dilemma of whether we should see more bobbies on the beat, we all know the Audit Commission's argument that a bobby on the beat will walk around an area and stop a crime once every 100 years. At the same time, we all say in our Focus leaflets and statements to the media that there must be more bobbies on the beat. We know instinctively that the public want to hear that, and while we may have our doubts about the effectiveness in terms of actual detection, we are aware that it is a good idea for the purposes of reassurance and some of the latest thoughts on neighbourhood policing.

I welcome the national reassurance project, which steps outside some of the arguments about crime rates and concentrates on people's perceptions of the safety of their communities. We know now that visible policing makes a difference, but I am not sure that we have all the answers to what is the best form of it. I note with interest research by the Joseph Rowntree Foundation: it was announced last week that a project near York had shown that an increased number of bobbies on the beat had actually increased the fear of crime. As a layman, I am not convinced that that is possible—it seems plain to me that more police in an area must provide some reassurance—but we should not dismiss it out of hand. It suggests that we need more research so that we can ensure that we are giving the reassurance that we think we are giving.

Mr. Letwin: The hon. Gentleman is making an interesting speech. First, does he agree that, according to the evidence, the constable involved in that project was not often on the streets? That seems to me to vitiate much of what has been said publicly. I am glad to note that the Home Secretary agrees.

Secondly, does the hon. Gentleman agree that it is not solely, or primarily, a question of reassurance, but primarily a question of preventing crime and disorder where it would otherwise occur, and depriving the criminal fraternity or gang of the environment in which crime persists?

Mr. Oaten: I take the right hon. Gentleman's point. There is a danger in some of the simplistic language that we have all used in speaking of increasing the number of police. The three main political parties tend to become involved in a Dutch auction in which we hear 9,000 from the Government, 10,000 from the Liberal Democrats and 40,000 from the Conservatives. That approach is too simplistic. We should try to make a genuine assessment. Perhaps what we need is an independent assessment of the number of police who are actually needed. I probed the right hon. Gentleman on that because I was horrified that he had plucked the 40,000 figure from the air on the basis of some evidence from America. A system based on such evidence does not strike me as sufficiently robust. To take the heat off the issue, the three parties should possibly assign a standing commission or review body to establish a realistic level of policing that is needed.

Let me deal with the Conservative proposals in more detail. The right hon. Gentleman was prepared to take many interventions on the generality of the issue, but was not prepared to take many relating to the detail and substance of the proposals. He believes in devolution, or localism, and as a Liberal I support that. I do not want

to knock the Conservatives' suggestions, because they are genuinely trying to achieve a different form of delivery, and we support that trend. It contrasts slightly with the Government's approach during their first five or six years in office—although I am interested to note that over the past year they have placed much more emphasis throughout the public services on the need for fewer targets, and the need to devolve down and let go. The difficulty is that there is too much of the nanny state in this Government for them to be prepared to let go.

Mr. Blunkett: Kiss granny good night.

Mr. Oaten: I would thoroughly recommend that to the Home Secretary. Political thinking is, however, moving in the right direction. I do not think that the Conservatives have responded to many of the dilemmas relating to letting go of control. The most astonishing feature is the 40,000 figure: I am bewildered by how they arrived at it. The right hon. Gentleman is living in a fairytale world if he thinks that the cash needed to fund additional police numbers can be based on stumbling across some island for asylum seekers.

Shona McIsaac (Cleethorpes): Where?

Mr. Oaten: Let us set aside for a moment not just the "where" question, but some of the legal issues arising from the Geneva convention on refugees, before even getting on to the subject of cost. Until we get answers to these questions, voters would be well advised to take the figure of 40,000 with a large pinch of salt. If the target is not to be met from some magical island, the shadow Home Secretary will have a difficult job convincing his shadow Chancellor to fund the proposals, given the shadow Chancellor's agenda to cut public spending.

Mr. Letwin: I am sure that in due course we will have many happy hours debating our asylum proposals. I hope that the hon. Gentleman will bear it in mind that in a couple of months he will hear a great deal from us about how we intend to tackle the legal issues. I expect that we will not agree about them, but our proposals will be clear-minded and extremely radical.

Mr. Oaten: I cannot wait. If the right hon. Gentleman can bring an atlas and identify the island, that would be useful. Perhaps he could also help me understand the 40,000 figure. We have no published costings for it, so the best analysis that I have been able to come up with is that he took a calculator and keyed in the budget for the immigration and nationality directorate, which happily comes to £1.74 billion. He then pressed the appropriate button and divided that sum by the cost of training and paying a police constable—about £44,000 a year. Magically, that produced the figure of 40,000 police officers. I suspect that that is where the figure came from, not just from New York. Perhaps he will provide a more reasoned explanation for the costing.

Mr. Letwin: So that the debate does not continue tediously, let me explain that the savings of about £1 billion in the asylum and immigration system that we hope to achieve, which we can debate in due course, are intended to fund only the first four years of the programme, at about £50,000 a head. It is the New York experience, not the asylum facts, that leads us to the numbers. I have been entirely open about the fact that we do not yet know how we would fund the second Parliament of a Conservative Government, and I admit that I am not yet ready to assume that there will be a second Parliament of a Conservative Government, although I very much hope that there will be.

Mr. Oaten: In the unlikely event that the right hon. Gentleman gets the first one, we will see what happens with the second one.

Mr. Blunkett: Does the hon. Gentleman agree that if the figure is based entirely on the New York ratio, and New York lost 3,000 police officers last year, as it did, the figure is now down to 37,000 officers, presumably achieving the same goal?

Mr. Oaten: The Home Secretary highlights the folly of basing a system in this country on the system in New York.

I shall deal now with elected police authorities and elected sheriffs. If, under the system, decisions about money are to be devolved, it is difficult to see how the right hon. Member for West Dorset (Mr. Letwin) would be able to achieve the targets. Would there be some binding condition that the money that came through had to be spent on extra police? If that were not a binding condition, what controls would be in place to make sure that the target of 40,000 could be achieved?

An important issue is involved. If £1.8 billion is available for extra policing, has the Conservative party worked out that extra police represent the best use of that money? Are there other police priorities that should be put in place? How does the Conservative party know that the number of extra police should be 20,000, 40,000 or 60,000?

I welcome the record number of police officers announced by the Secretary of State earlier this month, and I hope that the Government will not allow numbers to slip, as they did in 1997. If major new resources are to be spent on further increases, such as the Conservatives suggest, surely that should be on the basis of evidence. I ask the right hon. Member for West Dorset to get out of the bidding war and join me in calling for a standing commission on policing. Such a body, independent of Government and staffed by experts, should examine the case for a large increase in police numbers, consider the costs and the potential benefits, and recommend a figure towards which we could all work.

I shall touch on a couple of other aspects of the Conservative proposals. We did not hear much about sheriffs. I am not sure whether the right hon. Gentleman even mentioned the word. It did not feature in the consultation paper, but it featured prominently in the press coverage last week. Sheriffs were an idea imported from England and were ideally suited to the lawless conditions of the wild west, but is the lawlessness of Bristol and Manchester the lawlessness of Dodge City and the wild frontier? Can we expect sheriffs to go out on a Saturday night and take direct control? The American model of policing is not necessarily suited to this country. For a start, in America there are 18,000 US

[Mr. Oaten]

police departments. Imagine the issues of joined-up working if we moved towards much greater devolution along those lines. Assuming that sheriff powers were to be meaningful, another nightmare scenario was raised earlier. How would the right hon. Gentleman feel about the prospect of a BNP-sponsored candidate winning a directly elected election on a low turnout in, say, Bradford or Oldham? We trust our police to wield their power for the good of the whole community, not in the interests of one section of it, but there is a danger that that could start to happen in the event of such elections.

There is another danger. The areas that most need reform and change may be those in which the electorate are less likely to get engaged in the process. We could end up with a chattering class culture of people who are heavily involved, while people in areas with more problems to be tackled are not involved.

Mr. James Paice (South-East Cambridgeshire): I join other Members in congratulating the hon. Gentleman on his appointment.

Is it not somewhat odd that although the Liberals espouse a local income tax—in other words, local people paying a local tax decided by local representatives—the hon. Gentleman does not want to give such local representatives any control over the police?

Mr. Oaten: I am highlighting my concern about installing, on the basis of a low turnout, an individual with the power to take fundamentally important decisions. That is very different from a system based on an elected council comprising a large number of individuals.

Mr. Letwin: Will the hon. Gentleman give way?

Mr. Oaten: I promised that I would not be like my hon. Friend the Member for Southwark, North and Bermondsey, so I shall take one last intervention.

Mr. Letwin: At least it demonstrates that the hon. Gentleman is saying something interesting, even if I do not agree with it. Is he proposing that the Liberal Democrat candidate for the mayoralty should not have the right to run London's police?

Mr. Oaten: No: my proposition is that in an area as large as London one can take reassurance from the electorates and the existing system. My nervousness is based on some of the trends and examples that have emerged, particularly in northern cities where difficulties have arisen after elections with very small turnouts. I am urging caution on those who advocate the establishment of a powerful new elected tier, such as a sheriff, in those areas.

Some of the Conservative proposals for the delegation of power and the reform of police authorities are not that different from the Liberal Democrat model. The structures and organisation of policing in England and Wales need to catch up with public expectation and the realities of crime and disorder, both locally and nationally.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Oaten: I want to finish, as I made a commitment to try not to speak for too long.

We already have a national police squad that deals with the most serious national and international crime and liaises with Interpol and Europol. There is an argument for reviewing and expanding its functions, perhaps merging it with the National Criminal Intelligence Service, Customs or special branch. The logic is that that new force should be accountable to the Home Secretary and an appropriate, more widely democratic authority along the lines of the Select Committee on Home Affairs. Alongside that body, there should be a common border force, as recommended by the Home Affairs Committee, to do away with the confusing alliance of police, immigration officers and Customs staff and to implement greater levels of security at our borders.

We will support Conservative Members in the Lobby because we believe that the thrust of their new ideas is worthy of further discussion, but I have grave concerns about their approach. We tabled our amendment because we believe that if the structure of local policing is up for review, the rest could be, too. It has been 40 years since the last royal commission on policing. Given the comments that have been made about the possibility of setting up a national police force, there can be no doubt that we need a serious debate on the issues. I urge hon. Members to move away from rhetoric and bidding wars and to take up the Home Secretary's offer to look seriously at ways in which we can improve an already very good police force.

5.54 pm

Mr. Peter Kilfoyle (Liverpool, Walton): I shall try to be as brief as possible, because so far the debate has mainly been a conversation between Front Benchers, and it should be informed by the experience of more hon. Members. I note that although the motion makes great play of neighbourhood policing, the right hon. Member for West Dorset (Mr. Letwin) said little about the reality of neighbourhood policing on the ground. I would like to speak a little about that.

I do not want to wax lyrical on sheriffs. We could make a lot of mischief out of the use of the word "sheriff", but a posse of sheriffs—or even of John Waynes—would not make much difference in constituencies such as mine, which operate under so-called neighbourhood policing.

I am sad that the Liberal Democrats are going to join the Conservatives in the Lobby tonight, not least because, when the Government announced their initiatives yesterday on antisocial behaviour and low-level disorder—as I describe it—in communities, my local Lib Dem council immediately tried to upstage the Government by commenting that Liverpool city council was already geared up for getting rid of burnt-out cars within 48 hours. I had never heard of that service before. That breakdown in communication was underlined when I got one of my staff to try to speak to a real living person who could tell us something about the unit. My colleague spent the whole day trying, but failed to find anyone, and could see no mention anywhere in the council's indicators that it provided such a service. I am not saying that it does not, but the essential lesson is that it has to communicate to people the information about the services that it provides. That will be the gist of what I have to say about neighbourhood policing.

I am a firm admirer and supporter of the police in my authority who are trying to put neighbourhood policing into effect and stand second to no one in my admiration of the difficult work that the police do generally. I recognise that there have been great successes in neighbourhood policing in the Merseyside police authority area, as I am sure the Home Secretary and chief constable would agree. However, I want to talk about my constituency, which is a classic inner-city area.

The way neighbourhood policing works in my part of the world is that a number of local government wards are grouped together and a police resource allocation is then made to them, normally comprising about 30 constables, two sergeants and an inspector. In theory, the first point of contact is the inspector. That sounds quite a lot for a relatively small local government unit, but when we examine the situation in detail, we find that the officers work a shift system, so two thirds of them are not on duty at any one time. We also find that some people are away on training courses or holiday leave. We then discover that the numbers are made up with what I describe as ghost workers—people on long-term sick leave who have been allocated to a particular unit to effect neighbourhood policing, but who never appear because they are on permanent sick leave. That is grossly unfair to the officers who are trying to work in these under-staffed units. I have been out with them and seen the work that they do, and I recognise that they can only do so much in any given working day. It is also unfair to the communities that have a right to expect those units to do the job that has been allocated to them, namely neighbourhood policing.

The problems that result from all this are immense. First, there is a rotation of the people in charge of the teams, and in the composition of the teams themselves. By the time one person has got to know the community leaders in an area, they are moved on or promoted. There does not seem to be any consistency.

A second problem that I always encounter relates to priorities. I was interested to hear what the shadow Home Secretary said earlier about the operational autonomy of chief constables. Yes, chief constables and senior management can decide what their operational priorities should be. In my area, they have made a decision that the priority, certainly at weekends, should be to flood the city centre with police officers, and they do. It is a very safe city centre—so safe that the Duke of Westminster commented that he was happy when his daughters travelled from Eaton Hall to Liverpool, but not when they went out in Chester. That is his view.

Liverpool has a very safe city centre, but when all those officers are in the centre, they are not policing the neighbourhoods where people live. In those areas, one cannot get a response from the police. If one does, it is not followed through. The most repeated subject in my surgeries and postbag and on the telephone comes from people bedevilled by low-level disorder. What do I mean by that? I mean the vandalism that leads to burnt-out cars, gangs of scallywags on the streets making people's lives a misery and the archetypal neighbours from hell who appear to know no bounds when it comes to their irresponsibility towards their neighbours.

Mr. John Horam (Orpington): I can reinforce that point. I had cause to investigate a serious incident in Orpington, but found to my horror that because of a police exercise in Kent and an exhibition at the dome there was only one policeman in the whole of Orpington to deal with antisocial behaviour.

Mr. Kilfoyle: That is a repeated problem; I hear the same story from colleagues around the House.

We all accept that the police must prioritise, but when we bandy police numbers around, do we know what a realistic figure is? I am sure that we could go from 40,000 to 100,000 without meeting the real demand. The professionalism and expertise of senior management in police forces is shown by how they manage their resources and how they grade, in an elastic and organic way, the priorities in their operational area at any given time.

I wish to give some examples of incidents in my area where I have tried to raise instances of antisocial behaviour and low-level, localised crime within the context of community policing. When I checked, I was horrified by the lack of response to alleged crimes that do not appear to have been investigated. I wrote to a senior officer on 7 July and pointed out a house that was being used to sell drugs, the telephone boxes used for drug drops, the registration numbers, makes and colour of the cars and the times at which they went back and forth. I described the concerns expressed to me by local residents. That was on 7 July; I have had no answer.

I wrote on 27 May to list allegations made by a woman, including assault, harassment, threats to kill, criminal damage, more common assault and burglary. I still have had no response. I am not saying that the police have not responded, but it would be nice to know that they have. I should like to liaise with my constituents and tell them that an incident is being followed up and action taken. That is not the case. It is not that we let these incidents lie; we try to elicit a response and fill the black hole in communication.

On 26 April, I raised the usual story: bunches of youngsters creating mayhem and damaging property. There was no answer. I can go back further, to 31 March, when I wrote about antisocial behaviour by youngsters. There was no answer. This is not about bureaucracy. I am asking someone to pick up the phone and let my constituents and me know that the police have taken cognisance of the comments and are attempting to make people's lives a little more tolerable by some sort of intervention.

On 27 March, I asked why scrambler bikes had not been confiscated. There was no answer. On 24 February, allegations were made—I kid you not, Mr. Deputy Speaker—of rape, siphoning off money and arson, yet still there is no answer as to what the police are doing in that case.

Incidentally, I issued a press release on Monday, not knowing of the announcement that was to be made by the Prime Minister. My view was very simple and the press release was headed, "Neighbourhood policing is not working."

I wish to give an example to the Conservative party, the "party of business", of what a business has to contend with when neighbourhood policing is not working. Mr. N. Harrison, the managing director of a small dairy that has been built up and now employs 30

[Mr. Kilfoyle]

of my constituents, wrote to me with a list of incidents. The following account sounds funny initially, but it is no laughing matter. He states:

"The most recent event was on Saturday August 9th at 4.30 am. One of my drivers was out in his milk float and was followed by a car carrying 6 or 7 youths. At some point 2 of the youths got out of the car and got into the float either side of the driver. They forced him to drive all around the streets in the Oakfield Road area and would not let him out."

Eventually, they

"took control of the float and drove it into two telephone kiosks demolishing them. They then ran away."

The driver telephoned the depot and a supervisor was sent out. The depot telephoned 999 to report what happened and to make a formal complaint. Mr. Harrison said:

"We had no response whatsoever from the police, but they did take the time to contact BT to ask them to clear the site of the demolished kiosks. It is now . . . August 12".

So in three days, the police never responded to the 999 call. Mr. Harrison continues:

"I am having extreme difficulty recruiting staff".

Are we surprised?

A business is being threatened, individuals are being threatened, and residents' lives are being made a total misery—all under the aegis of neighbourhood policing, which I am told works. Forgive me, Mr. Deputy Speaker, for being extremely doubtful about the efficacy of neighbourhood policing. As I understand it, it is not about the high-flown rhetoric of various Front Benchers but about trying to improve the lives of the people on the ground, who desperately need the police to intervene if there is to be any tangible improvement.

Mr. Grieve: The hon. Gentleman is making a most interesting speech. Does he agree that one thing that would be useful in the context of crime against retail business is some figures? It is remarkable that no central statistics on retail crime whatsoever are collated.

Mr. Kilfoyle: That may or may not be so—I do not doubt the hon. Gentleman's word—but my only concern is the constituents whose interests I represent.

In closing, I repeat that I am aware that neighbourhood policing can be very effective in many areas, including on Merseyside, but I can only speak from my own constituency experience and the particular problems in it.

6.7 pm

Mr. Richard Bacon (South Norfolk): I shall try to be brief, as I know that other Members wish to speak. Our motion states that we believe that the Government are seeking to achieve their aims

"through a burdensome and ineffective bureaucracy",

a phrase that the Government amendment seeks to strike out. In listening to this debate, I have been struck by the fact that most contributors, including our own Front Benchers and the hon. Member for Winchester (Mr. Oaten)—he now speaks on these matters—have made it clear that the situation is burdensome. Indeed, the hon. Gentleman used such phrases several times, yet he has been in his job for only 24 hours. I should like to hear the Minister acknowledge that the police still face an excessive burden.

I went out on patrol with the Norfolk constabulary a few months ago, and before doing so I visited the new headquarters, which is in my constituency, and the local Wymondham police station. The officers there showed me all the forms that they have to fill out; indeed, they spread them out over a huge conference table, which the forms more or less covered. *[Interruption.]* I see that the Minister is writing this down, and I can tell her that the forms were supplied not by Norfolk constabulary but from the centre, and that local officers were forced to comply with them.

If the Minister does not believe that the system is now too burdensome and bureaucratic, perhaps she will take the word of the chief constable of the Norfolk constabulary. His report of 26 August to the Norfolk police authority enumerates the problems that the police have been facing. We are familiar with the problems that many police forces have had to absorb: additional tasks in support of, or compliance with, extra initiatives, legislation and processes, including best value; data collection for performance indicators; efficiency planning; annual reports; performance planning; consultation; activity-based costing; and various legislation, including the Human Rights Act 1998, the working time directive, and legislation on information and security, and on freedom of information. There are also the diversity issues that constabularies now have to contend with, the implementation of the recommendations of the Climbié report, the Disability Discrimination Act 1995, equal opportunities provisions, the implementation of the Police Reform Act 2002, and so on. Those, of course, impose extra burdens as well as extra costs, but there is the additional problem of the funding process itself, which imposes still further costs.

The chief constable of Norfolk expressed in his report to the police authority the constabulary's concern that Government policy

"seems to provide funding more and more by discrete ring-fenced packages rather than through the general formula, often on a bidding basis which is competitive between Forces. This causes a great deal of work on the part of individual Forces, often at short notice and with the prospect that this work may not result in funding being allocated and may therefore be nugatory. Even when bids are successful, a huge bureaucratic process is attached to grant claims, monitoring and reporting expenditure, and auditing, and, typically, the long-term continuation of ring-fenced funding streams is not guaranteed."

I know that the Minister said recently that she would like to see, where possible, a reduction in the amount of ring-fenced grants, and I urge her to take that commitment seriously. Where such funding is necessary, it should be as clearly defined as possible and requirements should be given to constabularies as early as possible.

Even if the Government believe that they are doing their best, I would like them to acknowledge that there is still a long way to go in reducing burdens on the police. I quote again from the chief constable's report, which said that police staff were

"being subjected to an increasing burden of form-filling, paperwork and bureaucracy arising from numerous statutory and other initiatives, target-setting and performance monitoring that is significantly diverting resources from front-line policing."

He was talking about August this year, and continued:

"We accept that the police service must be fully accountable and open to scrutiny but we feel that the balance has tilted too far in one direction."

I would like the Government to acknowledge that the balance has indeed tilted too far in one direction. Much more radical action is necessary to tilt that balance back in the other direction and I hope that the Minister will confirm that in her response tonight.

6.12 pm

James Purnell (Stalybridge and Hyde): I too shall be brief. I want to draw the Minister's attention to neighbourhood policing in my area, and particularly to two issues on which my local council leader and chief superintendent told me that they would appreciate some help.

In 1997, Tameside had 353 police officers; it now has 432. That contrasts with the reduction in police numbers that took place under the Tories. It is worth saying that their promise of extra police numbers amounts to a cruel deception. The kindest way of describing it is as spin. If they really believe that they can find £1 billion from putting asylum seekers on an island, they have gone into fantasy politics mode. The problems in the asylum system were, of course, caused by Tory cuts in the first place. Solving the problem by magically finding £1 billion is extraordinary. Frankly, I do not believe that they believe it themselves.

I base my politics not on fantasy, but on talking to my constituents. In the past few weeks, I have done roving surgeries, in Godley, Ridgehill and Newton. My constituents told me that the key issue for them was antisocial behaviour. Time is short, so I shall provide just one example. A woman with a garage and patch of land behind her house has to contend with young people on that land every night who drink, dump condoms, rubbish and bottles, and terrorise the neighbourhood. Local people are terrified of going outside their doors at night. Members throughout the House are worried about precisely that issue, so I greatly welcome the Government's announcement this week.

David Taylor (North-West Leicestershire): In common with my hon. Friend, I speak to many communities in my constituency. One of the difficulties of tackling antisocial behaviour is obtaining witnesses to stand up and report what they have to endure to the courts. Does my hon. Friend agree that the Government should do more to encourage the use of professional witnesses, which would remove some of the pressures and fears of those communities?

James Purnell: That is an interesting suggestion and I am sure that my hon. Friend the Minister will take it up when she replies.

The burden of community policing must fall at the community level and in Tameside an innovative approach is being adopted that combines the police and local patrollers. With 100 or so people working together, we will reopen the sub-police stations that have been closed, base people in those areas permanently and have them available from 8 am to 10 pm, so that people will once again know their local constable. The constables will know the regular offenders in the area in the same way as they know the people who run the local post office and local teachers. The constables will have a genuine understanding of what is going on in the community, and that is where the real value of community policing lies. Individuals can build up a relationship with the people they serve, and work with local youth workers, schools and sports clubs to provide young people with an alternative and constructive use of their time. The great majority of young people are scapegoated for the misbehaviour of a small minority.

I hope that the Minister will consider two points. The first is bail. At my roving surgeries, people complained that curfews or restriction orders on offenders are difficult to enforce. A 15-year-old might be bailed on condition that he does not leave his home after 10 pm, but he does. He can be rearrested, bailed under the same condition, and break it again the next day and the day after. A shoplifter banned from the centre of town can go back again and again. I am told by David Crompton, my local chief superintendent, that it is difficult to take specific measures beyond the bail conditions to stop offenders breaking them time and again. Further measures are possible only in specific circumstances, such as interference with a witness or the possibility that the offender will not surrender to the police. I hope that my hon. Friend the Minister will address that issue.

The other issue of concern is alcohol. The sale of alcohol to young teenagers fuels much antisocial behaviour. We all know that it goes on, but the problem sometimes is that the only punishment is taking away the licence of the person selling the alcohol, and that is a big punishment. It should be used when licensees gravely abuse the terms of their licence, but I wonder whether intermediate measures could be threatened. For example, many off-licences rely significantly on lottery income. They can lose their lottery machines if they sell tickets to under-age players. Perhaps we could consider withdrawing that facility from those found guilty of selling alcohol to those under age. I also wonder whether anything else could be done to prevent people from selling alcohol to young teenagers. I would be grateful for the Minister's comments on those two issues.

6.18 pm

Bob Spink (Castle Point): We need a balanced approach to what is a sensitive and important subject for all our constituents. Neighbourhood policing is essentially about antisocial behaviour, and juveniles are largely responsible. But the kids should not be stigmatised. Kids in this country are generally great and we must allow them to go out and enjoy their childhood, to grow up, to play games and to gather together socially. We must understand that they will occasionally rebel and experiment, especially with alcohol, and we need to seek tolerant and caring ways of dealing with the problem.

The children need more facilities to distract them from bad behaviour. We owe that to them, and I congratulate Legacy XS in my constituency on the project that it is running. The kids also need a disciplined framework, with clear boundaries and consistent enforcement. They also need to know that tough consequences will ensue if they break the rules. We need much more parental involvement in ensuring that children behave. I know that not all children these

[Bob Spink]

days have two parents, and we all appreciate the difficulties of single-parent families, but we need parents to take responsibility in stopping bad behaviour by children. For instance, my Confiscation of Alcohol (Young Persons) Act 1997 enabled the police to involve parents in connection with incidents of under-age drinking. It should be more widely used. I contend that greater local control of the police would ensure that such action is taken, as local people would demand it.

My second point has to do with the police. Like some other hon. Members, I went out on patrol with my police force on a Friday night in the summer. I encountered some good behaviour among youths gathering together, but other youths displayed a great lack of respect towards the police. My respect for front-line officers certainly grew as a result of that experience.

I believe that the police should not have to deal with so much bureaucracy. They need to have access to new technologies such as palm-top computers. They need more resources, as well as the 40,000 officers that the Conservative party promises. The number of special constables needs to rise, not fall as has been happening lately.

The law needs to be clearer and more consistent. In their six and a half years in office, the Government have failed abysmally in that respect. Initiative after initiative has been introduced, often by the Prime Minister himself, and then failed. For instance, child curfews were introduced in 1998. They were a total failure. In 1999, antisocial behaviour orders were introduced. They were an almost total failure, and they died because of bureaucracy. In 2000, the Prime Minister suggested cashpoint fines.

Mr. Bacon: That was a farce.

Bob Spink: My hon. Friend is right to say that that was a farce. In addition, fixed-penalty fines were introduced, followed by the suggestion in 2001 about night courts, which copied what happens in America. The Government also promised to remove housing benefits from bad tenants. None of that made a lot of difference, so what happened next? In January this year, the Government established the antisocial behaviour unit, which was designed to "tackle anti-social behaviour" and

"make an immediate and lasting difference to the lives of people who experience anti-social behaviour day after day."

What has happened? Nothing—absolutely nothing: if anything, things are getting worse on our streets. Yesterday, the Prime Minister launched an action plan called "Together: Tackling Anti-Social Behaviour". Do not hold your breath, Mr. Deputy Speaker.

Under-age drinking is a particular problem. It leads kids on the street into bad behaviour and the first use of drugs, and it needs to be tackled. My 1997 Act gave police the power to remove all alcohol from under-age kids on the streets. It was designed to keep kids out of trouble and to save communities from the trouble that they cause. So what did the Prime Minister do in the Criminal Justice and Police Act 2001? He removed the very power that I had given police to take alcohol away from kids. Fortunately, that power was given back to the police on 18 September—and about time too. We need a consistent approach on this matter, but that is not what this failed Government have delivered.

What can be done now? We can show the kids more respect, and give them more in the way of facilities. We can give the police more resources—and the Opposition have promised 40,000 more police officers. We can try to keep police stations open so people have greater access to them. We can cut bureaucracy, introduce new technology, and ensure that the police involve parents in their children's behaviour. We can try to deliver more treatment for drug addiction.

We must put an end to gimmicky Government initiatives and get down to introducing simple, tough and consistent laws and to enforcing them with rigour. Finally, we must ensure that local police are truly accountable to local people.

6.24 pm

Dr. Nick Palmer (Broxtowe): As we know, there is widespread concern about crime and antisocial behaviour. The thoughtful new Liberal Democrat spokesman asked why that is, given that there has been a steady fall in crime in recent years according to all the seriously accepted statistics. That started in 1995, when mass unemployment began to fall, as it has continued to do under the Labour Government. The Home Secretary put his finger on it when he said that people constantly read in the media about the most horrific crimes and see intensifying antisocial behaviour locally. They extrapolate from the latter to the former. If they see youths being disrespectful to the police and seemingly out of control and read about horrific murders, they think that the two are linked and that there are more horrific murders. Antisocial behaviour is a serious issue in that it engenders fear of more serious crime. That is one reason why we need to take it so seriously.

Increasingly, people understand the complexity of the issue. As has been said, we have had something of an auction in the number of additional police that we want to put on the beat. People realise that we have more police, but that they have not solved the problem of antisocial behaviour. Gradually, they are perceiving that the issue is complex. We are talking about the number of police, their role—exactly what they do, what they are allowed to do and how they are deployed by chief constables—and the number of support staff.

In this political auction, we tend to talk about the number of police officers as opposed to the number of civilian staff. There is a danger of undervaluing the role of support staff—as happened in the national health service—in enabling existing police officers to get out on to the beat. I accept the point that everyone makes, which is that certain types of paperwork could be avoided. Few people would say that we should not be reacting to many of the initiatives that the hon. Member for South Norfolk (Mr. Bacon) listed, such as the Climbié inquiry. It is much easier to say that there is too much paperwork than to identify specific papers that do not need to be filled out. In many cases, it may be possible to reduce the paperwork, but we may also need more civilian staff to take that burden off the police. One constituent recently had a lengthy statement taken down in longhand by a police sergeant. That does not

make sense. The Conservatives attempted almost to demonise support staff in the health service by saying that 20 per cent. of them ought to be sacked. I hope that we will not do the same with policing, as we may well need more support staff more urgently than we need more police.

People are also looking at police powers and the willingness to use them, which the Prime Minister raised recently, as well as at the role of the courts and sentencing. I want a simple, practical change to transparent sentencing. The sentence announced should be the 50 per cent. tariff that we know will result in incarceration, rather than the 100 per cent. that could theoretically be applied. That would be a sensible change, and one that people would understand.

The Conservative party has complained in the past week or so that the media have been concentrating exclusively on the Leader of the Opposition's secretarial arrangements at the expense of examining the Opposition's policies. I have some sympathy with that complaint. The way in which the media work in Britain is dispiriting. I therefore wish to take the remaining five minutes of my speech to consider quickly the concrete policies that the Opposition propose.

I am second to none in my admiration for the courtesy and honesty of the shadow Home Secretary, the right hon. Member for West Dorset (Mr. Letwin). We have met in various Committees and it is always a pleasure to debate with him. One of his characteristics is that he does not try to conceal vagueness, as we saw on the issue of the island to which several Members have referred. He had obviously been pressed by his leader to come up with something, so he said that we ought to put all asylum seekers on an island. When he was asked which island, he did not say, as perhaps most of us would have said—I certainly think that I would have—"We have a number of islands in mind, we are weighing things up but it would not be right to disclose it at this time." Instead, with characteristic honesty, he said, "I haven't a clue." I admire him for that. We have to accept that that element of his policy is currently shrouded in considerable vagueness.

We find the same vagueness in the motion, which urges us to have more local policing that is more accountable to local people—words that have no discernible meaning, or which, if they have a meaning, it is a meaning to which we can all subscribe. Why not have more local policing and local accountability? It sounds good.

In the right hon. Gentleman's speech, he tried to fill the gap. He advocated greater decentralisation. On that point, he uncharacteristically allowed himself to stray into vagueness. Decentralisation can be a good thing but it can also be a formula for postcode policing. Nottinghamshire, part of which I represent, offers an example. We have an unusually low detection rate, for reasons that we could debate, but there is no ambition in the county to set up a protectionist barrier against the use of best practice from elsewhere. We would like to achieve in Nottinghamshire the successful detection rates that we see elsewhere, and if that meant a centralist initiative, it would be just fine with most people. There is a danger that if we chop the country into too many little bits, there will be bits where policing works well and bits where it does not. With respect, that policy is half-baked.

Mr. Letwin: The hon. Gentleman is making a serious speech and we accept that an inevitable consequence of a serious-minded localist approach is that there will be differences between places. Some will be better at some things and some will be bad at others. That is why we place our faith in local democracy. It is our impression that when people see that something is being better done somewhere else, they will want to apply pressure through their local democratically elected police authorities for the place where they live to do it better.

Dr. Palmer: I accept that the right hon. Gentleman's intentions are good, but that intervention brings us to the dog that did not bark in his speech—sheriffs. He did not mention them once. We are all aware of the dangers of elected sheriffs—

Mr. Letwin *rose*—

Dr. Palmer: I am sorry that I cannot give way again; I want to conclude, so that the hon. Member for Upminster (Angela Watkinson) can speak.

The risk in having elected sheriffs is simple, and we should be open about it. The election of mayors has produced many charmingly eccentric people, but in the emotive matter of crime there is a danger that election could produce British National party or extremist sheriffs. With the complete operational independence that the right hon. Gentleman proposes to give chief constables, the likely outcome would be a state of permanent confrontation between populist, tub-thumping sheriffs with no real power, setting wholly unrealistic targets, and chief constables who ignored them and did their own thing. There is a genuine hole at the heart of the right hon. Gentleman's strategy.

As I want to allow the hon. Member for Upminster to speak, I shall not pursue the matter further. With respect, however, if the right hon. Gentleman wants that Conservative policy to be taken seriously, it requires considerably more detail.

6.34 pm

Angela Watkinson (Upminster): In view of the lateness of the hour, the House will be pleased to learn that I have abandoned my speech, although I am sure that hon. Members would have enjoyed it. Instead, I intend to make three brief points.

My first point relates to the 40,000 extra police officers proposed in the Conservative policy. Some hon. Members have referred to that as though it were an extravagant or even unnecessary number, but I understand that 8,000 of the 40,000 might be allocated to the Metropolitan police and, as there are 32 London boroughs, Havering is likely to receive about 160 of those 40,000 police officers. With absences through sickness, holidays, courses, and officers being off duty and other abstractions, 150 officers might be left. Shared out over three shifts, 50 officers are not even enough to have two additional officers in each ward, so by no means is the figure over-generous; it is perfectly reasonable, and no more than is necessary in the prevailing circumstances.

[Angela Watkinson]

My second point relates to a particular problem in the London borough of Havering. My constituency is one of the three component constituencies of Havering. Romford is one of the others. Romford town centre has the largest concentration of late-night entertainment centres and nightclubs outside the west end of London, which places enormous demands on Havering police. Those demands should be enough to make Havering a special case, but that is consistently ignored in the Metropolitan police resource allocation formula. We live in hope every year, but so far those hopes have been dashed.

On Thursday, Friday and Saturday evenings, 10,000 additional people come into Romford—that is a conservative figure; it has been put as high as 13,000—to avail themselves of the delights of those nightclubs. The on-duty police officers quite rightly concentrate the lion's share of their resources on Romford town centre at that time. It is a public order issue, and the divisional commander is right to do that, but the effect is that there is no neighbourhood policing in the rest of the borough.

I have been out on night duty with Havering police, and they have one car to use to react to radio messages relating to incidents the length and breadth of what is a very large borough. They get there too late every time. The incident is over; the culprits have escaped. The police then hear of another incident at the far end of the borough, and the car chases after that. In effect, the borough is not policed, with the exception of Romford town centre, when those nightclubs are in operation. I add another plea—I make no apology for doing so again—for additional police in Havering because of the special demands placed on it by Romford town centre.

My third point relates to the criminal justice system, which does not always give the police the support that it should or could. I should like to give just one example of co-operative working between my local council and the local police in dealing with what we all recognise as a neighbours-from-hell situation. I have received a long list of complaints from some residents who live in some flats over a small block of shops. When I visited them, it became obvious in conversation that all the problems emanate from one flat: there was abusive behaviour, drug taking and drug paraphernalia left in the stairwells, drunkenness and loud music night after night. One of the gentlemen who complained was a newsagent in one of the shops below, who had to get up very early in the morning.

It was council property, and the council looked very carefully at the tenancy and worked with the police, but the council decided that withdrawing the tenancy was the right course of action, as a last resort after it had tried everything else available to it. However, the outcome was that the court listened to the case, which had taken many man-hours of preparation and a lot of council tax payers' money and funding, but the court decided to give those neighbours from hell another chance. So they are back in the flat, and all their previous behaviour is being repeated. That is just one of many cases where the system lets the police down. If we ask the police to provide neighbourhood policing, which is what local residents want, it does not matter how many additional police we have—if the 40,000 were available tomorrow, it would have no effect—unless the criminal justice system plays its part and backs them up.

6.39 pm

Mr. James Paice (South-East Cambridgeshire): This has been a short but important debate, and it has become clear that there is a remarkable degree of consensus about the solution in principle to part of our problems in our neighbourhoods—a substantial increase and improvement in the concept of neighbourhood policing. The only exception to that consensus was the contribution of the hon. Member for Liverpool, Walton (Mr. Kilfoyle), but he is used to being in a minority on many of these issues.

What is also clear, however, is that neighbourhood policing must involve all local agencies. It is not something that can be achieved by any one police officer, police force, local authority or anybody else. The crime and disorder reduction partnerships—introduced by this Government, as I am happy to recognise—are a step forward. Like all partnerships, however, they lack the direct accountability that I believe is essential if we are to achieve the step change that we want.

Let us look for a moment at the difficulties faced by effective neighbourhood policing. First, there is the issue of what I call the reassurance mindset. The hon. Member for Winchester (Mr. Oaten) touched on it by suggesting, I think, that there was some sort of conflict between the reassurance role of neighbourhood policing and getting on with policing real, major crime. I do not see it that way. Reassurance is the inevitable consequence of people feeling safer in their streets and neighbourhoods and of the reduction of the fear of crime or of being victims of crime. To that extent, neighbourhood policing has a major role, not just in dealing, as my right hon. Friend the Member for West Dorset (Mr. Letwin) described, with disorder issues such as louts, foul language and the other things about which Members have spoken, but in gaining low-level intelligence.

It is a fact that three-quarters of all people who receive a custodial sentence receive their first such sentence before they are 24. There are plenty of statistics to demonstrate that virtually every major criminal started life as a minor criminal, doing the sorts of things about which we have all been complaining, so there is a vital role for neighbourhood policing to help to nip the problem in the bud, to use an old phrase. If it can reduce by only a relatively small proportion the number of people who go on to become ever more major criminals, the purpose of neighbourhood policing will have been achieved.

Neighbourhood policing also faces the problems of abstractions about which we have talked: the frequent changes of personnel as officers move on and are promoted, so that there is no continuity; the problems of bureaucracy, to which I will return; and the problems of the judicial system, a precise example of which has just been described by my hon. Friend the Member for Upminster (Angela Watkinson) whereby police officers feel let down by the system of which they are part. We also have abysmal levels of rehabilitation among young people in our young offenders institutions, with the result that many go back to the same locality and continue their previous life.

There is no simple, single answer. All those problems have to be put right, and in many cases the Home Secretary agrees, certainly on the basis of some of his comments today and especially in relation to issues of reassurance and the judicial process. I am not sure whether he is having any more joy with the new Lord Chancellor than he had with the previous one in getting the changes that he wants in that regard. He recognises the importance of police numbers; otherwise, he would not keep on talking about the numbers that he has already provided. He also talks about the importance of bureaucracy and local accountability. Over a year ago, in May 2002, he said:

"we have deluded ourselves if we believed we could simply deliver from the centre."

In the Edith Kahn memorial lecture, he floated the idea of direct elections to police authorities. In almost the next sentence, however, he showed why he is part of the problem and not part of the solution: he started talking about more plans, this time at basic command unit level, and more annual reports.

What is it that people really want? They want a society in which they can go about their daily lives free from the fear of abuse, assault or intimidation and in which their children can play safely, free of the risks from burnt-out cars, used needles, vomit, foul language and all the other things that beset parts of our communities. None of those things can be achieved from a police car or from a council office, let alone from Whitehall or in national plans. The only way such problems can be cleared up is if we have real police officers actively involved and responsible to the community.

Dr. Palmer: Will the hon. Gentleman give way?

Mr. Paice: I am sorry, but I cannot give way.

We need someone to provide leadership to the local agencies and partnerships: the council, the housing authority, the Benefits Agency, environmental health and all the others involved. We may even need changes to legislation such as that on data protection. However, I am convinced that that leadership must come from a neighbourhood officer, and that role should be a distinct career path within the police and not a penance to be done and to be fitted in as and when other duties allow. I have seen examples of that happening, but they happen despite the system, not because of it.

The Home Secretary is deluding himself if he believes that there is not a problem with the burden of paperwork. Of course, he is not responsible for every single form in the country; nobody pretends that he is. However, we still do not have the computerised custody system that we have been promised ever since he has been in office. There are still 25 forms for every arrest. I have seen them, and my hon. Friend the Member for South Norfolk (Mr. Bacon) referred to them.

The Home Secretary talks about direct elections to police authorities, and we advocate them. However, who would stand for election to an authority whose role is now so diminished? That is why true accountability through direct elections will work only if it goes hand in hand with an ability to make a difference. That means local control over total budgets and local targets and setting local priorities.

I turn to some of the issues that the Home Secretary raised about our proposals in what was a travesty of a description and analysis of our policies. We are talking about police authorities directly elected by the population of each of the 43 forces that we have at present. The number is not 180, 8,000 or whatever other figure is bandied about. We are talking about a true locally elected police authority with real powers to control a block budget and to decide how to spend the money. We are talking about enhancing the role of the Association of Chief Police Officers so that information dissemination, best practice and consistency across all forces is achieved through the professional body, not imposed by the Home Office. Those are important changes, and they are the right way forward.

Over the past few years, there is no doubt that there has been increasing disjunction between the police and the public whom they serve. There is, I am afraid, so much public disillusionment that crimes are reported only if an incident number is necessary for an insurance claim. More and more people think that the police will not come and that, if they do, they will not do anything and that, if they do something, the criminal will get away with a smack on the wrist or even less, as my hon. Friends have described.

Is it entirely a coincidence that that has happened simultaneously with the ever-increasing centralisation that we have witnessed over the past few years? How can chief officers and commanders respond to local needs when they have to respond to Whitehall? Some brave officers have railed against the trend and have developed strong local forums. Even those local forums are relatively toothless; they have no real means of accountability back to the people whom they serve or for control over the force.

Did the Home Secretary really mean it when he said to the Police Federation:

"I want the reduction in bureaucracy to be the fuel for freeing people to do the job sensibly"?

If he did, he had better start soon. There must be no more warm words and wishful thinking about reducing the number of forms and no more blaming others for creating the forms. We need an actual reduction.

In short, if we are to have the neighbourhood policing that the whole House now largely believes is an essential development, we need to give power back to people on the ground. We need to allow police authorities to be directly elected and given the freedom to respond to local needs. After all, that is democracy – surely the Home Secretary is not afraid of that.

6.50 pm

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I am delighted to respond to the debate, but before I get into the meat of my speech I welcome the hon. Member for Winchester (Mr. Oaten) to his post. I am delighted that he finds the time to go out in Winchester on a Friday night but surprised that he is shocked that antisocial behaviour occurs on the streets on Friday and Saturday nights because most of us who live in such cities see such behaviour far too regularly. I advise him to get in touch with Manchester City Centre Safe, which has a fantastic programme to make the city centre a safe, vibrant and lively place where people may have a good night out. I

[Ms Hazel Blears]

also hope that he listened carefully to contributions to the debate about antisocial behaviour. I hope that he will take a fresh look at his party's stance on the Anti-social Behaviour Bill so that it reflects that of the vast majority of people in this country, who want us to take tough enforcement action on antisocial behaviour and the police to be given powers to make a difference.

We have had a good debate and I shall respond to hon. Members' comments. My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) expressed his concerns about antisocial behaviour in his community and gave us worrying examples of what happens. I know that the Merseyside police are absolutely committed to making their neighbourhood policing work. They now have about 90 public access points throughout Merseyside, which is more than ever. They are trying to ensure that the inspectors in localities know the need to attack all the issues on the ground. I entirely accept that good work is going on but that there is much more to do. The points that my hon. Friend raised should be taken seriously by the local police and I hope that the campaign on tackling antisocial behaviour that we launched yesterday will help to address those important issues in Merseyside and throughout the country on behalf of constituents.

The hon. Member for South Norfolk (Mr. Bacon) talked about bureaucracy. We have abolished 2,800 forms, although I am perfectly happy to acknowledge that we need to do more. I was worried that he described the need to introduce diversity in the police force and to deal with child protection as bureaucracy. Such measures are central to ensuring that the police reflect important factors in our communities, so I would not class them as bureaucracy.

My hon. Friend the Member for Stalybridge and Hyde (James Purnell) made a good speech in which he talked about antisocial behaviour in his community. I hope that he realises that the new powers that will be introduced next year under the Anti-social Behaviour Bill, such as nationwide fixed penalty notices, training and support for the antisocial behaviour academy and the action line, will help tremendously. He mentioned bail. I would ask his police superintendent to examine the possibility of obtaining interim antisocial behaviour orders because 66 were recently made in Leeds. When the powers of an interim order bite, they are an effective way of ensuring that conditions are enforced.

My hon. Friend also mentioned alcohol. He knows that we are preparing a national alcohol strategy and that we have introduced measures on under-age drinking and the confiscation of alcohol from youngsters drinking on the streets.

Bob Spink: We did that.

Ms Blears: My hon. Friend's idea about lottery machines is interesting and I shall find out whether we could take it further.

The hon. Member for Castle Point (Bob Spink), who is very keen to claim credit for his work, talked about the important need for a twin-track approach on antisocial behaviour: support for those who want it and provisions for families and young people twinned with tough enforcement and giving people the knowledge that consequences will follow from their actions. I am delighted that he supports the Government on every single point of our policy in this area and welcome his support.

My hon. Friend the Member for Broxtowe (Dr. Palmer) made a thoughtful contribution that was typically useful and to the point. He exposed the emptiness of the Opposition's policy, although he was rather kind to call it vague and half-baked—I might have used more robust words.

The hon. Member for Upminster (Angela Watkinson) talked about the Conservative party's pledge of 40,000 extra officers. I am sorry to disappoint Conservative Members because the shadow Home Secretary made an admission today in a typically honest and straightforward fashion. He said that the pledge is only for the first four years and that he could not predict whether there would be a second-term Tory Government—heaven knows whether there will even be a first-term Tory Government—and, as a result, he could promise only 20,000 extra officers because he had no idea how the other 20,000 would be funded. He then acknowledged that 5,000 of the 20,000 would be appointed by us. So the pledge has gone from 40,000 to 20,000 to 15,000. It is decreasing by the hour, as we speak. I am sorry but the hon. Lady will be disappointed in the policy of her Front-Bench spokesmen.

Let me address the heart of the motion. Localism has become a bandwagon for the Tories to jump on. The right hon. Member for West Dorset (Mr. Letwin) prides himself on being a bit of a thinker. I am told that it has taken him two years to develop his ideas on devolution and localism. It is disappointing that after two years of deliberation, he has concluded that there is nothing the Government can do to change the lives of people for the better. His recipe for localism, which is about removing all support from the centre—no national standards or national framework—would return us to the chaos and anarchy of laissez-faire politics so beloved of the Tories 100 years ago. That political approach left people to fend for themselves. Money and privilege determined a person's success in life. There was no role for Government. Politics could not make a difference. Nothing was done to create opportunities and drive up standards, especially for the poorest.

The right hon. Gentleman sets a dangerous agenda. Behind his façade of local accountability lies the sad admission that, in his view, Government and politics cannot make a difference. I understand why he, as a member of the Tory party, thinks that things are hopeless, but I cannot accept

Mr. Paice: It says here.

Ms Blears: I have written every word of this myself and I am enjoying it.

I cannot accept that abrogating responsibility at the centre by giving up influence to shape and develop a system is a responsible attitude for any political party in a modern democracy. The Tories recently issued two consultation papers, although people might have seen only the one produced at conference. The first mentions 139 forces, with populations ranging from 2,000 on the Isles of Scilly to 1.3 million in Essex. There would be a

directly elected mayor, a multi-person single-purpose police authority and a directly elected single sheriff to run this, that and the other. It is gobbledegook. The second document—the revised system issued two weeks later—says, "We don't really want to get into structures, so rather than be distracted by force reorganisation, we have no plans to change the current structure of police forces." That is a complete change in the space of two weeks. That is how well the Conservatives have developed their policy over those two years.

Our policies for developing community engagement are about involving local people. The Home Secretary's Edith Kahn lecture earlier this year set out an ambitious programme for communities to involve them in shaping and directing our policies from the inside. My pamphlet entitled "Communities in Control", available for £6.95 from the Fabian Society, sets out our commitment. I challenge the shadow Home Secretary: instead of simply having elected police authorities at local authority level, what about underpinning communities at neighbourhood level? People are interested in their street, their neighbourhood, the park where their children play, the shopping precinct and the bus and tube stops where they live. His plans focus on police authority areas. They are structural and relate to existing political boundaries. The real challenge is to get into neighbourhoods below the basic command unit level without the 139 forces and the chaos and anarchy proposed by the Tories. That requires—

Mr. Patrick McLoughlin (West Derbyshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 183, Noes 319.

Division No. 325] **[6:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes: Angela Watkinson and Mr. Mark Field

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Ann *(Keighley)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack

Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Nick Ainger and Vernon Coaker

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 306, Noes 182.

Division No. 326] **[7:14 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Ann *(Keighley)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen

Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Fabricant, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Angela Watkinson and
Mr. Mark Field

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's investment in policing which has resulted in 136,386 officers by the end of August 2003, an increase of more than 4,000 since December 2002 and the highest level ever; notes that there are now more than 1900 Community Support Officers and record numbers of police staff assisting police officers in their work; further notes the priority given by the Government to reducing bureaucracy to enable officers to concentrate on frontline duties; and welcomes the Government's commitment to further reform to improve accountability and engagement between the police and the communities they serve.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Michael Lord): I propose to put together the Questions on the two motions relating to Northern Ireland.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Partnerships etc. (Removal of Twenty Member Limit) Northern Ireland Order 2003, which was laid before this House on 7th July, be approved.

That the draft Employment (Northern Ireland) Order 2003, which was laid before this House on 8th September, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

RECOVERY PLAN FOR COD AND THE RECOVERY OF THE NORTHERN HAKE STOCK

Motion made,

That this House takes note of European Union Documents No. 9081/03, draft Council Regulation establishing measures for the recovery of cod stocks, and No. 10980/03, draft Council Regulation establishing measures for the recovery of the Northern hake stock; welcomes the Government's support of the adoption of recovery plans for cod and hake in which effort control and other measures can play a part, and also supports the Government's intention to ensure a close dialogue with the fishing industry in developing these plans.—*[Ms Bridget Prentice.]*

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 22 October, pursuant to Orders [28 June 2001 and 29 October 2002].

DELEGATED LEGISLATION

Ordered,

That the following Statutory Instruments be referred to Standing Committees on Delegated Legislation: the Commission for Health Improvement (Functions) Regulations 2003 (S.I., 2003, No. 1587), the Strategic Health Authorities (Consultation on Changes) Regulations 2003 (S.I., 2003, No. 1617), the Patients' Forums (Membership and Procedure) Regulations 2003 (S.I., 2003, No. 2123) and the Patients' Forums (Functions) Regulations 2003 (S.I., 2003, No. 2124).—*[Ms Bridget Prentice.]*

DRAFT GAMBLING BILL (JOINT COMMITTEE) (POWER TO TRAVEL OUTSIDE THE UNITED KINGDOM)

Motion made,

That the Order of the House of 10th July 2003 appointing a Select Committee to join with a Committee of the Lords to consider and report on any Clauses of a draft Gambling Bill presented to both Houses by a Minister of the Crown be amended by leaving out the words 'within the United Kingdom'.—*[Ms Bridget Prentice.]*

Hon. Members: Object.

JOINT COMMITTEE ON HUMAN RIGHTS

Ordered,

That Standing Order No. 152B (Human rights (joint committee)) be amended, in paragraph (5), by leaving out the words 'shall be three, except that for the purposes of taking evidence, the quorum'.—*[Ms Bridget Prentice.]*

Sussex Police (Child Abduction Schemes)

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

7.26 pm

Tim Loughton (East Worthing and Shoreham): I am grateful for the opportunity to raise the important subject of the child rescue alert scheme that was operating in Sussex. The Minister knows of my very close involvement with child rescue alert since the summer of 2002. I initiated two early-day motions in this House on the subject and I have submitted a number of written questions. I have corresponded with the Minister's colleague, the hon. Member for Salford (Ms Blears), and had conversations with the Under-Secretary, the hon. Member for Wythenshawe and Sale, East (Paul Goggins). That followed an undertaking by the Minister's former Home Office colleague, the right hon. Member for Leeds, Central (Hilary Benn)—he is now at the Department for International Development—who, in response to my question at Home Office questions of 2 December, wished the scheme well and undertook to monitor carefully its success. He said:

"I should be happy to meet the hon. Gentleman and officers from the Sussex force when the pilot period is over so that we can consider how to spread that good idea elsewhere."—[*Official Report*, 2 December 2002; Vol. 395, c. 605.]

I have been trying for the past five months to get that meeting with Home Office Ministers and to take a delegation, because of problems that have since occurred with the scheme. Numerous calls from my office have met with no result. Despite promises from three Home Office Ministers—the two Members whom I have already mentioned and Baroness Scotland—the undertaking given by the right hon. Member for Leeds, Central has not been met. Nothing happened until, mysteriously, this afternoon, when a call from the office of the hon. Member for Salford offered a meeting, some six months late. I am delighted about that offer, but it has of course been prompted by this evening's Adjournment debate.

This debate really should not be necessary. Importantly, a scheme that started with great promise last year, and which was aimed at offering effective solutions to dealing with the problem of child abductions, has been largely sidelined. It has been a victim of Home Office internal politics. The company that developed the major part of that scheme has been peremptorily sacked, its reputation damaged by highly misleading statements from senior Sussex police officers, with no retraction or apology forthcoming.

It could all have been so different. By now we could have had a nationwide child rescue alert scheme with millions of members of the public signed up to media broadcasts, text messaging and traffic signs, for example, alerting them to missing children, particularly in the crucial early hours after a child has been abducted.

Let me provide some of the background. It starts with the tragic case of Sarah Payne who, as hon. Members will know, was abducted and murdered some years ago in West Sussex. Many people then struggled to come up with a solution that could provide an effective counter to child abductions in the future. It is estimated that in Sussex alone, there were 32 child abductions last year—fortunately, not all ending in the tragic circumstances of Sarah Payne.

Experience in the United States was examined. A scheme called Amber Alert operates in 13 different states and has successfully saved the lives of many abducted children by breaking into media broadcasts to give details of suspected abducted children and by flashing up messages on highway signs alerting drivers to keep an eye out. Largely helped by Councillor Mike Mendosa from Adur, who is a radio presenter, that scheme gained considerable publicity in national and local newspapers last summer. Partly as a result, officers in the child protection unit of Sussex police looked into setting up a pilot scheme across Sussex based on Amber Alert in the US.

Using highway signs as a means of raising alerts is not practical in a county such as Sussex because it requires freeway dot matrix boards, of which there is only one in the whole county. However, all the local media, led by companies such as Meridian Television and Southern FM, were quickly signed up to the scheme so that when an alert was triggered, broadcasts could be broken into in short order to give listeners details of a suspected abduction.

The criteria used to trigger such an alert were, first, that the child should be under 16 and missing; and, secondly, that a police officer of at least the rank of superintendent felt that the child might suffer serious harm or death. Thirdly, the child must have been kidnapped or be suspected of having been so; and, fourthly, the case must have sufficient descriptive details of the victim or offender to justify launching an alert.

Phase one of the scheme—the media phase—was successfully launched in Brighton on 14 November 2002. It was realised quite quickly, however, that it had its limitations and early in the summer a Sussex company called Community Alerts approached Sussex police after spending more than a year developing a system that could dramatically expand the messaging service to include many hundreds of thousands more people in Sussex—and, potentially, nationwide—by the use of text messaging and other innovations. A leaflet and poster campaign was launched.

When an alert was triggered, subscribers to the scheme would receive a text message with information on their mobile phones. The scheme envisaged signing up members of the public, teachers, pubs, employees of West and East Sussex and Brighton and Hove councils, post offices, neighbourhood watch co-ordinators, taxi drivers, British Telecom and other utility company engineers. It envisaged a potential audience in Sussex alone of some 300,000 people—a powerful tool for dispensing information to deal with child abductions at a crucial stage.

Further developments were envisaged, including sending out photographs of children to people on the network by mobile phones, receiving such information via e-mail and in-car and in-cab computers, as well as passing on relevant information to delivery lorries and so forth. The scheme also envisaged setting up a hotline with thousands of telephone lines for the public to ring in with information. All messages were to be provided free of charge by Vodafone and the expertise of the company Multimap was also included. It could have

satisfied virtually any requirement or concern and had applications for fighting crime well beyond just child abductions. It was also useful for providing information about potential flood warnings, so the Environment Agency was interested. It was crucial that a company independent of the police keep the register of subscribers in order to allay any fears about civil liberty implications, which could deter people from registering in the first place.

The second phase of child rescue alert was hailed by chief inspector Martin Underhill, then responsible for the scheme, as

"possibly one of the most innovative threads of the scheme"

and "absolutely fantastic". Community Alerts was asked to drop its own schemes of development and work exclusively with Sussex police on developing the child rescue alert scheme. Community Alerts agreed to give Sussex police all the credit for setting up the service because it was deemed to be in the public interest. To this day, the company has neither received nor sought a penny from Sussex police or the Home Office, despite spending tens of thousands of pounds developing the project and bringing in big players such as Vodaphone and Multimap.

Everything went smoothly. The technology was put in place quickly and could rapidly have been extended to all police forces nationwide, though chief constables inquiring about the scheme were told by the Association of Chief Police Officers that the police technology unit was working on its own service, so they were discouraged from signing up.

The launch of phase two took place on 6 March this year with great gusto and 300,000 leaflets and posters were ready to be distributed to registered members of the scheme. Everyone agreed that it was a brilliant, world-beating idea. All the technology to achieve it was in place, and worked. But it soon became clear that, for some reason, Sussex police were cooling towards the scheme. Literature was not properly distributed. Public service workers, including the police, were not being properly signed up. It later became clear, as confirmed in written answers to me, that the budget for such a big scheme was less than £20,000 and only one full-time person was employed by the police to work on it. Subsequently, only some 6,000 people were initially registered. Most people did not know much about it.

In April, Community Alerts was suddenly told that its services were no longer required after its contract expired at the beginning of June—not that the company had been paid anything for that contract. Coincidentally, a few weeks after the contract expired, on 7 July, a six-year-old from Brighton, Summer Haipule, went missing. It was the first time that the criteria were met to trigger the child rescue alert scheme, and it was duly triggered. Media broadcasts were interrupted, but no text messaging service was available because the company had been sacked. Happily, 14 and a half hours later, Summer was found safe and well asleep under a baby's cot in a neighbours' house. The neighbours were oblivious to the missing child, having not heard the television and radio broadcasts, although they did have mobile phones.

Newspapers reporting on the case said that the text messaging system did not work properly, and that view was expressed by chief superintendent Paul Curtis. Of course it did not work properly: it had been terminated. However, Sussex police desperately called Community Alerts in the middle of the night when the suspected abduction took place, to try to get the system reactivated—unsuccessfully. Sussex police have not apologised or sought to put the record straight.

Community Alerts is a small company that developed a service, in good faith, with Sussex police. It provided the service free of charge, allowed the police to take the credit for the service, and then saw its reputation tarnished by the people whom it had tried to work with. Community Alerts has lost contracts in other areas of messaging because of the erroneous bad publicity, and Vodafone, which was crucial to the project, has also distanced itself. Sussex police, the Police Information Technology Organisation—PITO—and the Home Office have not returned Community Alerts' calls to explain why the company was dropped. Most importantly, the whole child rescue alert scheme has been left in a state of limbo when it should be expanding nationwide.

In a parliamentary written answer from the Minister for Crime Reduction, Policing and Community Safety on 16 September, I was told that the findings of the pilot scheme in Sussex would not be published, but that they have informed the setting up of a national text messaging service by PITO that can be used to alert the public quickly in the event of child abductions. Can the Minister tell me why the results of that pilot scheme will not be published? I fear that the scheme has been nobbled by the Home Office and parts of the police, even though they are miles away from coming up with a viable alternative, leaving a yawning gap in child protection measures. If the scheme is to be taken over by the police exclusively, it will not work because it needs to be at arm's length from police records. A previous PITO-led scheme, called "Bullseye" flopped for just such reasons. I gather that the current proposed schemes are based on the priority alert scheme that has been run by the Met for some years, and that is aimed at counter-terrorism measures. That scheme charges subscribers to a pager system £15 a month and has just 2,000 subscribers.

While all this happened, confusion reigned. ACPO has written to chief constables to warn them off entering into any contracts with companies offering messaging alert services, according to a written answer of 16 September. Deputy assistant commissioner Richard Bryan, the ACPO lead on missing persons, has made contact with Community Alerts this week, spurred on—it would seem—by the prospect of this debate. In a letter from the Minister for Crime Reduction, Policing and Community Safety dated 26 June, she said:

"Sussex Police and PITO are committed to starting registration for a new scheme as quickly as possible."

When? How much longer will the gap continue? Over recent weeks, Community Alerts has spoken to people supposedly involved in formulating a new version of the child rescue alert scheme on a national basis. Most had been blissfully unaware of the solid and pioneering work that Community Alerts had already done with Sussex police, and were very interested to hear about what had been achieved. Will the Minister deal with the obviously unjust treatment of Community Alerts—a company funded by Paul Kent for the specific purpose of providing a not-for-profit messaging service in the event of a child being abducted?

[Tim Loughton]

More importantly, I urge the Minister and her Department to get everyone together to implement a system as soon as possible to plug the gap that currently exists nationwide—before more children go missing, with tragic consequences, in the absence of a scheme that could save them. I encourage her to ensure that a new system is developed, based on the expertise and success achieved by the Sussex police pilot, but which keeps the data registration at arm's length from the police. The system must be free to the public, to maximise the potential number of subscribers.

Despite the horrible experience that I have described, Community Alerts remains committed to the cause. It owns the intellectual property rights to the service, and it has the knowledge to set it up nationally. It could announce a national system in a few weeks time, on 14 November, the anniversary of the pilot, and that is what the organisation has offered to do. The police and the Home Office could utilise Community Alerts as they would any other media. They could send a message, and let the organisation broadcast it. In that way, the Home Office could work with the biggest companies in Europe to give every police force a child rescue alert service, and start a national campaign to get the public to register their telephones. Surely we all want to achieve that.

I urge the Minister to cut through the internal politics that appears to have put the kybosh on a very successful scheme. She should get the scheme up and running nationwide as soon as possible, as everyone involved in the pilot envisaged. She should use the expertise that has already been put in place and proven by the Sussex-based organisation Community Alerts. She should publish the results of the pilot, so that we can all see where it went wrong, if that is what happened. The strengths of the scheme could then be taken up and used to everyone's advantage. Surely that would be to the good of all, and especially of the children who every day are abducted. What I have set out is a practical solution that could help to prevent those abductions.

7.41 pm

The Under-Secretary of State for the Home Department (Fiona Mactaggart): I thank the hon. Member for East Worthing and Shoreham (Tim Loughton) for raising this very important issue. As he pointed out, he has been an assiduous advocate of the work of Community Alerts, and of the work on the child rescue alert scheme done by Sussex police.

The hon. Gentleman gave an account of the response to the scheme of my colleagues that was to some degree partial, but I can understand that. I have much sympathy for the frustration that he felt at the difficulty in obtaining a meeting that he pointed out had been promised earlier by my right hon. Friend the Member for Leeds, Central (Hilary Benn). However, he did not remind the House that my hon. Friend the Minister for Crime Reduction, Policing, and Community Safety asked him in June whether he wanted a meeting. I am glad that that meeting has now been organised, as it is important that the Government should be accountable to hon. Members who pursue a matter with such assiduity. We must provide them with opportunities to raise such matters, and I am glad that such an opportunity has been arranged for the hon. Gentleman.

We all agree that protecting children is a top priority. It is a very serious challenge for the police and their partner agencies, and they must respond sensitively and effectively. There has been a worrying increase in the number of child abductions of all types, with the 2001–02 figure of 584 rising to 846 in 2002–03. That rise concerns the Government greatly.

I have put in hand some detailed analysis to determine which types of abductions have increased, and why. That information is important when it comes to providing an appropriate response to such cases. For example, we need to identify the proportion of abductions carried out by parents, known family members or friends outside the immediate family circle, and that carried out by strangers. We need to know how many incidents are reported and subsequently resolved when the missing child is located soon after. The hon. Gentleman referred to the case in his area involving a child who was quite safe in a neighbour's house, even though no one knew that was the case. We need to know the real frequency of abductions that lead to more serious and sometimes fatal consequences. I expect to have some initial findings next month. That sort of information will feed into how the Government respond.

Against that background, the Government were pleased to see the initiative taken by Sussex police earlier this year with the child rescue scheme pilot, which the hon. Gentleman described in detail. It is a good example of innovative policing, even if the experiences of those involved have sometimes been frustrating. He communicated that frustration to the House well.

The scheme makes creative use of available technology and local partnerships. It has the potential to be a powerful tool in combating child abductions. However, every care has to be taken in judging whether to use it for a particular abduction and at what stage. One of the key aspects in handling child abductions is to act so as to avoid unintended effects. When deciding to trigger an alert, the police must have every confidence in both the underlying technology and the operational procedures that follow from its use.

That is why the Association of Chief Police Officers has tasked its working group on missing persons to draw together best practice on police handling of child abductions. It is doing so not because it is trying to delay matters, but because the example that the hon. Gentleman cited from Sussex is one of a series of pieces of work that need to be drawn together—how to respond, how to marshal resources, how to co-operate with partner agencies and how to communicate, as well as how to use technology such as the child alert system that he described.

There is a great wealth of experience, for example, in the police national missing persons bureau, based in New Scotland Yard. Sussex has much to offer from its experience of setting up and running the pilot. Indeed, as the hon. Gentleman pointed out, ACPO's missing persons working group is meeting Sussex police next week. I do not believe that that meeting is a consequence of this debate. It is part of the work that ACPO is pulling together and in which it is playing the lead, with the Home Office actively assisting, in planning a national scheme to decide the best way forward, with Sussex being a key contributor.

I undertake to try to ensure that the points of view of the company that has been involved in the scheme, as well as that of Sussex police—if there is a possibility of a gap between the two, as he suggests—are also fed into the work of the ACPO committee. It is important that, in its work to develop a code of best practice, which it has undertaken should be available by April 2004, the best evidence and experience is brought to bear. The aim is to phase in the implementation of the code of best practice, to give all forces the benefit of those with the most experience in this area and those that have learned from new approaches and innovations, such as what happened in Sussex.

I understand the hon. Gentleman's concern that the pilot report has not been published, but to maintain the greatest frankness about how the system works, Sussex police did not say that they would publish it in the first place. The lessons that can be learned from such a pilot are best learned if the report is used to inform police practice. To do so, it needs to be very frank. I am not sure that his constituents' best interests are protected by publishing the pilot; they will be protected by ensuring that the experience feeds properly into the work that ACPO is taking forward.

I undertake to ensure that all the points of view of those involved in the pilot—not only the report that might be in the ownership of the Sussex police, but also the company that contributed to it—

Tim Loughton: I have not disagreed with anything that the Minister has said. I do not think that there is a problem with the code of conduct. It worked quite clearly. The question mark is about whether we should involve a company that has been a good partner to Sussex police and has technology that no one else has. Does she think that it is a good way to treat a company that has worked in partnership with Sussex police to say, "Thanks very much and goodbye"? Does she also agree with me and with that company that the best way forward is an arm's-length approach to gathering subscribers to the scheme? As previous experience has shown, if everything is controlled by the police, the scheme will not work.

Fiona Mactaggart: I agree that the question about the arm's-length approach must be addressed, although I do not know the answer. The hon. Gentleman's case has merit but we need a clear examination of the pros and cons of the process, which is why I undertook to ensure that the views and perspective of Community Alerts can be fed into the work of the ACPO missing persons working group, which is taking the process forward. The group will act as a gatekeeper until the code of practice is published and has promised to resource 24/7 contact to any police force that has to respond to a child abduction. All forces will have immediate recourse to best practice to suit the particular situation that they face.

The child alert initiative requires robust and secure technology, as the hon. Gentleman pointed out. The police need to be able to extend alerts and searches across the area covered by one force to another. The process must be able to deal with such issues so that individuals, businesses and so on can participate as effectively as possible.

One possible way forward, and the one that is being most closely examined, is to use some of the infrastructure provided by the police message board system, which has been developed by the Police Information Technology Organisation, and is a secure part of the police website. The results of an end-to-end stress test of the new message board will be received shortly.

The Sussex pilot has shown that engagement with local media and key agencies is enhanced through a child alert facility. After we have learned the lessons from that, further consideration should be given to how best to engage individual members of the public. That may be through the text messaging service on mobile phones. Intensive publicity campaigns might not always recruit the largest number of public subscribers.

How best to use available technology in response to child abduction will be taken forward in tandem with best practice procedures. Technology and best practice will work together. The ACPO missing persons group will again lead and co-ordinate. Its chair, Richard Brian, is meeting Sussex police early next week and I have undertaken to inform the hon. Gentleman of the views of the pilot process formed by the company involved.

The Government are concerned to see that every avenue is explored to help make our country a safer place for children. We are pleased to recognise and encourage local enterprise in public services, such as that shown by the Sussex police with their child alert pilot. We also believe that local successes should be available to every police force and child protection agency as soon as practicable. Where technology can be leveraged to achieve that, it is all to the good. To achieve the best with any new system, it must be properly planned to deliver real benefits and the Sussex pilot has shown what can be achieved. The ACPO missing persons group will drive the whole process forward to ensure that best practice is married to appropriate technology and that the experience of forces, through pilots such as the one in Sussex, means that we achieve a safer environment for our most vulnerable citizens.

I am glad that my colleague has agreed to meet the hon. Gentleman and his police colleagues. I have undertaken to ensure that the point of view of the company involved in the pilot will properly be communicated to ACPO, which is rightly providing the national lead. I hope that those two actions will deliver the end that he seeks.

Question put and agreed to.

Adjourned accordingly at six minutes to Eight o'clock.

House of Commons

Thursday 16 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

International Finance Facility

1. **Helen Jackson** (Sheffield, Hillsborough): What support he has received from EU partners for his international finance facility proposal. [132053]

8. **Mr. John McFall** (Dumbarton): If he will make a statement on the international finance facility. [132063]

The Chancellor of the Exchequer (Mr. Gordon Brown): I can report that at the International Monetary Fund Committee meeting in Dubai, which I chaired, the proposed international finance facility—which I am pleased to say has received all-party support in this House—received wide support in principle from other countries, including EU countries. The meetings mandated the IMF and the World Bank to report back in 2004 on such a proposal that, by doubling aid, could halve poverty.

Helen Jackson: I thank my right hon. Friend for that reply. Does he agree, however, that there was widespread disappointment at the breakdown of the Cancun talks, given that the global disparities between rich and poor remain and, indeed, grow? Will he consider a virtual relaunch of his excellent IFF initiative, so that it can breathe new life into the efforts that the Government are making to reduce those inequalities?

Mr. Brown: I am grateful to my hon. Friend. As she rightly says, what we need is the equivalent of a Marshall plan for Africa and the developing countries. If the developed countries would agree to it, the IFF would offer $50 billion extra a year to make possible the achievement of the millennium development goals. My hon. Friend is right to say that we must do more. I do not think that I would call it a relaunch, as such—we in this Government do not do such things. First, a series of meetings with the developing countries will take place in the next few months, and I have already addressed a group of African Finance Ministers. Secondly, we will talk to the Churches, which are a very important element in this matter. We will hold a joint conference with the Churches and the president of the World Bank in London in February. Thirdly, we are working with the non-governmental organisations. Another important factor is that I will meet the all-party international development committee in the next few weeks to talk about these issues. In other words, we are working towards securing the public opinion that is necessary to push the initiative forward, in the same way as we pushed forward debt relief.

Mr. McFall: My right hon. Friend will be aware that I visited Zambia in May. He kindly put me in contact with the Finance Minister and other Ministers there. His IFF is absolutely crucial for countries such as Zambia because the HIPC initiative is not working for it, and the millennium development goals will not be achieved because of the country's massive debt repayments of $6.5 billion. Its repayments greatly overshadow expenditure on health, education and social programmes. Will my right hon. Friend therefore ensure that his initiative gains greater currency throughout the world, because Africa needs it? Also, will he have a private word with me later, as I am having a Christmas appeal for Zambia and am looking for a private donation from him? I hope that he will provide a good example for my constituents.

Mr. Brown: As Mr. Speaker knows, money does not change hands in this House, but I shall be very happy to back the efforts in which my hon. Friend, who is Chairman of the Treasury Committee, has been involved. In addition, I shall be happy to support the efforts of all campaigners around the country trying to make people aware of the sheer need in the developing countries. At the moment, all the world's aid spent on the health of the typical African child amounts to £2.50 a year. That is simply not enough to prevent the disease and suffering that takes place. We must first recognise the amount of money that is needed—at least $10 billion for education and $15 billion for health, and many more millions are also needed for the anti-poverty programme. We must then persuade people that the IFF is a way forward that could release the money in the time that is necessary for achievement of the millennium development goals. I therefore support my hon. Friend's activities, and those of other hon. Members who are very much involved in these matters.

Andrew Selous (South-West Bedfordshire): A moment ago, the Chancellor mentioned his discussions with the World Bank. Is he satisfied that that institution is taking the issue of microcredit seriously enough? Amounts as small as $50 can make a huge difference to the enterprise of individual families throughout the developing world.

Mr. Brown: The hon. Gentleman is absolutely right. Microcredit is incredibly important, especially in African and Asian countries, if we are going to develop the economic base essential for a permanent reduction of poverty. I have talked to the president of the World Bank about exactly that issue. I held a meeting with others in the Treasury to discuss a number of proposals about microcredit and how we can promote it. I assure the hon. Gentleman that the World Bank is being pushed by everybody to move forward with microcredit.

If he looks at the World Bank's latest report on the questions of debt sustainability and of additional resources, he will find that it deals with them very usefully.

HIPC Initiative

2. **Mr. George Foulkes** (Carrick, Cumnock and Doon Valley): What recent assessment he has made of the progress of the highly indebted poor countries initiative; and what further action he proposes to take. [132055]

The Chancellor of the Exchequer (Mr. Gordon Brown): I can report that 27 countries have started to receive debt relief, now worth up to $70 billion, and eight have now completed the process. I can announce also that, to create a sustainable exit from debt burdens, the UK will support a further change in the calculation of topping-up at completion point, which could provide a further $1 billion in debt relief. The majority of that money would go to health and education.

Mr. Foulkes: Am I allowed to congratulate the Chancellor on the lead that he and successive International Development Secretaries have taken on the HIPC initiative throughout the world? I know from my experience that that is doing a great deal not only to reduce poverty in the world but to improve the conditions in which terrorism has been thriving hitherto. The initiative helps to make conditions better for people who might be tempted into terrorism. Does he agree that more countries should be benefiting? We have to be honest about this. Some people in some countries are not benefiting because their leaders are either corrupt or undermining some of the work that the international community is trying to do. Can we also take—*[Interruption.]* Can we take the initiative to promote democracy in those countries too?

Mr. Brown: My right hon. Friend is a respected former International Development Minister and he should be listened to because his views carry weight not only in this country but abroad—*[Interruption.]* Conservative Members are making a lot of noise for a very small number of people—in fact, fewer than 25. I did not think that that sort of number were allowed to meet at the moment.

On debt relief, eight countries have now completed the process. That means that we are in a position to release more than half of the $100 billion that was pledged at Cologne. The United Kingdom has provided $2 billion in debt relief, the Export Credits Guarantee Department has written off nearly $1 billion and we have contributed $500 million to the HIPC trust fund. So, we will continue to push the issue forward by our own contributions but will ensure that countries can genuinely have a sustainable exit from debt.

On corruption, it is a condition of the international finance facility that countries are open and transparent in the way they conduct their fiscal and monetary policies. The money will be released on that basis and that basis alone.

Mr. Andrew Robathan (Blaby): I am glad to hear what the Chancellor had to say about open and transparent policies. I do not think that there is much difference between us on HIPC. What is his response to the Jubilee debt campaign, which has written to all Members of Parliament this week to ask in particular whether the process could be extended to all countries? I would certainly have a few problems with that.

Mr. Brown: The priority on HIPC is the 36 or so lowest-income countries. That is the way we have proceeded. The international finance facility is the proper way forward for low-income countries that are not part of the HIPC group. In other words, if they can assure us that they are taking the action that the hon. Gentleman and I think is right—that they are transparent and are opening up to trade and investment—we will provide the resources necessary for health and education, which is our duty. So, the HIPC process must be completed with the low-income countries. That is our priority. The international finance facility is the way forward for other countries that are not part of that process.

International Aid

3. **Mr. Tony Clarke** (Northampton, South): If he will make a statement on progress towards the target of 0.7 per cent. of national income being devoted to international aid. [132056]

The Chief Secretary to the Treasury (Mr. Paul Boateng): I recently attended the Commonwealth Finance Ministers' conference and was able to inform our colleagues that in the 2002 spending review the United Kingdom announced and is now delivering the largest ever increase in aid, raising aid commitments to developing countries from 0.32 per cent of national income in 2002–03 to 0.4 per cent by 2005–06.

Mr. Clarke: I welcome my right hon. Friend's commitment and, indeed, the Chancellor's continued commitment to meeting that 0.7 per cent. target. I am sure that he will agree that aid effectiveness is as important as aid volume. Given that 8 per cent. of all adults in sub-Saharan Africa are HIV infected, 42 million people live with HIV/AIDS and 5 million were infected last year alone, how can we ensure that much of that aid money goes to combating that dreadful and awful virus?

Mr. Boateng: My hon. Friend displays a concern about the impact of the AIDS pandemic that is shared on both sides of the House. Its effect has been disastrous not only socially and in human terms, but economically. That is why last year alone we invested about £250 million on HIV/AIDS plus support programmes for multilateral agencies, including £14 million on the international AIDS vaccine initiative. Absolutely central to that are the poverty reduction partnerships and their links with civil society—non-governmental organisations on the ground in the developing world—because they are often best placed to identify and meet the needs. It is that combined approach, using agencies such as the global health fund and working with civil society on the ground, that will deliver the help that is needed.

Mr. Crispin Blunt (Reigate): Is the Chief Secretary aware that in 1995–96 only Holland and the United Kingdom met the United Nations higher target of 1 per cent. of gross domestic product transfer from developed countries to the developing world, a combination of private and public sector transfers? Does he agree that that higher target should be our policy focus? Only the combination of public and private sector investment in the developing world will enable the wealth creation and investment that will take it out of poverty.

Mr. Boateng: The hon. Gentleman is absolutely right. A characteristic of the cross-party approach to development issues is that we have all recognised the importance of private flows and the way that they leverage so much additional benefit on the ground in the developing world. That was the subject matter of a number of our discussions at the Commonwealth Finance Ministers' conference and we shall be continuing that work, as the Chancellor has indicated.

Dr. Alan Whitehead (Southampton, Test): In my right hon. Friend's pursuit of those targets, is he applying the principle of the disarticulation of aid from compulsory trade? In his discussions with other Ministers in those fields, has he enunciated and advocated that principle?

Mr. Boateng: My hon. Friend is absolutely right. The United Kingdom has distinguished itself by making sure that we increase aid effectiveness, which we have done by about 15 to 30 per cent. Central to that has been cutting the insidious link to which he referred. We are not alone in that, but we still have to fight a battle internationally to make the point that we must untie aid if we are to do the most good. We must concentrate aid where it can be most effective in helping the poorest in those societies rather than simply lining the pockets of the already wealthy.

Gregory Barker (Bexhill and Battle): The increased amount of international aid is greatly to the credit of the Government. The Chancellor has spoken about increased transparency in aid and debt relief, but can the Chief Secretary tell us what practical steps have been taken to increase the audit of the delivery of aid on the ground? What new processes and steps are in place?

Mr. Boateng: We are offering help to the developing world in achieving stability through a greater emphasis on getting its fiscal and monetary policy right. On transparency, good governance is central, which is why we supported initiatives such as the New Partnership for Africa's Development. As I said earlier, we are also unlocking the potential of civil society, so that in a country such as Malawi the Churches, the trade unions and women's organisations all follow through to see where the money goes. They visit schools; they ask how many new desks have been bought and how many teachers are on the payroll. Furthermore, they actually ask to meet the teachers, because we all know that, unfortunately, in some of those countries those are phantoms—the teachers do not really exist. Utilising civil society as well as establishing good governance is the best way to ensure aid effectiveness.

Full Employment

4. **Mr. Win Griffiths** (Bridgend): If he will make a statement on his aim to achieve full employment. [132057]

The Chancellor of the Exchequer (Mr. Gordon Brown): Unemployment in Britain this year has been at its lowest since 1975. More people are in work than at any time in our history and our unemployment is lower than Japan, America, Germany, France and the whole of the euro area. Today, we are publishing our submission to the European review of employment and the pre-Budget report will contain measures to enhance the new deal, including measures to help people into self-employment and to start new businesses, as we advance to our goal of full employment.

Mr. Griffiths: I thank my right hon. Friend for the tremendous work that he has done at the Treasury and with other Ministers in promoting that policy of full employment. I was surprised that he did not mention the fact that for the first time ever the unemployment rate in some of the nations and regions of the UK, such as Wales, which has often been above the national average, is now below the average—all thanks to the policies that my right hon. Friend and his fellow Ministers have pursued.

Will my right hon. Friend undertake intensive negotiations with his European counterparts to ensure that the good work being done in this country can also be done in the rest of Europe and enable us to join the euro much earlier than is currently anticipated?

Mr. Brown: My hon. Friend is absolutely right about Wales. There have been 103,000 additional jobs created since 1997, and Welsh unemployment has fallen significantly, particularly among the young and the long-term unemployed.

As for the exportability of our proposals on employment, I have regular talks with my European Finance Minister colleagues. The French and German Finance Ministers signed a joint letter with me to our European colleagues, and we are proposing that the same incentives that are available in welfare to work and our new deal should be available in the rest of Europe. Equally, at the same time, we are promoting flexibility in the European labour markets, which is the means by which we can return to a position where full employment can be a realistic goal in Europe. It is unfortunate, however, that the one group of people who want to abolish the new deal is the modern Conservative party.

Mr. Mark Field (Cities of London and Westminster): Perhaps the Chancellor would like to enlighten us about what proportion of the much-vaunted job growth of the past two years has been in the private, as opposed to the public, sector.

Mr. Brown: A significant part of the growth has been in the private sector. I think that, of the 1.7 million additional jobs that have been created, the vast majority are in the private sector. When the hon. Gentleman wishes to disparage the public sector and wishes to talk about pen-pushers in the public sector, let him

remember that, among the additional jobs, are 50,000 nurses, 20,000 teachers, 90,000 classroom assistants and 10,000 doctors, all of whose jobs would be at risk under his policies.

Mr. George Mudie (Leeds, East): I congratulate the Chancellor on the fact that for the first time in my constituency, under this Labour Administration, unemployment has halved in a very poor part of Leeds, but he will be aware that we are now entering a phase when, whether for reasons of age, health, lack of skills or drugs, it is becoming more difficult to put certain unemployed people into work. In his next Budget will he consider adding to his existing very good initiatives some imaginative, joined-up, targeted approaches to deal with those very difficult individuals to get them into work, so that they can enjoy the prosperity that work brings to families?

Mr. Brown: I commend my hon. Friend for his proposals for the Leeds community that are designed to create more jobs and more prosperity in areas of high unemployment. He is absolutely right that the focus of our employment policies must alter to help those who have been hard to employ, those with no skills whatsoever and those who have been in prison or had other experience that makes them unattractive to employers. We can help them and, equally, we must help more single parents back into work. The problem is that the one party that wishes to abolish the new deal for young people, the new deal for the long-term unemployed and the new deal for single parents is the Conservative party. The only new deal that the Conservatives want to keep is the new deal for the over-50s, perhaps because they may have to use it themselves soon.

Dr. Vincent Cable (Twickenham): Does the Chancellor accept the arguments of the Governor of the Bank of England that, with unemployment at 1.5 million or 5 per cent., the Government are as close to full employment as they are likely to get, that there is therefore no spare capacity and that we can look forward to a decade of below-trend growth and rising interest rates? If there is a fallacy in the Government's argument, could the Chancellor tell us what it is?

Mr. Brown: First, may I welcome the hon. Gentleman to his new post as the shadow Chancellor from Twickenham? I have worked with him in the past. Indeed, we were in the same political party. We wrote together in the same publications. It may be that, at some point, I could share with the House his views of the Labour party's policy, which were very enthusiastic at that time, but perhaps that is for another day, Mr. Speaker.

When I gave the Mais lecture on full employment, which the hon. Gentleman will be interested in, I said that we could further reduce unemployment, not simply by maintaining macro-economic stability and enhancing the British economy's productivity, but by the supply-side measures that would include training people who could get jobs but who otherwise would not be able to get them and by exercising pay responsibility. Those are the conditions in which I believe we could create more jobs in the British economy and reduce unemployment further, so, unfortunately, I disagree with him on the first point. I believe that we can both create more jobs and reduce unemployment further, and our goal is full employment.

Mr. Dennis Skinner (Bolsover): Does the Chancellor recall that about three years ago I asked him for £24 million to flatten the Shirebrook pit site to provide up to 2,000 jobs—more than the number who worked down the coal mine at the time? That construction is well under way, the road has been developed and things are looking well. I now have a further plan for the Markham Bolsover employment zone, which will cost about twice as much and will release an area for 5,000 jobs, just off the M1 at junction 29A. I hope that that is etched in his memory, and we will sort that out in the next couple of years.

Mr. Brown: I am grateful to my hon. Friend. It is always an expensive Question Time when he asks me a question. What has been done to create jobs in former mining areas, through the various initiatives in which Members have taken part, is not only commendable but is bringing prosperity to areas that had lost hope. I will certainly look at his further proposal without making financial commitments to it.

Mr. Skinner: Just the first tranche.

Mr. Brown: So my hon. Friend is not asking for £48 million at the moment, but only for a fraction of that. It is important that in every area of the country where unemployment is too high we take action. That is behind the proposal for 2,000 new enterprise areas, and his constituency will benefit from many of those.

Mr. Howard Flight (Arundel and South Downs): In order to create sustainable full employment, I am sure that the Chancellor agrees about the importance of maintaining our business competitiveness, in which a key factor is the level of business taxation. The CBI's recent report produced from the Government's Red Book figures shows that since the Government came to power, and by 2006, there will be a cumulative increase in the tax burden on business of £54 billion. Government spin has been that the CBI figures are wrong. Will the Chancellor please explain why?

Mr. Brown: I am grateful that the shadow Chief Secretary is up to explain how we can create full employment without a new deal and by cutting public expenditure by 20 per cent. As for what business is saying about the Government, I do not think that he would like me to read out what Digby Jones said to the Conservative party conference—*[Interruption.]* He does not like it, does he? Not only did he say that the Conservatives could no longer rely on the business community but that the Government had created the macro-economic stability that was the only basis on which we could have prosperity in this country. As for the CBI report, it says that, in 1995, taking everything into account, business taxation was 9.3 per cent. of

public expenditure. It then says that, in 2003, business taxation is 8.9 per cent. of public expenditure. That is a fall, not a rise.

Mrs. Anne Campbell (Cambridge): Does my right hon. Friend agree that a necessary prerequisite of full employment is an adequate supply of good-quality child care, which this Government have done more to provide than any other previous Government? That is the way to ensure that there is full employment for women as well as men.

Mr. Brown: My hon. Friend is absolutely right. I praise her for putting the issue on the agenda. Only one in nine of the child care places that are needed are currently available, and even though we have made huge advances, there is a great deal more to do. It is partly about the supply of child care places that the industry is capable of producing, and it is partly about making sure that resources are available to those who could otherwise not afford child care. In 1997, 40,000 people received the child care tax credit that we inherited. Today, that figure is 250,000, which is a sixfold increase. We are determined to do more. Parents should not have to face the choice between the children they love and the work that they must do without us being in a position to help them properly. That demands—as I hope that there would be—all-party support for child care expansion.

Sir Peter Tapsell (Louth and Horncastle): As it remains the policy of the Labour Government to join the euro as soon as the Chancellor's five economic tests have allegedly been met, does he think that Britain could then continue to maintain a high level of employment, bearing in mind the very large rise in unemployment in both Germany and France since they joined the single European currency?

Mr. Brown: This is indeed one of our tests—the effect on employment. I reported and I will continue to report to the House about how that test is being met.

As for the single currency, the hon. Gentleman should realise that we are saying that we will make a decision on that in the national economic interest. The problem about his position and that of his party is that they would rule out a single currency even if it were in the national economic interest.

State Pension

5. **Bob Spink** (Castle Point): If he will make a statement on changes in the level of state pension in the last three years. [132058]

The Paymaster General (Dawn Primarolo): The basic state pension has risen by £5.30 a week over inflation for single pensioners and by £8.50 a week for couples since 2000—a cash increase of nearly £10 a week for single pensioners and nearly £16 a week for couples. Increases over the last three years have given single pensioners £1.10 a week more than an earnings link would have given them, and £1.75 a week for couples.

Bob Spink: Means-testing has grown like Topsy—from 40 per cent. in 1997 to almost 60 per cent. today, with a Government target to take it to 80 per cent. What would the Paymaster General say to my constituent, Joan Spey of Age Concern in Castle Point, whose friends and colleagues in Age Concern are very proud people? They deeply resent the intolerable intrusion into their lives that means-testing brings. What would she say to those people?

Dawn Primarolo: The intolerable intrusion is the poverty created for pensioners under the previous Government. As the hon. Gentleman well knows, on the basis of a measure of absolute poverty, more than 1.5 million pensioners have been taken out of poverty since 1997. He also well knows that the fair way forward on pensions must have the basic state pension underpinning people's income in retirement while, at the same time, we target maximum support on the very poorest pensioners. He also knows that the proposals that he has put forward will not help poor pensioners and will not be sustainable. I am sure that Age Concern and his constituents understand those points very well.

Ms Diane Abbott (Hackney, North and Stoke Newington): My right hon. Friend will be aware how grateful pensioners are for the many measures that the Government have taken on their behalf. However, she will also be aware that the problem of trying to address pensioner poverty by means-tested benefits is not just that every single representative pensioners organisation is against means-tested benefits. There is the problem of take-up. She will be aware that, after 10 years of take-up campaigns, substantial numbers of pensioners simply refuse to claim that to which they are entitled. Is she able to tell the House the latest statistics for the number of pensioners entitled to means-tested benefits who do not claim them?

Dawn Primarolo: I know that my hon. Friend follows these matters very closely. She is quite right to suggest that the huge challenge continues to be to make sure that those pensioners entitled to the pension credit or the minimum income guarantee receive that money alongside the fuel allowance and the free television licences. However, I can tell her that more than 2 million pensioners already receive the pension credit, which will give so much more to pensioners, and more than 1 million have contacted the Department. The Pension Service, which is directed particularly to pensioners, will do much to deal with the very points that she has made.

Mr. Mark Prisk (Hertford and Stortford): The truth is that, despite the Paymaster General's warm words, more and more pensioners rely not on the state pension but on means-tested benefits. As hon. Members on both sides have said, those pensioners deeply resent the intrusion and complexity involved with them. Despite her words and the Chancellor's promise

"to end the means test for our elderly people",

the Government's plans now seek 80 per cent. of pensioners to be means-tested. Perhaps the Paymaster General will answer the question that the Prime Minister failed to answer yesterday. How much will a typical pensioner couple now have to save over their lifetime in order to avoid a means test?

Dawn Primarolo: The hon. Gentleman knows full well that the question that has to be answered is how—

Hon. Members: Answer the question!

Mr. Speaker: Order. Let the right hon. Lady answer the question—[HON. MEMBERS: "Hear, hear."]—in her own way.

Dawn Primarolo: I will, Mr. Speaker, if I can get more than half a dozen words out.

As the hon. Gentleman knows, the first issue with regard to pension policy is how to ensure that those in poverty are raised out of poverty. The pension credit and other measures that have been introduced since 1997 ensure that the poorest third of pensioners are better off. The second set of issues that must be addressed—the issues are being addressed by consultation on the pensions Green Paper—is exactly how we combine ensuring that we target the poorest pensioners by giving the basic state pension as the foundation for retirement and assisting people to save for their retirement. All those matters are being addressed, and the pension credit will further assist that by encouraging people to save while still rewarding them.

Tees Valley

6. **Vera Baird** (Redcar): What plans he has to direct public investment to the Tees valley sub-region. [132059]

The Economic Secretary to the Treasury (John Healey): The Tees valley sub-region, like all parts of the UK, is benefiting from the increased public investment that the Government are putting in. In addition to national investment, the regional development agency, One NorthEast, is investing £15 million this year and £24 million next year directly in the Tees valley.

Vera Baird: I am grateful for that answer, although my question was clearly not as transparent as it should have been. I wanted to hear a comment about the Lyons inquiry, which favours the dispersal of eivil service jobs to the regions on the presumed business case that that would be less expensive than if the jobs were in London. The Chancellor has spoken about dispersing 20,000 jobs in that way, but if the business case shows that more can go, can that number be merely a minimum so that more can follow, and can the Tees valley, with its adaptable work force and the lowest commercial property prices in the UK, go on the list of potential recipients?

John Healey: I pay tribute to how consistently my hon. and learned Friend has pursued that case. I spoke at her regional chamber of commerce in the Tees valley last month and there is great interest in, and commitment to, the Tees valley partnership bid for the relocation of civil service jobs. I confirm that Sir Michael Lyons made it clear that it was not his intention to dictate the public sector functions that should be relocated or where there should be relocation to. I confirm that relocations should be based on business proposals that Departments are preparing as part of the spending review process. I also confirm what my right hon. Friend the Chancellor has made clear: we are looking at the relocation of at least 20,000 London-based civil service jobs to the regions.

Chris Grayling (Epsom and Ewell) *rose—*

Mr. Speaker: Order. The hon. Gentleman's constituency is quite a distance from the Tees valley.

Euro

7. **Mr. George Osborne** (Tatton): How many events he has attended as part of the Government's euro information campaign launched in June. [132062]

The Financial Secretary to the Treasury (Ruth Kelly): Ministers, including my right hon. Friend the Chancellor, have held a variety of meetings to discuss the euro in England, Scotland, Wales and Northern Ireland. In addition, Treasury officials have held more than 150 meetings with opinion formers in Britain and Europe since the Chancellor's statement on 9 June.

Mr. Osborne: I am glad to see that the Minister now keeps the Chancellor's diary. She will know, as everyone knows, that the Chancellor of the Exchequer won his battle with the Prime Minister and that there will not be a euro referendum before the general election. Does she think that the Chancellor could be more magnanimous in victory and go along with the charade of the roadshow, at least to save the Prime Minister's face?

Ruth Kelly: I feel, perhaps, that I need to reassure the hon. Gentleman, who takes a great interest in these matters. The euro has, indeed, been discussed at every level in the Treasury. I emphasise again that more than 150 meetings have been held throughout Europe and throughout Britain—in every country in Britain.

Mr. Barry Sheerman (Huddersfield): Does my hon. Friend agree that the preparation for the euro is no joking matter? It is a serious enterprise that affects the whole of our economy and our future. Would she comment on the fact not only that we need a euro information campaign throughout the country, but that it would be nice if the official Opposition joined the cross-party group on the euro?

Ruth Kelly: My hon. Friend makes an important point. We have a euro preparations committee, which is open to parties across the House, and there is one political party that refuses to join.

Mr. Osborne: Are you a member?

Ruth Kelly: Of course I am. The Government have the right policy—to prepare and decide. That is what we will do. The Tory policy is to deprive the British people of the opportunity to join, whether or not it is in the national economic interest to do so. They say "No, never," dogmatically. Ours is the commonsense position—prepare and decide.

Mr. Peter Lilley (Hitchin and Harpenden): Can the Minister confirm that if any country that is already a

member of the euro were to apply the five tests that the Chancellor applies and find that the euro was not in its national interest, as would appear to be the case from some of the statistics that he has given, there is absolutely nothing that that country could do about it? In the course of the Minister's education campaign, does she spell out the fact that membership is irrevocable?

Ruth Kelly: We have, of course, emphasised the strategic importance of decisions on the euro, which is why we are committed to a triple lock on the euro decision—a vote in Cabinet, a vote in Parliament and a referendum of the British people. The quality of the analysis that the Treasury undertook in its assessment of the five national economic tests to see whether it is in Britain's national interest to join was widely commended throughout Europe whenever it was presented.

John Cryer (Hornchurch): Can my hon. Friend remind the House of who signed us up to the charter of economic euro-fundamentalism in the first place?

Ruth Kelly: My hon. Friend is, I think, referring to the Maastricht treaty. It is clear to everyone in the House who signed the Maastricht treaty. [HON. MEMBERS: "We had an opt-out."] We have the correct policy on the euro. If it is in our national British economic interest to join, we shall do so.

Mr. Michael Howard (Folkestone and Hythe): I hope that when the Minister next comes to the Dispatch Box, she will answer the question put to her by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley). Perhaps she can tell us, too, whether all the internal discussions in the Treasury to which she referred were included in the diary items that she listed in her first response. Is it not the case that the Prime Minister told the House that as part of the roadshow, there have been 60 visits from Foreign Office Ministers, but No. 10 said that none involved him and that none was planned; the Treasury said there were too many events to list but that they had all been low-key, that there was no specific start date and that it could not identify any of them; the Foreign Office said the events had not even started, and the Minister for Europe said that it was never meant to be a literal roadshow—it was all just a figure of speech? Have not these conflicting statements on the roadshow degenerated into total farce, and is it not impossible for the Minister to clear the matter up, whatever she says?

Ruth Kelly: I find it extraordinary that the right hon. and learned Gentleman can talk about the diary commitments of Treasury Ministers, when I have made it plain to the House that my right hon. Friend the Chancellor has had meetings with business leaders, industry and unions. He has been discussing the euro, and Treasury officials have had well over 150 meetings across the country and across Europe.

Dr. Phyllis Starkey (Milton Keynes, South-West): Given the indications that, since the introduction of the euro, trade between countries within the eurozone has increased, is it not even more important that British businesses be well informed about the euro and its consequences for them, if we are to maintain our share of European markets and the jobs in Britain that depend on then?

Ruth Kelly: My hon. Friend makes an important point. British trade has increased, which is why the impact on investment, foreign investment, jobs and prosperity are key to our assessment of the five economic tests. It is also why we have a euro information campaign, and why we have set up standing committees not only in England, but in Scotland, Wales and Northern Ireland, so that business, industry, the unions and all other key stakeholders in the process will be fully engaged and informed, as necessary.

Consumer Prices Index

9. **Mr. Bill Wiggin** (Leominster): When the harmonised index of consumer prices measure of inflation has been below 1 per cent. since January 2000; and if he will make a statement. [132064]

The Economic Secretary to the Treasury (John Healey): The HICP inflation figures are published monthly by the Office for National Statistics. As my right hon. Friend the Chancellor said in the summer in this House, that measure gives a more complete picture of spending patterns by all consumers. It is the most comparable measure internationally, and it is used by our European neighbours. That is why, subject to confirmation at the pre-Budget report, he intends to change the inflation target to the consumer prices definition.

Mr. Wiggin: Will the Governor of the Bank of England be writing letters, given that the new index—known as HICP, or hiccup—has fallen below the 2 per cent. target several dozen times? Will not that contribute to a significant imbalance in the stability of our monetary policy?

John Healey: On the contrary, last month the Governor of the Bank of England confirmed to the Select Committee on the Treasury that a change in target is not likely to be a big factor in setting monetary policy and that HICP is a better measure of inflation than RPIX. That is why my right hon. Friend the Chancellor has said that, subject to confirmation at the pre-Budget report, he intends to change the inflation target to that measure.

Mr. James Plaskitt (Warwick and Leamington): The Minister knows that as a rule the harmonised prices index runs 1 per cent. lower than RPIX. The Chancellor has indicated that were it to be introduced, benefits would remain tied to RPIX. Would my hon. Friend expect it to become the benchmark for wage settlements?

John Healey: Both the Treasury and the Bank of England have confirmed that the estimate of long-term divergence is 0.5 per cent., not 1 per cent. As my right hon. Friend the Chancellor has made clear, the index is a better measure for the conduct of monetary policy and the decisions that hang from it. Pensions, index-linked

gilts and benefits will remain tied to the current measure of inflation, so pensioners should have no fear that they will lose out.

Mr. Michael Howard (Folkestone and Hythe): But is not this change bedevilled by confusion? Were Treasury sources right when they suggested that implementation might be delayed until the Budget or that alternative options might be considered, including delaying implementation for two years or trying to run the two systems in parallel for a while? Can the Minister confirm that the HICP index is likely to be revised? Has not this ill considered change thrown monetary policy into wholly unnecessary confusion and uncertainty?

John Healey: I have no idea what the right hon. and learned Gentleman is talking about. His remarks are based not on fact, but on pure imagination. The principal change to the HICP index was made in 1996. As I said to the hon. Member for Leominster (Mr. Wiggin), this series of figures has been published monthly by the Office for National Statistics: I suggest that the right hon. and learned Gentleman consult it.

Mr. Howard: I remind the Minister that the Governor of the Bank of England suggested that changing the target in this way is comparable to David Beckham taking a shot on goal only to see that someone has moved the goalposts. Does he agree with the Governor's view that leaving out housing costs would be "strange"—that is his word—and might confuse people? The fact is that this change has absolutely nothing to do with the economic needs of the country: it stems from the shabby compromise cobbled together by the Chancellor and the Prime Minister on the euro. Is not monetary stability being put at risk as a result?

John Healey: I suspect that David Beckham would have welcomed somebody moving the goalposts when he was taking his penalty kick against Turkey last Saturday. If the right hon. and learned Gentleman consults the minutes of the Treasury Committee hearing with the Governor of the Bank of England, he will see that he confirmed that a change in target is not likely to be a big factor in setting monetary policy and that the index is a better measure for targeting inflation and for conducting monetary policy. That is why my right hon. Friend the Chancellor has said that, subject to confirmation at the pre-Budget report, he intends to move to that measure.

Low-income Families

10. **Mr. Bill O'Brien** (Normanton): What recent measures he has taken to support families on low incomes; and if he will make a statement. [132065]

The Paymaster General (Dawn Primarolo): In April, the Government introduced the working and child tax credits. They build on the success of the working families tax credit and are additional to the real terms increases in child benefit. More than 5.8 million households are already benefiting from the new tax credits, and more than 90 per cent. of the families are expected to benefit in 2003–04.

As a result of these and other measures introduced since 1997, families with children in the poorest fifth of the population are on average nearly £50 a week better off in real terms.

Mr. O'Brien: I thank my right hon. Friend for her reply and congratulate her and her colleagues in the Treasury on their splendid work in helping low income families. Is she aware of an anomaly that applies to the Child Support Agency? When an absent parent starts a second family and receives family tax credit, it is considered as income whereas when the parent with care receives it, it is considered as non-income. Different principles apply to the two examples. Will she have a word with her colleagues in the Department for Work and Pensions to erase the anomaly of an uneven application of family tax credit to those on low incomes?

Dawn Primarolo: If I understand my hon. Friend's point correctly, I must tell him that there is no anomaly in the application of the rules. Parents are responsible for their children under CSA rules, which also provide for payment to be made. Tax credit legislation will not cut across that principle. Responsibility would be diminished if the tax credits compensated for parents paying for it. I shall check the record to ensure that I understood my hon. Friend's point properly. However, it is intended that the tax credits should not cut across parents' responsibility to support their children, as determined by the CSA.

Mr. Peter Luff (Mid-Worcestershire): How does it help families on low incomes to rig the local government financial settlement in such a way as to force county councils such as Worcestershire's to do the Chancellor's dirty work and impose massive stealth taxes through unacceptable increases in council tax?

Dawn Primarolo: As the hon. Gentleman knows, since 1997, when the Government took office, the real terms increase for every council has been greater—some 25 per cent., compared with a decrease of 7 per cent. in the last few years of the Conservative Government. He well knows that the Government's record in supporting the poorest families, for example, through support for child care and ensuring that lone parents can return to work, has contributed to the lives of people in his constituency. The shame is that the Conservative party wants to take all that away.

Insurance Premiums

11. **Lawrie Quinn** (Scarborough and Whitby): If he will make a statement on the impact of insurance premium levels on the service sector of the economy. [132066]

The Financial Secretary to the Treasury (Ruth Kelly): I am aware that increases in insurance premiums in the past few years have had an impact on many sectors of the economy, including the service sector.

Lawrie Quinn: My hon. Friend knows that three quarters of the British work force work in the service sector. Does she share my concern that employers' liability insurance is due for much needed reform? Given that the relevant legislation was enacted in 1969, is not it time that she encouraged her colleagues in the Department for Work and Pensions to consider the important subject of insurance?

Ruth Kelly: I know that my hon. Friend takes a great interest in employers' liability insurance. Indeed, he tabled a ten-minute Bill on the matter. Surveys show the importance of developing enforcement procedures to ensure that everybody has compulsory employers' liability insurance in place. We are therefore determined, as part of our review of employers' liability insurance, to develop a comprehensive database to ensure that we have full records of firms' procedures. We are also reviewing the current fines system to ascertain whether legislation or regulation is needed.

Chris Grayling (Epsom and Ewell): Is the Minister aware that the situation in regard to employers' liability insurance will be made worse by the Government's latest stealth tax, in the Health and Social Care (Community Health and Standards) Bill, which will allow charging to take place for health care when it is related to a court settlement? Will the Minister work with her colleagues in the Department of Health to ensure that the implementation of this measure does not have the effect—which it could have—of further increasing employers' liability insurance and forcing more businesses closer to the wall?

Ruth Kelly: The hon. Gentleman will be aware that any system of employers' liability insurance needs to be fair to all parties—to employers, to insurers and, of course, to employees who are injured as a result of an employer's negligence. We are aware of the pressure on the system, which is why we have commissioned this wide-ranging review, and it has already come up with many concrete proposals that are improving the situation. We must also ensure that, in future, all legislation is carefully scrutinised to maintain the pressures on the system at a minimum.

Government Investment

12. **Rob Marris** (Wolverhampton, South-West): If he will make a statement on planned levels of central Government capital investment in Wolverhampton, South-West in 2003–04. [132067]

The Chief Secretary to the Treasury (Mr. Paul Boateng): Wolverhampton will benefit from its share of total capital spending by central Government of some £25.2 billion in 2003–04. Investment decisions made by central Departments and regional agencies will be made in accordance with local priorities and the needs of the people of Wolverhampton.

Rob Marris: I am grateful to my right hon. Friend for that answer and for the capital investment that is coming into my constituency to address 18 years of under-investment in capital projects in the 1980s and 1990s. An example of that under-investment is a school about a mile from where I live, which has a flat roof. So much water was standing on that roof that ducks were living on it. Will my right hon. Friend give an indication of what the effect on constituencies such as mine would be if the Conservatives' policy of 20 per cent. cuts were to be put into effect?

Mr. Speaker: Order. That is not the responsibility of the Minister.

Millennium Development Targets

13. **Ms Meg Munn** (Sheffield, Heeley): What recent discussions he has had with African Finance Ministers on debt and the millennium development targets. [132068]

The Chancellor of the Exchequer (Mr. Gordon Brown): I have in the last month had meetings with African Finance Ministers in which we promised them that, in return for reform and tackling corruption, the international finance facility could help to ease their debt burden and raise extra billions a year for Africa. The needs of Africa will be at the centre of the UK's G7 presidency in 2005.

Ms Munn: I thank my right hon. Friend for his answer. Did he discuss the millennium development goal of all children having a primary education, and does he agree that that is an important factor for developing countries? The Government have given priority to education in this country, and if developing countries are to have a long-term future the education of their populations is enormously important.

Mr. Brown: I am grateful to my hon. Friend and I thank her for the work that she does in this area. Throughout the world, 120 million children are not going to school today, and most of them are in Africa. A child in Africa has only a one in three chance of completing primary school education. That is why it is urgent that additional funds go to education, why we set up the Commonwealth education fund, why aid to Africa is now rising to £1 billion a year—bilateral aid from the UK Government—and why we need the additional resources that the international finance facility will provide to meet the millennium development goal that every child should have the chance of primary school education.

North Sea Oil and Gas

14. **Mr. Bob Blizzard** (Waveney): When he expects to complete the review of North sea oil and gas taxation. [132069]

The Paymaster General (Dawn Primarolo): The consultation on levels of exploration activity in the North sea, which considered whether there were any cost effective measures that could be taken to improve the situation, has now ended. Officials from the Treasury, the Inland Revenue and the Department of Trade and Industry have taken evidence from representatives across the industry which will be considered by a joint working group. The Government

will, of course, make announcements on this matter when the review of the items raised in the consultation is completed.

Mr. Blizzard: I thank my right hon. Friend for that answer. Does she accept that the oil and gas industry is a major source of employment in many coastal communities such as my constituency? We may be only halfway through our reserves of oil and gas, but what is left is harder to find and involves greater commercial risk. Very few exploration wells have been drilled in recent years. Will my right hon. Friend do everything possible in the review to ensure that a new era of exploration is stimulated to sustain the vital employment in those coastal communities?

Dawn Primarolo: I pay tribute to my hon. Friend, who has done a great deal, in the House and outside it, to raise the important issue of exploration, particularly in the difficult fields. He has also raised many points with my officials and me regarding the east of England economy. The review is looking precisely at this issue, and at whether further assistance can be given. I know that my hon. Friend understands that the Government are involved in a dialogue with the industry, and that he accepts that, before we commit taxpayers' money to further investments to assist the industry, we have to be sure that the return produces the type of results that he suggests. That is precisely what the consultation is addressing.

Business of the House

12.30 pm

Mr. Eric Forth (Bromley and Chislehurst): May I ask the part-time Leader of the House to give us next week's business?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 20 OCTOBER—Remaining stages of the Courts Bill *[Lords]*.

TUESDAY 21 OCTOBER—Second reading of the European Parliamentary and Local Elections (Pilots) Bill.

WEDNESDAY 22 OCTOBER—Opposition Day [19th Allotted Day]. There will be a debate entitled "The Need for a Judicial Inquiry on Iraq" on an Opposition motion.

THURSDAY 23 OCTOBER—A debate on Defence Procurement on a motion for the Adjournment of the House.

FRIDAY 24 OCTOBER—The House will not be sitting.

The provisional business for the following week will include:

MONDAY 27 OCTOBER—Opposition Day [20th Allotted Day]. There will be a debate on an Opposition motion. Subject to be announced.

The House will wish to know that the Standing Committee on the Intergovernmental Conference will meet on Monday 20 October at 5pm. Further meetings are scheduled for Monday 10 November and Monday 1 December. Members will also wish to know that at the time of next week's business statement I shall publish the calendar for the next Session.

I thought it would assist the House if I outlined the Government's intentions in relation to Lord Hutton's report. When the Government receive the report, we shall publish it to Parliament, and ministerial statements will be made by the Prime Minister and the Secretary of State for Constitutional Affairs. The Government will also ensure that both Houses have an opportunity to debate the report once Members have considered its content.

Mr. Forth: I am grateful to the part-time Leader of the House, but can he tell us why his prediction of business stops rather mysteriously on Monday week? Is the Government's business now in such complete chaos that the part-time Leader of the House cannot even look that far ahead? Perhaps he will give us an explanation. If he is able to give us the calendar for next year, why can he not give us the calendar for the week after next?

Has the part-time Leader of the House any plan to change his title to "part-time gaffer"? I say that because a recent headline stated "Hain fails to deliver anti-US speech". I would expect the part-time Leader of the House to want to grant himself a debate in the House, enabling him either to deliver the speeches that he failed to deliver or to tell us why he failed to deliver them. We do not really know his views on the United States, as was reported in the press. Perhaps he could tell us—although that would pre-empt the debate for which I am asking.

Who drafts the right hon. Gentleman's speeches? Does he read them before he releases them? Does the Foreign and Commonwealth Office block them? We need to know. [HON. MEMBERS: "Why?"] The right hon. Gentleman's parliamentary colleagues are not even interested in what he has to say, and I do not blame them.

Yesterday the hon. Member for Birmingham, Edgbaston (Ms Stuart) asked the Prime Minister whether he would

"share with the House his views on what kinds of qualities he will be looking for in those who he wishes to see appointed"

—to the House of Lords, that is. I thought that a very good, very fair and rather penetrating question, and so I think did the hon. Lady.

We were rewarded with what I consider to be one of the most revelatory things that the Prime Minister has said in a long time, which will return to haunt him. He replied:

"So far as Labour Members are concerned, my preference . . . would be for ones who would actually support the Government."—[*Official Report*, 15 October 2003; Vol. 411, c. 107.]

If that is not Tony's cronies, I do not know what is. The Prime Minister is saying that he would want to appoint to the House of Lords people who would support the Government. That carries forward to an extent that the Prime Minister may come to regret the debate on House of Lords reform. Therefore, I ask the gaffer: can he please give us an urgent debate on the House of Lords, opened by the Prime Minister, so that we can explore further what is in the Prime Minister's mind in terms of him wanting to appoint Labour cronies and stooges to the House of Lords?

Mr. Hain: Well, that was very enjoyable. May I first respond to the right hon. Gentleman's points on the additional information about business after Monday week? It is actually to help him and other right hon. and hon. Members that an advance day is given. Two weeks is not normally announced. Sometimes it is, but it is not an iron rule.

The right hon. Gentleman talks of chaos. They know all about chaos on the Conservative Benches. During the past couple of days I have been wandering around the corridors of the Commons doing my business as Leader of the House. Indeed, I had a very pleasant meeting with the right hon. Gentleman the other day as part of that business. I see little huddles of Conservative Members in need of counselling. Whenever I appear anywhere near them, their tones become hushed and they give me furtive looks. I think that there is a case for a psychological counsellor for hon. Members because there is serious chaos on the Conservative Benches.

I see from *The Times* that the ever loyal right hon. Gentleman has been overheard in the Tea Room

"loudly complaining that he resented being told when to get up to cheer the leader's speech last week."

Perhaps he can confirm whether he has had a career development interview with the Whips—indeed, he would not dare—or whether he is one of those condemned by his leader in an interview in *The Spectator* as being one of the

"irreconcilable malcontents, the acolytes of former leadership contenders and their friends and allies in the media."

[Mr. Hain]

It would be very welcome if he confirmed that.

On the question of the United States of America, the media spin that is around is absolutely amazing. If the right hon. Gentleman wants to know my views on the relationship between Britain and the United States or indeed between the European Union and the United States, they are well recorded and I am happy to repeat them now. I believe that it is vital that Europe has a positive partnership with the United States and with the Administration in Washington. It is crucial for the stability of the world. Indeed, it is one of the reasons why I have been completely behind the Prime Minister's recent policies in respect of Iraq and in respect of the alliance with the United States on a number of issues confronting us, including world terrorism. That is my view. It has been my view consistently and the right hon. Gentleman should listen to what I say instead of following the media spin.

The right hon. Gentleman asked about Lords appointments. Does he not realise that the Labour party has only 28 per cent. of the vote in the House of Lords? Does he really think that that is fair when we have won two landslide majorities? We have fewer than one in three of the votes in the House of Lords. Eighty-nine of the 92 hereditary peers are Conservatives. Therefore, it is important that we address the question of getting a much more representative House of Lords. In that way, the two Chambers can work together in a much more constructive fashion for the future of the people.

Mr. Gerald Kaufman (Manchester, Gorton): Will my right hon. Friend provide time on an early occasion for a debate in the House on the Israeli plan to build a wall, which will split Bethlehem, prevent access to holy shrines sacred to the Christian, Muslim and Jewish religions, hinder access to the Church of the Nativity and ruin tourism and agriculture in Bethlehem? This matter needs urgent consideration, and I should be grateful if my right hon. Friend would arrange a debate on it.

Mr. Hain: I very much agree with the sentiments expressed by my right hon. Friend. The wall is very ill-judged and is completely contrary to international opinion. It will not promote the very reconciliation between Palestinians and Israelis that would give the state of Israel the security that it needs and desperately craves, after attacks from suicide bombers; nor will it give the Palestinians their own independent state. Working together in symmetry and synergy is the objective, and the wall that divides them is very ill-advised. We will consider whether we can find time for an early debate, although I should point out that the Foreign Secretary has been ready to make statements to, and make himself accountable to, the House on middle east policy.

Mr. Paul Tyler (North Cornwall): My colleagues and I entirely endorse the point made by the right hon. Member for Manchester, Gorton (Mr. Kaufman). On the question of the Lords, was not the Prime Minister's statement completely contrary to Government Front Benchers' claim that the steps intended will take away from No. 10 direct involvement in future membership of the House of Lords? This claim to greater independence for so-called "democratic appointment" is clearly nonsense, and I hope that the Leader of the House will stick to his own view that the only way to make that place more representative and democratic is to have a strong element of elected membership.

We, too, are disappointed that we are not being given details of the business for the week beyond next. As we understand it, one of the various motions for debate will relate to the payment of Chairs of Select Committees, and I ask the Leader of the House to confirm that that is his intention. Will he also confirm that we will be permitted a wide-ranging debate that will look at the context of that proposal? It is surely important that we think very carefully about career paths other than just Select Committees. For example, there are not many enthusiastic recruits for the Chairman's Panel, and if the purpose is to provide incentives, surely the Chairman's Panel is just as important as Select Committees. Indeed, I wonder whether the right hon. Member for Bromley and Chislehurst (Mr. Forth) agrees that the same point applies to membership of the House of Commons Commission. Also, will there be a limit on the term for Select Committee Chairmen? The strong recommendation was made that a deal should be struck, whereby if new patronage is given to Whips on both sides to nominate Select Committee Chairmen, they should be allowed to do so for a limited period only.

Should we not also look at the value for money that the taxpayer is getting for existing salaries paid to Members of this House who are not Ministers? For example, in the current year, the Conservative Chief Whip is receiving an additional £37,055, presumably to give him the extra expertise to undertake the career development interviews of which we are all aware. *[Interruption.]* I hope that hon. Members are listening carefully. In addition to his salary, the leader of the Conservative party is getting £65,482 per year, which is very doubtful in terms of value for money. His office—this may be particularly relevant—is getting £548,101 for its running, plus £83,784 for travel.

It so happens that the leader of the Conservative party is visiting my constituency today, so there is nothing personal in this. Indeed, I am delighted that he is there: after one of his predecessors visited North Cornwall, my majority went up from just under 2,000 to just under 14,000. So I hope that the current Conservative leader is having a very happy day with my constituents, but on a serious point, in the context of the burden on the taxpayer that the Conservatives are always going on about, and their opposition to the state funding of political parties, this is nonsense and complete hypocrisy. May we have a general debate on this issue?

Mr. Hain: May I congratulate the hon. Gentleman in that, after the night of the long knives for Liberal Democrat Front Benchers—in which everybody else was reshuffled to the right—he, at least, has stayed true to his principles and kept his job? That is very good news for all of us.

As the hon. Gentleman well knows, I voted for a 100 per cent. elected House of Lords, and for other options that would still retain a significant elected membership. Unfortunately, there was no consensus in the House of Commons for any of those elected options.

Let me deal with the point on which the hon. Gentleman seeks to make mischief. The Prime Minister's comments should be viewed in the context of the Labour party's commitment in the manifesto on which it won the last election. Accordingly, non-party members in the House of Lords should be appointed by an independent commission—and I would have thought that the hon. Gentleman would welcome that, so that there could be no question of cronies.

As to the Senior Salaries Review Board report on the payment of Chairmen of Select Committees and other Committees, I intend to have a debate as early as possible so that consideration can be given to that matter. I also welcome the report published yesterday by the Chairman of the Standards and Privileges Committee. It is an excellent report that will provide us with a way through, and I am sure that the whole House will want to thank him for it. It is an important matter. The hon. Gentleman made valid points about parallel career paths and rewarding Members for taking on positions of seniority and responsibility, and we should view the debate in that context. I shall also lay before the House several other motions in respect of those issues.

The hon. Gentleman also mentioned the salary paid to the Tory Chief Whip. Let me come to his defence, because he has been very busy recently. If there were provision to claim overtime, I guess that he would have claimed it, so the hon. Gentleman should not knock him too hard. My heart is with the Opposition Chief Whip and all my energy is behind him. He should keep the Leader of the Conservative party in his position because he is doing a great job for the Labour party—and, indeed, for the Liberal Democrats. I am obviously in a charitable mood this afternoon.

The hon. Gentleman also referred to the salary of the Leader of the Opposition. As he knows, the current position has existed for a long time. The hon. Gentleman's party aspires to be the main Opposition party, so is he telling me that his party would turn the salary down?

David Taylor (North-West Leicestershire): Government Members are well aware of the huge improvements in education that have taken place since 1997. Nevertheless, the redistribution formula now in operation has caused some serious difficulties. Surveys this week have highlighted the number of job losses in areas such as mine in Leicestershire. Last week, there was a conference in Lutterworth of the F40 group, which is still seeking significant reforms of the education finance formula. When the most recent figures on the guaranteed formulas that will increase school funding are made available later in 2003, can we have a full-scale parliamentary debate, which would enable us to examine the implications of the improvements planned by the Secretary of State for Education and Skills?

Mr. Hain: I am aware of the difficulties in my hon. Friend's constituency of North-West Leicestershire. As he implied, the difficulties there and elsewhere are being dealt with by the Secretary of State—and, indeed, by the Deputy Prime Minister. I am sure that my hon. Friend would not want anyone to forget that, despite those difficulties, we have seen record investment in our schools. The House should be reminded that record investment in schools and education has taken place right across the country and I am sure that the difficulties can be resolved.

Mr. Andrew Mitchell (Sutton Coldfield): May I draw the attention of the Leader of the House to an important article which appears today in a journal of repute and is written by one of Britain's best-informed journalists, Trevor Kavanagh? He says:

"Tony Blair is preparing for a dramatic U-turn over a referendum on the new EU Constitution, it emerged last night."

That is extremely good news. Can the Leader of the House arrange a statement or a debate next week so that the Prime Minister can explain the good news that he is now embracing Conservative policy?

Mr. Hain: No, I cannot. The Prime Minister confirmed what he has consistently told the House and what appeared in *The Times* on 13 October—that he categorically rules out holding a referendum on the EU constitution. [HON. MEMBERS: "Why?"] Because of the status of constitutional treaties ever since, under a Labour Government, we had a referendum to confirm our membership of the EU. If we decide that joining the euro is in Britain's economic interests, we shall, again under a Labour Government, have another referendum. Constitutional treaties are best negotiated by the sovereign source of authority in this country—the House of Commons and Parliament at large. Every constitutional treaty during the past 30 or so years of our membership of the EU has been dealt with in that way. As for the remarks attributed to Sir Stephen Wall—the European policy adviser to the Prime Minister—in the article, I am advised that they do not reflect his views in any shape or form. The position remains the one that the Prime Minister has set out on many occasions, including to this House.

Joan Ruddock (Lewisham, Deptford): Is my right hon. Friend aware that the publication of the findings of the farm-scale trials today indicates that two genetically modified crops and their treatments were found to be harmful to wildlife and that the third looks good only because it is compared with a conventional crop treated with a chemical that is likely soon to be banned? Given that that follows a science review that was inconclusive, a cost-benefit report that found no economic case and the wholly hostile public debate on the matter, is it not time that the issue of the commercialisation of GM crops is debated in this Chamber? Will he use his best offices to see that this is done as soon as possible?

Mr. Hain: I acknowledge the expert interest and attention that my hon. Friend has given to this issue, which is welcome. She referred to the publication of the farm-scale evaluations and the achievement that that presents. It is the biggest ecological study ever undertaken of the effect of any farming practice and the Government should be commended for having such an independent study. We need some time to consider the matter, but I will certainly consider seriously her request for such a debate.

Mr. John Horam (Orpington): Will the Leader of the House consider seriously allocating time to a debate on the Government's policies on transport? He will have

[Mr. John Horam]

seen the excellent report produced by the Transport Committee this week, which pointed out that overcrowding, especially in the London commuter area, is seriously damaging commuters' health. The companies in question are also underestimating, in the statistics they publish, the true extent of overcrowding, which we have long suspected. The regulator is in discussions with the Secretary of State for Transport about allocating a further £1.5 billion to railway maintenance, and we also need to know more about that.

Mr. Hain: I am aware of the Committee's report and it needs to be studied carefully. Nobody is in any doubt that improvements are needed in our transport system. The difference between what the Labour Government are doing and what was done under the Conservatives is that whereas they cut support for railways, buses and public transport in general, so that we inherited a dreadful legacy—as everybody knows—of a bodged rail privatisation programme, we are investing £180 billion, in a 10-year plan to improve our transport system. Some 1,500 new trains have come into service since we were elected and rail passenger journeys have risen by 20 per cent. since 1997. We are seeing increasing use of our rail services, but the quality of life for rail travellers needs to be improved, as any of us who have used the underground or main line rail services know.

David Winnick (Walsall, North): Will there be an opportunity to discuss in the House the proposed state identity card scheme? If the Cabinet discusses the matter, I hope that the House will also be able to do so. Any such debate should be before the Queen's Speech, just in case any such proposal were included in it. I would have no difficulty in collecting many more than 25 signatures from the parliamentary party opposing any such scheme.

Mr. Hain: There are strong feelings on both sides about this issue and it is a matter that the Government are considering and debating. The issues are complex—

Mr. John Bercow (Buckingham): What is your view?

Mr. Hain: If the hon. Gentleman gives me a moment, I shall tell him. Virtually all of us carry ID of some kind around with us. The development of driving licences and passports points in the direction of an identity card, and any such scheme should be considered in that context, including the issue of biometric data. As to whether it should be compulsory and how it should be funded, the Home Secretary and the Cabinet are considering those issues and will continue to do so. If there is an opportunity to consult the House on the matter, we will of course do so.

Sir George Young (North-West Hampshire): I am grateful to the Leader of the House for his kind remarks about my Committee's latest report. When will we have a date for the pre-Budget statement? It is normally in early November, but it is not even on the horizon at the moment. Why has it been delayed? When we have the statement, may we then have a debate in Government time on the economy?

Mr. Hain: I am discussing with my right hon. Friend the Chancellor of the Exchequer the timing of the pre-Budget statement. Of course, the Queen's Speech is late this year and the statement needs to be sequenced around that. As soon as I am in a position to give the right hon. Gentleman and the House notice of the statement, I shall do so.

Mr. Clive Betts (Sheffield, Attercliffe): I am sure that my right hon. Friend is aware of the excellent legislation that the House recently passed to restrict the sale and use of fireworks. At a meeting in Tinsley in my constituency the other night, more than 100 people complained about the continuing misuse of fireworks, especially the large airbombs, which are little more than dangerous explosives. Will my right hon. Friend therefore ensure that the regulations to implement the legislation are introduced to the House as quickly as possible before—as Superintendent Brennan said to me the other night—someone is killed? We need to ban the sale and use of such fireworks as soon as we can.

Mr. Hain: I welcome my hon. Friend's intervention and I will ensure that the Secretary of State for Trade and Industry is made aware of it. As he knows, the Fireworks Act 2003 has now been enacted, but the regulations need to be introduced. I have experience of the concerns of many of my constituents about the problem. Some of the modern fireworks are extremely powerful and noisy, and they can frighten people. We need to get a grip on the problem.

Mr. Alex Salmond (Banff and Buchan): In the debate next week on the independent judicial inquiry into the causes of war with Iraq, will the Prime Minister open for the Government? If we take, for example, the charges by the right hon. Member for Livingston (Mr. Cook), a former Leader of the House, that the Prime Minister was aware, at the point of going to war, that Iraq did not present an immediate strategic threat, only the Prime Minister can tell us whether that is true. If the Prime Minister is not prepared to submit himself to an independent judicial inquiry, surely he has an obligation to submit himself to parliamentary scrutiny, so we can find out whether he is telling the truth.

Mr. Hain: The Prime Minister has submitted himself to parliamentary scrutiny and been accountable to this House, including to the right hon. Gentleman, more consistently than any Prime Minister on any previous issue of military intervention abroad. That point is simply nonsense. As for the future, the Hutton inquiry is deliberating at the moment and will report in due course. I have also just announced that we will have a statement immediately following its publication and I would have thought that that would be the proper opportunity. In respect of what my predecessor said in his book, the Prime Minister has categorically refuted that version and the right hon. Gentleman should respect that.

Alan Simpson (Nottingham, South): May I press the case for a statement on GM crop trial results that have

been published today and for an opportunity for the House to debate and vote on the question of commercialisation of GM crops? Given that of the three trials two were disadvantageous to the case for GM crops and the other, on maize, was invalidated because of its dependence on a carcinogenic herbicide, and given that the public do not want to eat GM crops, the farmers do not want to grow them and supermarkets do not want to sell them, is not it time that Parliament had the opportunity to take the side of those who are campaigning for safe food supply rather than the corporations who seek to take ownership of the food chain?

Mr. Hain: As I said a moment ago, it is important that the Government and the House have a chance to study the findings of this thorough investigation. I am very sympathetic to the idea of a debate on the matter, about which there is much concern, both inside the House and outside it. A debate at some point in the future will be much more informed as a result of this investigation.

Mr. John Bercow (Buckingham): Will the Leader of the House use his prerogative to arrange a debate on taxation in which he can take part? The Government have been busy plundering the pockets of the people for the past six and a half years, but the input of higher taxation has not been matched by the output of improved public services. Would not such a debate allow us to discover whether the Leader of the House still believes that higher taxes are the answer, or whether he now understands, after six and a half years, that without real reform in the method of delivering public services the Government will continue to betray the patients, parents and passengers of this country, as they have done consistently?

Mr. Hain: I shall respond to the hon. Gentleman's questions about taxation in a moment, but he mentioned patients. His party's policy is to rob the NHS of £2 billion and to allow patients with the ability to top up the cost of operations to steal money from the NHS. Nurses, doctors and consultants would be sacked in the process, and the money would be diverted into private hospitals. That is a very dangerous policy for this country's patients. The Government put an extra 1p on national insurance contributions—the increment applied right up the income scale, and was not cut off at the normal level—to raise £8 billion for investment in the NHS, education and the public services generally. The Opposition are committed to cutting investment by 20 per cent. We have introduced a fair tax system. If there is an opportunity to discuss our tax policies—in an Opposition day debate, or in a debate that we might call for that purpose—we will defend our low, 10p, starting-rate tax for the very lowest taxpayers. We will also defend the way in which we have brought down the basic rate of tax, and the way in which we have introduced an even fairer tax system through tax credits. That compares with the unfair tax system and the continuous rises imposed by the previous Tory Government.

Helen Jones (Warrington, North): Given the continuing concern about obesity and poor diet among young children, and the predominance of fat and sugar in their diets, will my right hon. Friend arrange for a debate on school meals provision and the role that it plays in promoting good health and healthy eating among young people? Does he accept that serving cheap and poor-quality food to young children may appear to save money, but it has long-term high costs in terms of poor health and educational attainment? Does he agree that the House should have the chance to debate the matter, so that we can have a proper, joined-up policy on this issue?

Mr. Hain: I hope that there will be an opportunity to discuss the matter, and remind my hon. Friend that she can apply for a debate on it. I agree that the matter of school diets and the food that youngsters eat in general is very important. We are what we eat. We are as healthy—or unhealthy—as the food that we take in. It is important to address this matter. My hon. Friend's intervention, and the Government's approach, will help that to happen.

Mr. David Heath (Somerton and Frome): Will the Leader of the House arrange for an urgent debate on the parlous state of the diary farming industry? Many farmers are finding it almost impossible to carry on their businesses because of the unsustainably low price of milk. The only people to benefit are the owners of the large supermarkets. Farmers in my constituency believe that the Government do not care and that Parliament has lost interest: will the right hon. Gentleman prove them wrong?

Mr. Hain: The idea that the Government do not care about farming or rural areas is defied by the facts. We have invested much more support for rural communities than any previous Government. However, in respect of the hon. Gentleman's specific request, I shall certainly draw the matter to the attention of my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs.

Mr. Dennis Skinner (Bolsover): Will my right hon. Friend look into the question of the transfer of housing stock by some local authorities? Perhaps he can give me an off-the-cuff answer today. If an authority decides, as a matter of principle, to retain its council houses rather than sell them off, surely it should not be penalised financially?

Mr. Hain: I am with my hon. Friend in spirit on this matter, as I always am. One of the difficult problems inherited by this Government was the relatively small amount of social housing as a result of the policies pursued by the previous Conservative Government. We have endorsed the important right of people to buy their council houses, but my hon. Friend raises an important point, and I shall ensure that my right hon. Friend the Deputy Prime Minister is made aware of it.

Mr. Graham Brady (Altrincham and Sale, West): My constituent Mr. Peach faxed me this morning to say that police last night apparently visited the Bull's Head pub in Mobberley. They were not looking for drugs or guns, but wanted to inform patrons that it would in future be illegal to hold traditional music sessions there. Can we have an urgent debate or statement next week on the implementation of the new music licensing regime?

[Mr. Graham Brady]

When the new licensing legislation was being considered, Ministers assured the House that there would not be absurd and excessive regulation in its implementation, but there are worrying signs that the absurdities that we feared are taking place. If that is happening, we need a debate to stop it going any further.

Mr. Hain: The Government are not in favour of absurd regulations on this matter. The hon. Gentleman knows that the issue was carefully and thoroughly debated in Standing Committee. However, I shall certainly refer the episode that he describes to my right hon. Friend the Secretary of State for Culture, Media and Sport. I have no reason to doubt that the facts are as he described, so it is obviously a matter for concern.

Mr. Harry Barnes (North-East Derbyshire): My hon. Friend and constituency neighbour the hon. Member for Sheffield, Attercliffe (Mr. Betts) asked about fireworks abuse and said that the Fireworks Act 2003 needs to be implemented. That might take a while, but the Department of Trade and Industry can still stress that the existing law allows the police, environmental health and trading standards officers, and bodies such as the Royal Society for the Prevention of Cruelty to Animals to act. Those official organisations should not argue that they must wait for the new legislation to be implemented before they can do anything. They should be proactive and co-ordinate their activities. We are waiting for a statement on the matter from the Department, but does my right hon. Friend agree that it would be useful if it were to make an earlier statement to the effect that that is how those bodies ought to act?

Mr. Hain: My hon. Friend makes a powerful and convincing point, which I shall draw to the attention of my right hon. Friend the Secretary of State for Trade and Industry. I know that she is as concerned as any hon. Member about how the problem has escalated.

Mr. Paul Goodman (Wycombe): May we have an urgent debate on the euro to clear up confusion about an incident reported by the right hon. Member for Livingston (Mr. Cook), the former Leader of the House, in his memoirs? An extract from those memoirs carried by *The Sunday Times* stated that the Prime Minister laughed and said:

"'Even the Treasury officials can't find out what's going on over the economic assessment, never mind us here at No. 10'".

Can the Leader of the House clear up the confusion?

Mr. Hain: There is no confusion. The conclusion of the economic assessment was announced on 9 June. My right hon. Friend the Chancellor of the Exchequer came to the House burdened by 20 studies of the matter in the end. Along with other Cabinet Ministers, I had to read them all. It was the most thorough economic assessment of the euro ever undertaken by this or any other Government. I do not understand how it can be claimed that there was confusion over the matter. The process was completely transparent, very detailed and very thorough.

John McDonnell (Hayes and Harlington): The Government still intend to publish the White Paper on airport capacity before Christmas, but some malevolent forces are suggesting that there might not be adequate time for debate. Will my right hon. Friend assure me that the House will be informed of the Government's proposals first and before all others, and that there will be adequate time for debate and for questioning my right hon. Friend the Secretary of State for Transport on the proposals?

Mr. Hain: First, I acknowledge that my hon. Friend has a direct constituency interest in this matter in respect of Heathrow. However, I am sure that my right hon. Friend the Secretary of State for Transport will want to inform the House about these important matters first, and that he will want to be questioned by and accountable to the House on this important matter. I am sure that my hon. Friend will have the opportunity to express his constituents' views in those discussions.

Jim Sheridan (West Renfrewshire): My right hon. Friend may be aware of early-day motion 1731.

[That this House congratulates the Scottish Sunday Herald in exposing the so-called dead peasants insurance scheme where employers can take out life insurance for their employees without their knowledge or consent and then cash in this policy when the employee dies; and calls on the Government to introduce effective legislation to outlaw this dishonest practice.]

I seek an assurance from my right hon. Friend that he will use his extensive influence with the appropriate Minister to carry out an inquiry into the extent of that bad practice and, if necessary, implement effective legislation that will protect British workers from it.

Mr. Hain: Obviously, my hon. Friend has raised an issue that deserves consideration and I will certainly ensure that my right hon. Friend the Secretary of State for Trade and Industry considers it.

Kevin Brennan (Cardiff, West): On the new 118 directory inquiries, has my right hon. Friend, like me, had occasion to use one of those so-called services only to be told that he can be put through to the number without being informed that there is a charge for that part of the service? Is that not a complete rip-off? Is it not an example of public service where the choice is not necessarily better for the consumer? The only winners in this case seem to be rip-off telecommunications companies, advertising agencies and, perhaps, if he wins his case, David Bedford the superannuated long distance runner.

Mr. Hain: Obviously, that matter has excited a great deal of concern in my hon. Friend and others. We will need to look into it.

Mr. David Drew (Stroud): Further to the matter raised by my hon. Friend the Member for Bolsover (Mr. Skinner), Stroud district council is engaged in a ballot on large-scale voluntary transfers, which I oppose. Despite the huge sums of money that are being put in by those who are encouraging the sell-off, the group in charge—it is not a Labour group, I am pleased to say—has passed a protocol whereby all councillors are banned from putting out any information. Those councillors who do not agree have made their views

known and the Audit Commission has been brought in to decide whether they are meeting the terms of the protocol. That is an abuse of the role of the Audit Commission. Will my right hon. Friend talk to the Office of the Deputy Prime Minister to look at the way in which the ballots are taking place and, more particularly, into how the Audit Commission, which should have no role in this, is being used? Will he comment on that?

Mr. Hain: My hon. Friend has raised some serious matters. Having visited his constituency a few years ago with him, I know of his concern and also that of my hon. Friend the Member for Bolsover (Mr. Skinner). There is an opportunity to table questions to the Deputy Prime Minister today. Perhaps he might avail himself of that opportunity.

John Cryer (Hornchurch): Has my right hon. Friend seen early-day motion 1751 in my name and 10 hon. Friends"?

[That this House calls on the Government to bring the Royal Mail management into talks with the Communication Workers Union on the issue of London Weighting.]

It concerns the refusal of the Royal Mail management to come to the negotiating table to negotiate with the Communication Workers Union in the dispute over London weighting, which has led to the present strike. I was on the picket line in Hornchurch and Rainham this morning. May we have a debate or at least a statement on the dispute? That would enable the Secretary of State for Trade and Industry to tell us from the Dispatch Box why she has not as yet ordered the senior management of Royal Mail to go to the negotiating table and why she continues to allow senior managers to provoke the CWU and engage in a campaign that I think is aimed at eventually breaking the union, which represents employees who earn as little as £13,000 a year?

Mr. Hain: The Government do not want to see the union broken, if that is the objective of anyone concerned. It is important that post office workers—Royal Mail workers in particular—are properly represented and have a right to put their case, especially given the high living costs in London. I am sure that he will agree that the end result of the dispute must be a negotiated settlement—a fair settlement, but one that can be financed. We must continue to work for that.

David Cairns (Greenock and Inverclyde): Has my right hon. Friend had the opportunity to read the reported remarks of the Malaysian Prime Minister, Mahathir Mohamad, who yesterday called on Moslems to use brains as well as brawn to fight Jews who "rule the world". He is alleged to have said,

"The Europeans killed six million Jews out of 12 million. But today the Jews rule this world by proxy . . . They are already beginning to make mistakes. And they will make more mistakes. There may be windows of opportunity for us now and in the future. We must seize these opportunities".

Will my right hon. Friend join me in condemning those remarks as dangerous nonsense? Does it not highlight the need for an urgent debate on the rise in global anti-Semitism. The last time that we witnessed a rise on this scale it had disastrous consequences.

Mr. Hain: Like my hon. Friend I cannot understand how that statement came to be made. We should all focus on getting greater understanding and reconciliation between all faiths, especially between Jews and Moslems who live side by side in the middle east. Their future is in coming together as a community rather than being divided. Such statements do not help.

Mr. David Chaytor (Bury, North): The Leader of the House will know that today in the north of England there are two significant local council by-elections in which candidates with explicitly racist platforms are standing for election. Interestingly, the Conservative party cannot even field a candidate in one of those elections—it is a shame that more Conservative Back Benchers are not here to hear that news. I am sure that my right hon. Friend will agree that whatever the outcome of those by-elections this is an issue that can no longer be swept under the carpet. This House should be debating vigorously the reasons for the reappearance of political parties with neo-Nazi and fascist views. We should be looking at the social and economic conditions that give rise to that phenomenon in certain parts of the country. Will he find time for a debate on that matter in the near future?

Mr. Hain: I will certainly consider the opportunity for such a debate. As one of the founders of the Anti Nazi League in 1977, when that problem was last rampant, I share his sentiments exactly. It is crucial that we confront the racists and the Nazis wherever they appear, and that, when they stand candidates in elections, political parties campaign against them to expose their racism and neo-Nazism. Otherwise, there is a great danger of divisions being opened up and of spreading prejudice and racism.

Defence Policy

[Relevant documents: The Sixth Report from the Defence committee of Session 2002–03, A New Chapter to the Strategic Defence Review (HC93-I and II) and the Government's Response thereto, Third Special Report, Session 2002–03, HC 975.]

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

1.17 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): This is the first of two debates on defence just one week apart. Today's debate focuses on defence policy. Next week's will look in more detail at equipment procurement. I recognise that equipment issues cannot be separated neatly from policy matters, but I want to draw a distinction between them for the purposes of these two debates. Right hon. and hon. Members will have an opportunity to examine current equipment issues in detail on 23 October.

Today, I shall give the House an overview of the policy changes driving work at the heart of the Ministry of Defence. I shall explain what those changes are and why they are necessary. In defence, policy changes have usually been gradual. Indeed, defence saw a remarkable continuity and consistency of policy certainly in the years from the end of the second world war to the end of the cold war. However, defence policy can never be static. Historically, there are periods when major and rapid changes are necessary. That reflects the emergence of new threats and requirements and the passing of former threats against which the armed forces have previously been configured.

Britain's armed forces have always been prepared to face up to change. That is a key reason why they have continually been among the best in the world and have punched above their weight for decades. We are in a period of rapid change again now. It requires new thinking and reform to ensure that our armed forces can continue to respond to the changing strategic environment in which they must operate.

The challenge for the Ministry of Defence and for the armed forces in recent years has been to ensure that their planning and assumptions for the future reflect the changes begun by the collapse of the Soviet Union and the military threat it posed. Fifteen years or so ago, we were used to assessing our military capability in terms of a numbers game, whether it was tanks, fighter aircraft, destroyers or frigates. There has been continuing and sometimes rapid change since, much of it at the time difficult and controversial. That was especially true of some of the major reductions in force structures across all three services in the early 1990s. Hundreds of tanks, all our conventional submarines and nearly 150 front-line combat aircraft were withdrawn during that period.

Ageing Chieftain tanks could not meet the logistical and environmental demands of deployed operations outside western Europe. We could barely support two armoured divisions in Germany. The large armoured force on the Rhine was a costly liability in the post-cold war period, not the basis for an expeditionary army. The conventional submarine force, useful though it had been in the Falklands and the Gulf, was primarily designed to help plug the north Atlantic gap against Soviet submarines. The boats were not suitable for rapid reaction operations at far distances, so, in the early 1990s, they had to go. So, too, in 1992 did the Phantoms and, in 1994, the Buccaneers that provided air defence against a threat from massed Soviet bombers.

Much of what was done during that period was retrenchment. The new systems that came into service during the 1990s, and those that were retained, were inspired by the cold war but adaptable for the new environment although they were not always optimised for it: aircraft carriers that were smaller than needed for significant operations against targets ashore; armoured forces that, although leaner, more modern and more easily supported, could deploy only slowly, by sea; and combat aircraft that were too specialised in single roles and lacked either the precision weapons to hit targets with minimal collateral damage or access to a network to find targets in unfamiliar environments.

The choices that faced defence were stark. Change was needed, not only to deliver a peace dividend but also to ensure that continuing capabilities were useful in a new strategic environment. The demands to use those capabilities were very real. Our armed forces became engaged quite suddenly in a series of expeditionary operations in the Gulf and the Balkans. Changes in force structure were opposed by some and questioned by many more, yet what seemed impossible or controversial then is today largely taken for granted as being self-evidently correct.

The 1998 strategic defence review did not conclude that process of change; rather it gave it a clear policy basis, setting our armed forces clear tasks and capability goals and moving them all firmly into the expeditionary era. Our forces now have far fewer tanks, fast jets and naval escorts than they did a decade or more ago, but they are significantly better organised, trained and equipped for expeditionary operations. That reflects decisions to invest heavily in the less glamorous capabilities that give our forces strategic reach and enable them to deliver effect when they get to a crisis.

Mr. John Smith (Vale of Glamorgan): Does my right hon. Friend agree that that point was proven during the recent Iraq conflict when we were able to deploy a larger British force in half the time that it took 10 years ago?

Mr. Hoon: My hon. Friend is right. That is why we must anticipate the need for those capabilities, as I shall set out in more detail in a moment. I certainly agree with his observation.

Among the less glamorous capabilities in which we have invested in recent times are ro-ro shipping, C-17 heavy-lift aircraft and all-weather precision munitions. They have all been brought into service as a result of the philosophy set out in the SDR.

That process of change cannot stop. Technologies and capabilities move on—whether ours, or those of our allies or our potential enemies. The security environment continues to evolve; old threats recede further or disappear, newer ones become more real and more dangerous. Inevitably, much of the current capability of our armed forces still reflects the position in the immediate post-cold war era rather than the demands of the future. Further radical change is needed and, as before, we must think ahead and not look back.

Thinking and planning ahead is crucial. I take this opportunity to express my thanks to the men and women, both military and civilian, in the Ministry of Defence who undertake that work. Without their expertise and professionalism, our armed forces would not be able to operate to the high standards that we have come to expect. They may not always be visible, but their work makes a major contribution to every operation we undertake.

However, although good planning can help us to anticipate many changes, the nature of emerging threats and the fast pace of geopolitical change mean that we will not always be able to predict precisely the challenges that we shall face. The events of 11 September 2001 exemplified the new threats to nations right across the globe, obviously including the United Kingdom. I commissioned a new chapter to the strategic defence review to ensure that our thinking took those new threats into account.

Llew Smith (Blaenau Gwent): On planning, the Government announced about £2 billion extra for the upgrading of Aldermaston, yet in almost the same breath they said that they were not going to upgrade or replace Trident. If that is the case, will my right hon. Friend outline what role there is for Aldermaston?

Mr. Hoon: I have announced no specific decisions on Trident. The Government's nuclear policy has not changed. Obviously, it is important that we retain that capability while it fulfils an important function in Britain's defence policy, but there have been no significant adjustments in that policy and I invite my hon. Friend to look at the various announcements that we have made on that matter. There is no significant change to Britain's policy on those questions.

The results of the new policy work that the Ministry of Defence has undertaken in the last year, together with further work flowing from the new chapter, will be brought together in a defence White Paper that I intend to publish later this year.

Since the publication of the new chapter, our armed forces have undertaken major operations in Iraq. They have faced, and continue to face, difficult challenges. Like a number of right hon. and hon. Members, I attended the service of remembrance here in London last week. I know that all Members of the House will wish to join me once again in expressing our sympathy to the families of those servicemen who lost their lives.

The stark reality of those operations and the courage and dedication of the people undertaking them should remind us all why the issues that we are discussing today matter so much. The policies that we are developing are aimed at giving British servicemen and women the best possible levels of support.

Dr. Gavin Strang (Edinburgh, East and Musselburgh): Will my right hon. Friend consider a policy of replacing the US-led coalition forces, which are occupying Iraq, with a United Nations force? In that context, may I put it to him that the sooner all the coalition forces in Iraq are replaced by the military of other nations the sooner we shall achieve stability in that country?

Mr. Hoon: My right hon. Friend knows the Government's position. There have been extensive discussions in the UN Security Council, and earlier today it was my understanding that they are likely to lead to the agreement of a further Security Council resolution. Clearly, it is important to the Government that we move to a position where ultimately and, we hope, quickly the Iraqis will be responsible for their own affairs, but at this stage, given continuing instability in Iraq, it is also important that the coalition forces continue their excellent work. Assuming that the Security Council resolution is agreed this afternoon—our time—we shall continue to discuss further steps that will lead to the greater involvement of the international community. However, at this stage, I cannot go as far as my right hon. Friend is urging the Government.

We are planning to deal with the new threats that we face, but in doing so we must ensure that the changes that we make are driven by operational and strategic needs. We will not make changes for their own sake; nevertheless, there will be difficult choices to be made, and we will have to be frank in our assessment of capabilities that no longer meet the same needs that they once did.

There can be no doubt about the achievements of our armed forces. They have never been content to rest on their laurels. They have been prepared to take sometimes difficult decisions to change to meet their future needs.

Angus Robertson (Moray): Can the Secretary of State tell the House the Government's intentions on confirming the future of the defence fire service? I understand that an announcement was scheduled for this month. When will the House be informed about when a decision will be made?

Mr. Hoon: As the hon. Gentleman knows, that work is under way and no specific decisions have yet been taken. I assure him and other hon. Members that the House will be informed as soon as decisions are reached.

Our planning draws on the preliminary lessons that we have learned from recent operations in Iraq but also from operations in many other parts of the world that have not necessarily received the same media focus in recent months. We must not be seduced into the old error of planning to fight the last war; there is a clear contrast between the operations that we have undertaken in Afghanistan and those in Iraq, just 18 months apart, yet both involving the same set of military capabilities. Let me therefore try to set out broadly the kind of world in which we believe our armed forces will be operating, after which I will look at the concepts, force structures, processes and, most important, the people whom we will need to deal with that world.

At the broad strategic level, we can see certain trends. Continuing globalisation is likely to mean that the United Kingdom becomes even more open as a society and even more dependent on broad stability elsewhere in the world, especially with key trading partners in the European Union, the United States and, increasingly, Asia. Conflict between states is likely to become rarer—certainly in the United Kingdom's key areas of interest—but at the same time other threats will develop.

Countering weapons proliferation and confronting the threat of terrorism will continue to occupy much of the armed forces' effort. The nature of asymmetric

[Mr. Hoon]

conflict and the readiness of certain groups to source and deploy weapons of mass destruction against us and our interests will require a flexible, fast-moving and, usually, multilateral response. There is also a danger that, in the next 30 years, new WMD powers may emerge, as the technology proliferates and technical advances make production easier.

In responding to those challenges, we must recognise that the treatment of those issues is not exclusively or indeed even primarily military, but, to the extent that a military response is involved, is best managed through alliances, partnerships and co-operation.

NATO and the European Union, in their differing but mutually supportive contributions to our security, will continue to occupy key positions in our planning. NATO will remain the basis for our collective defence, for crisis management in the Euro-Atlantic area and for facing together new threats to our security. NATO, too, is adapting to meet those threats. For example, the new NATO response force was inaugurated yesterday.

Mr. Bernard Jenkin (North Essex): Sometimes the Government say that NATO is the cornerstone of our defence. The last Queen's Speech said that NATO is the cornerstone of our security. Sometimes the Government draw a distinction between the defence role of NATO and the security tasks of the EU. May we make it absolutely clear that NATO is the cornerstone of our security in its widest sense and that, if there is to be a superior alliance in European security, it has to be NATO? That is what the Foreign Secretary has said previously.

Mr. Hoon: I entirely agree with the hon. Gentleman, but I cannot help noticing that, as soon as I mentioned the phrase "European Union", he leapt to his feet—something that I have observed over a number of years in these fascinating debates. I have no difficulty in emphasising NATO's importance as the basis of our collective defence and security if that helps the hon. Gentleman in his difficulty.

That multilateral future will make it imperative that our forces are able to interoperate with those of other countries. Most importantly, it is highly unlikely that the United Kingdom would be engaged in large-scale combat operations without the United States. That judgment is born of experience, shared interests and our assessment of strategic trends.

That all means that we must build more flexible and more rapidly deployable forces that can quickly link themselves with those of our allies. We will do that by harnessing technology and enhancing capabilities, rather than through more platforms. It will also involve investing in the people who use them.

Ms Gisela Stuart (Birmingham, Edgbaston): I suppose that I am also guilty of jumping up every time that I hear the word "Europe".

In the context of capabilities, I hope that my right hon. Friend will say a bit more, first, about co-operation between NATO and the EU—not least about the expressed concerns of the United States about our agreeing to precise terms of the Convention on the Future of Europe—and, secondly, about developing capability so that the European reaction force and a NATO reaction force will draw on the same resources.

Mr. Hoon: I am grateful to my hon. Friend for making that point. In the past 10 days, I have had a meeting of Defence Ministers in NATO and a meeting of Defence Ministers in the EU. There was absolute agreement among Ministers at both meetings not only about the importance of the relationship between NATO and the EU, but the importance of developing capabilities—whether for use by NATO as an alliance or for use in autonomous operations by the EU, or indeed for use by individual nations. My hon. Friend and I absolutely agree about that important relationship, on which the Government will continue to focus.

Mr. Crispin Blunt (Reigate): Will the Secretary of State say something about the Government's attitude to our European partners beginning, in effect, to start to merge their armed forces to provide greater flexibility for their rather limited budgets? What will be our attitude if they start to merge their armed forces so that they have some form of single executive direction?

Mr. Hoon: Our emphasis has always been on improving our European partners' military capabilities. The way in which they do so is obviously a matter for them, but I have emphasised today the importance of interoperability. If certain countries chose to pool their resources—for example, to produce a capability that would not otherwise be available—that would be a wholly sensible approach that we would welcome, although, clearly, it would depend on the capability being useful and available. I do not advocate merging forces for the sake of it, but if two countries can join together to fill a capability gap—the process that we considered as part of the Helsinki headline goal target—that would not otherwise be filled, that seems a very sensible and welcome approach.

We need armed forces that are capable of doing their job in that new environment, rather than those that might look impressive in what I might describe as Soviet-style parades. There are those, such as the hon. Member for North Essex (Mr. Jenkin), who count quite a lot and might see themselves as the new "Bernard" Brezhnev, counting tanks and missile launchers as they rumble past. The reality is that our forces will need the ability to reconfigure forces and equipment rapidly to deliver critical effect at the right moment. That is what will determine success.

We are now able to bring force to bear with ever-greater precision, from a wide variety of platforms, to attack and reduce the combat power of an adversary. The astonishing speed with which we can increasingly operate can destabilise an adversary and achieve decisive effect, causing the enemy to give up even though many of its military forces may still remain—what we call effects-based operations, which focus on undermining an opponent's ability to exercise effective command and control of its forces, rather than simply on battlefield attrition. Effects-based operations are not new—just as asymmetric warfare pre-dated the events of 11 September 2001—but a process is being developed

that provides a better understanding of what effects we might be able to achieve and how best we might achieve them.

Patrick Mercer (Newark): I take the right hon. Gentleman's point about Mr. Brezhnev's bean-counting approach and I welcome his comments about radical thinking and not wishing to fight the last war again, but everything he has said involves conventional forces, expeditionary warfare and engaging enemies on the battlefield: not once has he talked about homeland defence and the integration of armed forces and civil forces that will be so necessary in asymmetric warfare.

Mr. Hoon: I am grateful to the hon. Gentleman for raising that issue. I do not overlook that important aspect of defence policy. We dealt with it in some detail in the new chapter, and we have continued to develop it in the work that flows from the new chapter, especially in respect of augmenting our reserve forces to allow a rapid response internationally and domestically. I entirely agree that, in the new environment following the end of the Soviet Union's threat to the United Kingdom, we must pay significant attention to the threats to the United Kingdom, perhaps in a way that had not been thought necessary in a previous generation. We certainly take such things fully into account.

People are at the heart of effects-based operations. The continuing trend towards expeditionary and multinational deployments will have an enormous impact on the skills required of service personnel in the coming years and on the way in which we train them to apply those skills to the tactical situations in which they operate.

Experience tells us that, for many military assets, such as deployed headquarters and logistical support, conducting several smaller scale operations is more demanding than one or two larger operations. Frequent and often concurrent medium and small-scale operations have been the exact pattern since the strategic defence review, with a new operation arising on average about once a year. While we must therefore retain the capacity to undertake the most demanding large-scale operations as part of a coalition, it has become clear that we need to structure our forces with a focus on the more frequent demands of concurrent medium and small-scale operations.

The operational burden is not falling evenly across the range of capabilities. The recent pattern of operations, and of those that we foresee in the future, place extra strain on certain of our forces—the elements that act as multipliers of combat power by enabling more rapid manoeuvre, more rapid deployment, better intelligence and target acquisition, greater accuracy and, therefore, the ability to undertake operations more quickly and at lower cost in life and matériel. We must therefore look hard at whether we have enough of those kinds of forces

The size and shape of each of the services will need to evolve to optimise joint operations and provide greater flexibility and capability to project power. In the case of the Army, experience demonstrates that our current light forces cannot provide the combat power required by some of the more demanding operations in which rapid deployment is needed, so we must move from the current mix of light and heavy forces, representing the two extremes of deployability and combat power, to a more graduated and balanced structure of light, medium and heavy forces together with a greater emphasis on enabling capabilities such as logistics, engineers and intelligence. That will lead inevitably to a different requirement over time for main battle tanks, other heavy armoured fighting vehicles and heavy artillery, offset by a new requirement for more medium-weight forces based on the future rapid effects system family of vehicles.

We are currently engaged in the Royal Navy's largest shipbuilding programme for many years. With two new aircraft carriers, Type 45 destroyers, Astute class submarines, new amphibious shipping and Royal Fleet Auxiliary support vessels, we are optimising the fleet for joint operations. Some of our older vessels contribute less well to the pattern of operations that we envisage, and some adjustments are likely to be needed.

With the introduction of Typhoon, the Royal Air Force will enjoy a significant margin of advantage in air warfare over any potential opponent for the foreseeable future. The emphasis of air power will shift from dedicated air defence aircraft such as the Tornado F3 to multi-role platforms equipped with precision-guided weapons and enhanced sensors.

On a wider front, enhancing the armed forces' ability to respond to change means changing the way in which we support them, which will place a premium at all levels on flexibility, innovation and improved systems and processes.

We are engaged in a process of essential change that will lead to the introduction of new technologies and practices into the armed forces. That has always been an essential part of our long-term planning. As in the past, it also means that, inevitably, the new capabilities replace old ones. Those who suggest that this significant modernisation and adaptation of our armed forces is somehow a cuts exercise to score political points are at best mischievous and at worst risk damaging the morale of our servicemen and women.

We have a responsibility to provide our people with the equipment to carry out the tasks that we currently ask of them. The Spitfire played a crucial role in winning the battle of Britain, but as the jet age opened it was obsolete by 1950. The same is true today of many of the technologies and practices that were designed to meet the threats of the cold war. When we dispense with unnecessary capabilities, it is because they no longer meet the requirements of our modern armed forces.

Mr. James Gray (North Wiltshire): The Secretary of State accuses some of his detractors of making political capital out of suggesting that some of the things that he has described, many of which we endorse entirely, are driven by Treasury cuts. Will he therefore be happy to give us an absolute assurance that, five years from now, under his Government, our forces will be of the same strength and defence spending will be at the same level or at higher levels than today?

Mr. Hoon: The whole point of what I have been setting out to the House is to emphasise that our armed forces are better trained, better organised and better equipped than they have ever been in our history. I expect that, under this Government, that process will continue.

[Mr. Hoon]

We need to use the resources we have to provide the best support to our armed forces. That is why the Ministry of Defence undertakes what amounts to a capabilities stocktake every year against our future plans. We examine the systems that we have, those that we have chosen to purchase and those that we may need in the future. The strategic environment changes rapidly, and we must make sure that our planning evolves with those changes. Like all Departments, the Ministry of Defence has only so much money to spend, and it must spend it effectively.

All Departments must also deal with fluctuating financial pressures and live within their budgets: the Ministry of Defence is no exception. Sometimes we have to pay a price for our success. For example, recruitment has been more successful this year than we had anticipated. That is good news, but it also affects the demands on the budget. We also have to manage significant exchange rate fluctuations, and this year there is the added complication of managing the impact of operating full resource accounting and budgeting for the first time. That may require some adjustments. The details are still being worked through, but they will not affect our overall strategic direction.

Patrick Mercer: If recruitment has been so successful this year, albeit that the Army in particular remains far behind its overall recruitment targets, why has it been capped for the next financial year?

Mr. Hoon: I know that the hon. Gentleman thinks carefully about these issues, but I have emphasised that we must not determine them simply by reference to numbers. I know that he listened carefully to what I said. The issue for the Army today is not the number of infantry battalions that we can deploy but the number of supporting, enabling forces that can allow infantry battalions to deploy when we need them. That is the emphasis that I would like to hear from him.

I have already praised the efforts of the Ministry of Defence's headquarters staff, both military personnel and civil servants.

Mr. Blunt: Will the Secretary of State give way?

Mr. Hoon: I have given way a great deal today, including to the hon. Gentleman. I need to reach a conclusion.

Headquarters staff must not rest on their laurels. The cranes and scaffolding around the Ministry of Defence's main building in Whitehall remind us that the modernisation drive will go right to the heart of our defence machine. Through the adoption of new working practices and a modern open-plan working environment, we will slim the number of people in our London head office by more than 15 per cent. Whether in the headquarters, in the civilian staffs or in the services themselves, it is people who will ultimately make the difference. Across the Ministry of Defence, therefore, we need people who have the skills and ability to deal with the range and complexity of modern operations. That will mean different manning requirements and different skill sets to meet the changing environment. We will need to rebalance our force structures to ensure that the burden generated by the expected future operational tempo does not fall on certain individuals disproportionately, as it does too often today.

Mr. David Drew (Stroud): One thing that my right hon. Friend has not mentioned is the engagement of British forces under blue helmets for the United Nations. A group of us went to the Democratic Republic of the Congo last week, and we were able to meet the small contingent—only six members of the British Army—who were there as part of the organisational development of the country. With such small numbers, and given that the Government of the Congo are now asking for more troops, even though the UN has undertaken a huge exercise there, what pressures does that put on our Army officers? Clearly, they are irreplaceable, yet for all sorts of reasons we must move those people around. Would he care to comment on that?

Mr. Hoon: I am grateful to my hon. Friend. He is right to draw attention to the considerable number of deployments in which British forces engage around the world at the request of the United Nations, NATO or, as we saw in the DRC, as part of an autonomous EU operation, which was very successful. Clearly, that creates pressures for our armed forces, but I know that he, like most Members, would want the United Kingdom to play its part in the world by supporting resolutions of the United Nations. Generally, the Ministry of Defence's most effective way of supporting them is to make forces available to ensure that those resolutions are carried through. That work will continue, but it imposes inevitable strains on Britain's armed forces that the Ministry of Defence and I must manage.

Our response to the future strategic environment will be based around flexible and ever more effective armed forces that are structured and equipped to deploy globally and at short notice. The range of tasks that they will need to perform will be broad—from peacekeeping, humanitarian and confidence-building operations through to counter-terrorism and high-intensity combat against a diverse set of potential opponents. They will also need to be able to operate in rapidly assembled but effective coalitions. Flexibility is absolutely the key word—flexibility of people, policy, structures and equipment. That means taking some difficult decisions, but that cannot be avoided if we are to maintain the United Kingdom's reputation for having some of the most outstanding armed forces anywhere in the world.

1.49 pm

Mr. Bernard Jenkin (North Essex): This debate comes at a crucial time, shortly before the Government's long-promised defence White Paper. The Secretary of State's speech was a softening-up exercise—an exercise in reducing our expectations or increasing our dread at what is likely to come. I hope that things will not be quite as bad as he suggests.

The Secretary of State's "get ready for cuts" speech even denied that we are short of infantry in the British Army. Can he justify the present level of infantry given that the average interval between tours is nine months

when it is meant to be 24 months? I believe that the Royal Scots regiment has just been in Northern Ireland, and it has just had an infantry tour gap of six months.

The Minister of State, Ministry of Defence (Mr. Adam Ingram) *indicated dissent.*

Mr. Jenkin: If that is completely wrong, perhaps the Minister will tell us the length of the tour gap when he winds up the debate. When one meets the commanding officers of infantry regiments, they make it clear that they are not getting the tour intervals that were promised in the strategic defence review.

This debate also takes place against the background of British servicemen and women serving around the world. Six months ago, British forces were committed to high-intensity combat operations in Iraq. In the past five years alone, they have been in combat in Kosovo, Sierra Leone and Afghanistan as well as Iraq. In Iraq, the security situation remains fragile. Our armed forces continue to do a brilliant job, coping with many extra tasks as a result of the Government's failure to plan effectively for the post-conflict phase. As well as providing security and military and police training, they are carrying out infrastructure and rebuilding tasks that maintain vital services to local people including water, electricity, basic health care and food. I join the Secretary of State in paying tribute to the armed forces and, in particular, to those who died in the conflict and since and to those who have sustained injury.

Iraq remains an extremely high-threat environment because of organised crime and terrorist groups operating from within and outside Iraq and because of remnants of the Ba'athist regime. Despite that, progress is being made and we harbour no doubts that it is in the national interest and in the interest of global security as a whole that the allies continue to work to bring forward mature and representative administration in Iraq that is capable of preventing a return to dictatorship and the terrorism of Saddam Hussein.

Questions remain, however. How long will British forces remain, and in what numbers? When will the Government succeed in persuading more nations such as Japan—which made an announcement yesterday—to join the peacekeeping and reconstruction effort that is so obviously in their interests as much as in ours? How much has it cost so far and how much more will we need to spend before the task is done?

Politicians of all parties owe it to our armed forces not to let them down as they face these challenges. This debate is about ensuring that the Government have a sound and sustainable defence policy. Therefore, it is the right time—five years on from the strategic defence review—to look at the fundamental elements of the United Kingdom's defence policy. It is time to assess how the Government measure up to the challenge and, indeed, how they measure up to the challenge that they set themselves in the strategic defence review. Do they have a credible long-term defence policy? Finally, what are the implications of changes in Government policy with regard to European Union defence? In reality, do they want to have a sovereign British defence and security policy at all in the long term?

There is little disagreement between us and the Government about the overall mission for defence policy. I can agree with much of what the Secretary of State has said today. The mission must be to protect the United Kingdom and overseas territories from military threats and terrorism, to safeguard the national interests of the UK wherever they are threatened and to contribute to global peace and security.

We are confronted by three main threats: terrorism, both internal and external; the threat of ballistic missile proliferation; and the possibility, which we can never remove, of an attack by a foreign power on the UK, the UK's dependent territories or our allies. We also face the challenges of organised crime, and our armed forces have a role in dealing with civil crises. Rogue states, weapons proliferation and international terrorism are the new threats in the post-cold war world.

On 31 May 2003, President Bush announced the establishment of the proliferation security initiative, which is also known as the Madrid initiative. It would result in the creation of international agreements allowing the United States and its allies, including the UK, to intercept ships and aircraft suspected of transporting illicit weapons, missile technology and suspect cargo. The most immediate target for the initiative is obviously North Korea, and we fully support the UK's participation in it.

Llew Smith: The UK is a signatory to the non-proliferation treaty, which places obligations on us to negotiate away in good faith our nuclear weapons. As we are failing to do that, does the hon. Gentleman not think that this country is also guilty of weapons and nuclear proliferation?

Mr. Jenkin: No, but I was intrigued by the hon. Gentleman's intervention on the Secretary of State. I will return to the issue of our nuclear deterrent.

To deliver defence policy overall, we must maintain a military capability to act unilaterally, including with our independent nuclear deterrent. We must strengthen our ability to conduct military operations alongside the United States and our other allies, and we must develop NATO as the cornerstone of European, north Atlantic and global security. We must contribute to military operations in support of the United Nations as part of a coalition, including peacekeeping and humanitarian operations, and we must have the capability to provide the civil power with whatever military assistance may be necessary.

The Government therefore need to deliver seven core military capabilities, and that is where we need to measure their performance. The first must be the maintenance of our independent nuclear deterrent. The answer to the hon. Member for Blaenau Gwent (Llew Smith) is that, if there were a prospect of every other country in the world getting rid of its nuclear deterrent, there would perhaps be a case for us getting rid of ours. I do not think that there is that prospect. Indeed, I read in the newspapers yesterday that Israel is developing a submarine-launched nuclear capability. A time of weapons proliferation is not the right environment for us to get rid of our deterrent.

Llew Smith: Will the hon. Gentleman give way?

Mr. Jenkin: I shall be very indulgent to the hon. Gentleman.

Llew Smith: If, in future, the hon. Gentleman should be responsible for defence matters, will he tell the House

[Llew Smith]

under what circumstances he would agree to the use of nuclear weapons? To what extent and in what instances would those weapons benefit our defences and the peace of the planet?

Mr. Jenkin: I am not going to make the mistake that, on occasion, the Secretary of State has made with regard to the question about the use of nuclear weapons. I will not give any indication at all of how a future Conservative Government might use an independent nuclear deterrent. Part of its deterrent effect is that we do not give out such information. I dare say, when I am trusted with it, I shall not discuss it with the hon. Gentleman or anyone else.

Llew Smith *rose—*

Mr. Jenkin: I have given way enough. If the hon. Gentleman wants to continue the debate, I advise him to intervene on the Minister when he winds up. Our nuclear deterrent may seem outdated in the current threat environment, in which the deterrent effect of overwhelming firepower has failed to protect the west from rogue states and terrorism. But only the nuclear deterrent has eliminated for the time being the old cold-war-style threats. If we fail to maintain the deterrent, we will invite such threats to return. To leave the nuclear deterrent to other nations would certainly reduce our influence in the world and undermine our security. When so many other countries, such as North Korea, India, Iran, Pakistan and Israel are developing or enhancing their nuclear capabilities, it is hardly the moment for Labour to revert to unilateral nuclear disarmament, which I suspect is the hon. Gentleman's policy.

If the Government are not to change their policy by default—this point is directed at the Secretary of State—they must begin to answer the question that the hon. Gentleman raised. During a visit to the BAE Systems submarine yard in Barrow-in-Furness last week—I did not have the entire week off—we were informed that the time is fast approaching when planning, design and assessment work on the successor to the Trident missile system must begin. That is because it must be ready in time to replace the current submarines, which will be retired in 2020. However, in a recent written answer, the Secretary of State said:

"There are no current plans for a replacement for Trident, and no decisions on any possible successor system are yet needed."—[*Official Report*, 15 July 2003; Vol. 409, c. 199W.]

I know that that answer is convenient for the management of the Labour party but the Secretary of State could be more forthcoming—perhaps the Minister of State will mention it in his winding-up speech—about when we need to start planning for a successor to Trident. I do not believe that no one in the Ministry of Defence is thinking about the subject. What are the thoughts of people in the Ministry of Defence? What kind of nuclear deterrent will we need in the future? Surely the Government will maintain a commitment to a continuous, at-sea deterrent because, as the strategic defence review pointed out, that is necessary

"to avoid misunderstanding or escalation if a Trident submarine were to sail during a period of crisis".

That is an important reason why we should not reduce the number of Trident submarines, even though we think that the need to use the nuclear deterrent might be much reduced in the current environment.

Llew Smith: Will the hon. Gentleman give way?

Mr. Jenkin: I have given way to the hon. Gentleman often enough.

Will the Government be honest enough to have an open debate about Trident's successor in good time or—this might interest the hon. Gentleman—will we have a repeat of the debate about missile defence, when there was a covert U-turn with hardly any debate?

The second key capability is global missile defence. How much better would it be if we could render a missile attack futile and ineffective rather than taking the hit and having to retaliate? We are pleased that the Government finally came round to our thinking on missile defence at the beginning of the year. Fortunately, the United States is making the main contribution, but the UK will make an essential contribution through the X-band radar station at Fylingdales. The UK should offer bases for ground-based interceptors, and we also anticipate that the Royal Navy's suitably modified Type 45 air defence destroyers will be used in a missile defence role.

Thirdly, the UK must be committed to developing precision weaponry, including enhanced air and sea-launched cruise missile systems. Fourthly, we must improve surveillance, processing, communications and interoperability with our key allies. Fifthly, as my hon. Friend the Member for Newark (Patrick Mercer) has said, it is essential to have a home defence force comprising local battalions, which would probably be formed from the Territorial Army.

Sixthly, we above all need flexible, rapidly deployable and sustainable regular forces. There must be the ability to deploy, in a worst case, a substantial expeditionary force to fight in a major regional conflict across the operational spectrum while continuing to sustain unavoidable existing commitments. Within that overall capability, sufficient flexibility to prosecute multiple operations at a lower level must be maintained.

In 1998, the Government published the strategic defence review. They have achieved much that they said they would, but much of what has been delivered was already on track from the outgoing Conservative Administration. Our principal complaint is about the serious gap that has opened between the defence commitments that the Government have taken on and the resources that they have made available to match them. As Lord Guthrie of Craigiebank told the House of Lords on 17 December 2001:

"The defence programme was underfunded before 11th September."—[*Official Report, House of Lords*, 17 December 2001; Vol. 630, c. 44.]

Things have hardly improved since then. The policy for people was one of the key elements of the SDR but the Government have manifestly failed to achieve what they set out to do.

Mr. Hoon: Does the hon. Gentleman's endorsement of my noble friend indicate that the Conservative party's commitment is to spend more on defence than the present Government?

Mr. Jenkin: I shall make our commitment absolutely clear later in my speech. The election is still some way away, so we do not know what commitments we will have at that time or what the situation will be. I tell the right hon. Gentleman that we shall certainly consult defence chiefs and our allies when in government. We must also see the books, because the Government are a little tight fisted with information about the Ministry of Defence's long-term financial planning. For example, it would be interesting to see a 10 or 15-year projection of the real cost of the equipment programme, but I doubt that the Secretary of State will give me that information. If he would be happy to share it, we could start to explore exactly what we might spend. I do not think that any incoming Government have ever given such a specific commitment. The Secretary of State is to be congratulated on trying it on, with all his friendliness and good humour.

On overstretch, the SDR stated:

"We must break this vicious circle. To do so we must match the commitments we undertake to our planned resources ... We need to improve recruitment and retention so that our units are properly manned".

Armed forces personnel levels, apart from failing to meet manning targets in the SDR, have been cut back from SDR levels. I shall be accused of counting but every commanding officer of every battalion in the British Army, except those who have successfully recruited, has been counting how many soldiers he has under-recruited.

"UK Defence Statistics 2003" reveals that there are now 12,000 fewer trained personnel than there were in 1997, despite the increase in defence commitments. Royal Navy warships routinely set to sea without their full complement. The SDR promised to increase the size of the Army by 3,300 yet, today, it is 5,000 men understrength compared with a target that has been reduced since the SDR.

The overstretch of armed forces has become endemic. In June, 55 per cent. of the Army was either deployed on, or recovering from, operations, compared with an SDR assumption of about 25 per cent. In Northern Ireland, the garrison has been reduced not because of the improving security situation but because of operational commitments elsewhere. At a dinner with journalists on 28 April, the outgoing Chief of the Defence Staff, Admiral Sir Michael Boyce, said that any troops who had been withdrawn from the Province because of the peace process should be used to ease pressure on the forces and that the situation would not justify defence cuts. He said:

"What we have got to avoid is this being seen as a great peace dividend by the Treasury ... I suspect there would be a great temptation from our friends in the Treasury to capitalise on that."

I hope that the Secretary of State will resist any such thoughts.

Mr. Gray: My hon. Friend correctly said that the Secretary of State's speech sounded—through the general gabble—like a softening-up exercise for Treasury cuts to come in a future White Paper. Does my hon. Friend agree that the Secretary of State's body language while delivering his speech indicated that he was confident that he would not be the one to implement the cuts?

Mr. Jenkin: Let us concentrate on defence policy today, although I understand what my hon. Friend says.

Admiral Boyce also said that military advice to the Prime Minister would be to avoid a "discretionary operation"—a war in which Britain was not under direct attack—for at least a year unless there was a "pretty compelling reason". He said:

"If you asked us to go into a large-scale operation in 2004, we couldn't do it without serious pain. We must allow ourselves time to draw breath."

That is a damning indictment of the Government's failure to deliver the basic promise on expeditionary capability that they set out in the SDR.

I shall not dwell on equipment because that will be addressed in next week's proposed debate, but there is a real squeeze on the equipment programme that was laid out in the SDR. The carriers, which were the centrepiece of the review, are shrinking in size almost daily. Less than a year ago, the Secretary of State announced that the carriers would be 60,000-tonne ships. We understand that the two new large carriers are likely to be medium-sized. How long will it be before they become through-deck cruisers—the euphemism for small carriers that was acceptable to the Treasury in the 1970s under the then Labour Government?

Given the age of existing fighter vehicles, the Government must get a move on. If the carriers are smaller, there will be fewer joint strike fighters. There are constant rumours about cuts to the Eurofighter Typhoon programme.

The multi-role armoured vehicle has been cut. That followed the demise of TRACER, for understandable reasons. We are promised a new armoured vehicle that is to be in service by 2009, but the Government are only at the concept stage. That is a very short time frame to produce an entirely new armoured vehicle that is capable of carrying a 120 mm gun.

The underlying picture is clear. The Government's defence ambitions are not matched by the resources that they are prepared to commit to defence. We are expecting a new White Paper on defence. The speculation is that it holds new cuts, and the Secretary of State did everything to feed that expectation in order to ameliorate the impact when it arrives. In June he spoke about moves towards a

"balanced structure of light, medium and heavy forces, together with a greater emphasis on enabling capabilities"—

thoughts that he echoed today. We welcome such continuing development, which builds on the work of previous Conservative Secretaries of State for Defence, but there is much more to be done before we have armed forces of the shape, size and capability that reflect the revolutionary change in the strategic environment after 11 September 2001.

[Mr. Jenkin]

Though the armed forces have been substantially transformed since the end of the cold war, they still need to become lighter, more deployable and more flexible and interoperable with our key allies. What we are likely to see in the White Paper is a fanfare heralding apparently new, but mainly old and delayed, capabilities that have long been in the pipeline, many of which were ordered under the last Conservative Government. That emphasises the theme hidden in the Secretary of State's talk of effects-based warfare and flexibility, whereas the real agenda is cuts. All the indications are that the Secretary of State faces another bruising battle with the Chancellor, who himself faces a funding crisis in the public finances entirely of his own making.

The Secretary of State warns of

"a different requirement over time for main battle tanks",

and of "some limited adjustments" for the Royal Navy. That is just code for more cuts. When he says that capabilities should no longer be judged by numbers of tanks or warships, but by their effectiveness, he simply confirms that he is in retreat.

The Sea Harrier is already going, depriving the fleet of one of the world's most capable air defence fighters. I remind the Secretary of State that when the Spitfire was withdrawn from service, which he mentioned during his remarks, we had another aircraft, the Meteor, in service to replace it. There was not a six-year gap between the Spitfire and its replacement, as there is between the fleet defence aircraft, the Sea Harrier, being withdrawn from service and the introduction of the joint strike fighter.

We also hear that the size of the Army may be scaled back yet again, with fewer infantry because the Government are unwilling or unable to meet the reduced manning requirements. Nobody but new Labour believes that less means more, yet that is what we are asked to believe.

Despite talk about so-called improvements in the enabling capabilities, there are worrying signs that Defence Logistics Organisation staff may be cut back. In particular, the Government have been forced to reveal what they call "implications" for service personnel at the DLO, as the Minister of State told my hon. Friend the Member for Aldershot (Mr. Howarth) in a written answer on 18 September. The word "implications" must have a larger and more pregnant meaning. Of course, it is a cryptic clue meaning more cuts.

Savings have already been made from reorganisation of the Defence Logistics, in the guise of efficiency. We are all in favour of efficiency, but it can be rather overused as an excuse. As the Select Committee has already pointed out, so-called efficiency savings are mainly generated from cuts in levels of stocks, which will have contributed to the problems encountered during the rapid deployment to, and sustainability in, Iraq. This problem, like the procurement problem and the manning and retention problem, goes to the heart of the Government's defence policy.

There is insufficient resource to match the Government's defence commitments. Despite indications at the time of the SDR that 2.5 per cent. of gross domestic product should be reserved for defence in perpetuity, the figure has fallen consistently. We are now at around 2.3 per cent. of GDP, heading for 2.2 per cent. at the end of the plan period, compared with, for example, the US Government's 3.4 per cent. of GDP, rising to 3.8 per cent. over their equivalent plan period. The operating capability gap, of which the Secretary of State sometimes speaks eloquently, is getting wider and wider.

In training, we have a dual problem. Not only is overstretch of regular forces disrupting individual and unit training, but problems have been caused by the lack of resources in the training system. In July, a report by the Ministry of Defence's directorate of operational capability found that armed forces training bases were operating

"at the limit of, or beyond, capacity"

because of staff shortages, which diluted the quality of training and the ability to offer pastoral care to recruits. It added that training

"is running at risk and continues to be fragile".

At the time of the report, Ministers promised that all the urgent vacancies for instructors identified by the Army would be filled by now. Have the Government achieved that? I hardly think so, but perhaps the Minister of State could let us know when he winds up. I hope also that Ministers recognise that staff shortages in training bases can also contribute to bullying problems, as we heard from the report by the Surrey police in relation to Deepcut.

The current pressures on the armed forces mean that reserve forces are being intensively used, the Territorial Army in particular. In operations in Iraq, thousands of reservists were used to support the regulars. On 20 June, some time after the end of the conflict, almost 4,000 TA members were involved in Operation Telic. Two Members of the House and two members of the staff of the House have been called up to serve. The extent and duration of current commitments has been problematic for many in the TA, as they try to balance work and service commitments, but imagine how they feel to arrive in Iraq and be told that they are not to take part in security tasks, but are to be employed more like navvies in the reconstruction.

In the debate on 12 June, my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) warned that

"many members of our territorial armed forces will think of leaving. Some have already told me that they intend to do so."—[*Official Report*, 12 June 2003; Vol. 406, c. 879.]

On 30 September *The Guardian* reported that almost 2,000 TA members had left since March. We have learned that the total strength of the TA dropped from 39,210 in March to 37,360 in August, more than 4,000 below the Government's target. If Ministers can give us cheerier news, I will be the first to cheer.

The House should be reminded that that target was already the result of an 18,000 cut in TA numbers in the SDR, a cut that the Secretary of State has admitted was a mistake, as we warned the Government at the time. The TA now also has an increased role at home, assisting with home security incidents as part of the civil contingency reaction force. How is it meant to fulfil this role, when it is so under-recruited at home, and when so many members allocated to those tasks are also committed abroad?

I asked earlier whether the Government have a defence policy, and whether they are prepared to commit the necessary resources to sustain it. The final

question is whether the Government intend to have a sovereign independent defence and security policy in future. The implication of their support for the European security and defence policy, leading ultimately to the EU constitution, is that they do not.

As I mentioned earlier, the Queen's Speech last year reiterated NATO's

"continuing role as the cornerstone of Britain's national security."

We support that statement. The Foreign Secretary told the Select Committee on Foreign Affairs in November last year that

"our alliance with NATO has to be the superior alliance in terms of defence".

The Secretary of State's speech to the Royal United Services Institute in June stated:

"It is highly unlikely that the United Kingdom would be engaged in large-scale combat operations without the United States, a judgment born of past experience, shared interest and our assessment of strategic trends."

If only that strategic judgment and those other statements were genuinely reflected in the Government's policy.

The Government have betrayed the assurances that the Prime Minister personally gave President Bush on these matters at their first meeting in February 2001. When President Bush emerged from the meeting to face the cameras, he was asked about the European security and defence policy. He said:

"He"—

that is, the Prime Minister—

"also assured me that the European defense would no way undermine NATO. He also assured me that there would be a joint command, that planning would take place within NATO, and that should all NATO not wish to go on a mission, that would then serve as a catalyst for the defense forces"—

that is, the EU defence forces—

"moving on their own."

Let us test those assurances against the reality of events since then. Before the Prague summit in February 2002, France threatened to veto the renewal of the NATO mandate in Macedonia unless NATO agreed to hand it over to the European Union—that was European defence undermining NATO. At the Copenhagen summit, the EU decided unilaterally to announce a takeover of the NATO peacekeeping mandate in Bosnia—that was in complete defiance of NATO's so-called "right of first refusal"; and the announcement was made without consulting the American delegation at NATO or anyone in the United States. Earlier this year, the EU announced that the French-led operation in Congo would be an ESDP operation outside the NATO planning and command framework—that was a complete denial of the joint command and joint planning with NATO that was promised to President Bush.

All that was meant to have been resolved in the EU-NATO agreement known as Berlin plus, which was concluded just a few months ago after four hard years of negotiation. It gives the EU assured access to NATO military planning under the command of the NATO Deputy Supreme Allied Commander, who is always a European military officer.

Mr. John Smith: Does the hon. Gentleman recognise that the strength of NATO rests in the capability of our European allies? Does he think that the overriding objective is to achieve that capability, and that a European defence policy will do just that?

Mr. Jenkin: I agree with everything that the hon. Gentleman said until his very last point. The European Union is not increasing defence spending, but continuing to reduce it; and its duplication of NATO assets such as planning and the command structure means that it spends more money on headquarters and structures while taking money out of capabilities. How much more efficient it would be if it stuck to the Berlin plus agreement, which provided for European forces to be separable, but not separate, under the NATO umbrella. That agreement was concluded specifically to allay US fears that the EU had become a wasteful competitor to NATO, needlessly duplicating NATO assets, divisively decoupling US and European security policy, and discriminating unfairly against non-EU members of NATO.

No sooner was the ink dry on the agreement than our own British Prime Minister was colluding with President Chirac and Chancellor Schröder to set up precisely the autonomous military planning capability that the US has set itself against. The German newspaper, *Suddeutsche Zei tung*,, reported after that meeting that it had obtained a joint paper setting out the agreement made in Berlin, which states:

"Together, we are convinced that the EU should have a common capability for the planning and leadership of operations independent of NATO means and capabilities."

Does the Secretary of State deny that that agreement exists?

Mr. Hoon: I have reminded the hon. Gentleman on several occasions not to rely on what he reads in British newspapers. I should also remind him not to rely on what he might read in German newspapers.

Mr. Jenkin: The Secretary of State does not deny that the agreement made between the British, German and French Governments exists. I shall give him another opportunity to do so.

Mr. Hoon: If the hon. Gentleman checks the terms of the Berlin plus agreement, which he enthusiastically endorses, he will find that it contains a specific reference to the EU conducting autonomous operations.

Mr. Jenkin: The Secretary of State has not answered the question. This is about conducting operations without the backing of NATO assets and capability.

Mr. Hoon: May I ask the hon. Gentleman to check what "autonomous" means?

Mr. Jenkin: May I ask the Secretary of State why the US ambassador to NATO, Nicholas Burns, said:

"What we cannot support and will not support is the creation of an alternative EU military headquarters, whether it's in Tervuren or some other place, in Brussels or elsewhere"?

Why do we read in today's *Financial Times* of US "dismay" over the Government's policy on EU defence? Is it true that Condoleezza Rice has telephoned No. 10 to discuss her concerns? The truth is that the Prime

[Mr. Jenkin]

Minister has betrayed his promises to President Bush, not least by accepting the EU constitution. This is no "tidying up".

Let us apply three tests to the EU constitution as it applies to security and defence. Is there any increase in qualified majority voting? Does it enable a hard core of member states to accelerate the process of creating an EU defence, effectively negating the UK veto? Does the European Court of Justice acquire ultimate jurisdiction over security and defence policy? The answers are yes, yes, and yes. Moreover, the constitution states, for the first time:

"This will lead to a common defence."

What could be clearer than that? We can be sure that the final draft of the EU constitution will reflect some little victory for the Foreign Secretary to wave at the press as evidence of "game set and match to the British" when he gets home, but the substance of the present draft will remain untouched.

The Government can no longer accuse Conservative Members of inventing the image of a Euro-army: we can see, on our television screens and in our newspapers, British and other soldiers bearing EU insignia on their uniforms. We just need to listen to Lieutenant-General Rainer Schuwirth, chief of the EU's military staff, who says that a European army would now be possible as the EU's military staff has more than 190 officers and its own secure headquarters.

In December 2000, the Prime Minister promised:

"European defence cannot be a rival to NATO".

He said there is

"no proposal, no desire or decision for a separate European military planning capability".

In the same month, he told the House of Commons:

"The idea that this will be an independent standing force set aside from NATO is nonsense."—[*Official Report*, 11 December 2000; Vol. 359, c. 365.]

The EU constitution is a direct challenge to the primacy of NATO and, ultimately, to the sovereign independence of our own national defence and foreign policy. The Prime Minister was being either incredibly naive or deliberately deceitful.

NATO already provides for European defence. Every concession that Labour makes to the EU defence agenda strengthens those who want splits between the US and Europe. EU defence is about not more or better defence, but more structures, more headquarters, more offices and more committees. European nations should certainly share more of the burden of European defence and global security, but since the Prime Minister and President Chirac launched the concept of an EU military force in 1998, EU defence spending has continued to decline.

Mr. Malcolm Savidge (Aberdeen, North): I am a little puzzled that although the hon. Gentleman suggests that co-operation over certain Petersberg-type operations would mean the complete loss of our sovereignty, he is perfectly prepared for us to make our defence policy completely subservient to the United States.

Mr. Jenkin: That is a completely inaccurate account of my argument. Of course I am in favour of co-operation, but the European constitution is not about that: it is about co-ordination, or structured co-operation, which ultimately involves some coercion in the event of unwillingness to agree. That results in erosion of the national veto and, ultimately, the subjection of our defence policy to the jurisdiction of the European Court of Justice.

Mr. Savidge *rose—*

Mr. Jenkin: I shall not give way to the hon. Gentleman again—I want to complete my remarks.

Mr. Ingram: Does the hon. Gentleman agree with the successful mission that we completed in Bunia in the Democratic Republic of the Congo—yes or no?

Mr. Jenkin: I am in favour of operations through co-operation between member states. However, the arrangements for which the constitution provides will develop and cease to involve simple, bilateral co-operation. They will lead to the creation of an institutional framework, ultimately overseen by the European Court of Justice, in which the increase in majority voting will progressively erode the veto over European Union policies. The debate is about that, but of course I am delighted with the achievements of British and other armed forces in Bunia. However, that is not a reason to submit European Union defence policy to the European Court of Justice and agree to increase qualified majority voting. Incidentally, the operation was carried out without the European constitution, so why do we need it?

The EU defence policy is simply a platform for the vanity of old Europe. NATO, not the EU, won the cold war; NATO, not the EU, brought peace to the Balkans; NATO is peacekeeping in Kabul and supporting European troops in Iraq. Only NATO can bring the US and Europe closer together. As an increasing number of new NATO and EU members realise, NATO guarantees the independence and national sovereignty of its members whereas the EU constitution tends to undermine that. The constitution should therefore be subject to a referendum.

As the Secretary of State said, yesterday was a historic moment for NATO because of the launch of the 20,000 NATO reaction force, which is capable of deployment at five days' notice. Unlike the ludicrous EU so-called rapid reaction force, it is genuinely operational now. As NATO Supreme Commander General Jones said yesterday:

"For the first time in its history, the Alliance will have a joint (multi-national) combined air, land, sea and special operations force under a single commander, maintained as a standing rotational force."

The Government should not agree to anything in Europe that undermines the primacy and pre-eminence of the Atlantic alliance in European security because our security and that of Europe depends on it.

Britain's defence policy needs to reflect today's strategic environment and the lessons of recent military operations, especially in Iraq. The Government should have learned that they should be better prepared next time. General Sir John Reith confirmed to the Select Committee on Defence that British forces in Iraq were "perilously close" to not being ready.

It was clear from the shortages of equipment, ammunition, spares and supplies for those on the front line that too much was left to chance. Moreover, the Government do not appear to understand that the success of peacekeeping and peacemaking operations depends not only on the latest technology but, crucially, on the number of boots that can be put on the ground.

The Government's policy is too reliant on the sheer dedication and professionalism of our armed forces. Labour takes them for granted. Our pledge is to fund fully the defence capabilities necessary for our national security and for fulfilling our international obligations. At a time of increased threat and demands on our armed forces, the Conservatives will not let them down.

The other big lesson is strategic: NATO is indispensable. The US is the only nation that has the military capabilities and will to guarantee European and global security. It is monumental folly for a British Government to help the French to undermine NATO and split the alliance.

The difference between Labour and the Conservatives at the next election will be stark and simple. When the Conservatives say that we will back our armed forces and that NATO is and should remain the cornerstone of our security, we are not simply telling another Labour lie.

2.33 pm

Llew Smith (Blaenau Gwent): There appears to be a reluctance to debate nuclear weapons, their use, the circumstances in which they would be used and their so-called benefits. I should therefore like to remind hon. Members of some past statements by prominent Members about the role of nuclear weapons.

Some years ago, I initiated a debate on the future of the non-proliferation treaty. In 1995, when the Leader of the Opposition was a Back Bencher, he said:

"The possession of such weapons is of no use unless we have the will to use them. If we possess nuclear weapons, we must make it clear that we are prepared to use them; otherwise we might as well not possess them."—[*Official Report*, 3 May 1995; Vol. 259, c. 247.]

In another debate on defence in February 1996, I asked the Liberal defence spokesperson, Sir Russell Johnston:

"If nuclear weapons were a part of our defence and if the hon. Gentleman were in a position of power, would he, if the crunch came, be willing to press the button to start off those nuclear weapons? If he did, could he anticipate some of the devastation that they would inflict on the environment and on the people of this planet?"

He replied, after a fashion, that

"the matter does get theological. I know perfectly well that there is a contradiction, but one prays that one will never have to use those weapons. I shall not go beyond that."—[*Official Report*, 1 February 1996; Vol. 270, c. 1164.]

The leader of the Labour party, now Prime Minister, said early in 1997 at a press conference that he would be willing to press the button to launch a nuclear attack.

Mr. Blunt: While the hon. Gentleman is on the subject of the Prime Minister, will he tell us when the latter ceased to be his colleague in the parliamentary Campaign for Nuclear Disarmament?

Llew Smith: It is not my place to defend the Prime Minister's position. I am a member of CND now and I was a member some 40 years ago. I campaigned and demonstrated with my predecessor, Michael Foot, one of the great peace campaigners of the 20th century. Michael has not changed his position, I have not changed mine, but if the Prime Minister has changed his, he, not I, must justify that.

Mr. Ingram: What about Nye Bevan?

Llew Smith: If the Minister bothers to read Nye Bevan's speech on resigning from the Government, he will realise that one of the reasons for his resignation was the exorbitant amount of money that we were spending on the arms race at that time. I therefore advise the Minister to read history. If he reads the history of that period, he will become far wiser about the subject that we are considering.

Last year, I asked the Secretary of State for Defence whether he would be willing to press the nuclear button. He replied:

"The United Kingdom would, in the right conditions, in extreme circumstances of self-defence, be prepared to use nuclear weapons."—[*Official Report*, 10 April 2002; Vol. 383, c. 30W.]

I asked the Foreign Secretary whether he agreed that the most practical way of demonstrating to India and Pakistan that nuclear weapons undermined their security was for Britain to take a lead by ridding ourselves of our weapons of mass destruction. In his reply, he let slip:

"I went on the Aldermaston march when I was 12, and I think that I am entitled to change my view between the ages of 12 and 55. Indeed, I was nearer to 12 than to 55 when I changed it."—[*Official Report*, 25 June 2002; Vol. 387, c. 731.]

Many would argue that he was correct when he was 12. I suppose that the comments prove that people do not always grow wiser as they grow older.

Sadly, it is clear that the leadership of all the major political parties in the House is prepared to commit mass murder with our weapons of mass destruction. That is chilling. Even if the hugely destructive weapons of mass murder were never used in anger, they have already caused the people of this country dearly in their taxes. They have cost others their environment. That applies to the lands of native American Indians in Nevada, where British nuclear warheads have been tested on sacred land, and the original uranium for nuclear warheads was obtained from Namibia, leaving a legacy of uranium miners with terrible respiratory diseases and cancers.

There is also a financial cost. The Secretary of State for Defence admitted on 8 September that the total estimated cost of Trident was approximately £15 billion. How can we always find the money to go to war and to produce weapons of mass destruction when, at the same time, we find it difficult to fund the peace, and to provide the pensions that our senior citizens deserve, free university education, and the kind of public services that communities such as my own in south Wales depend on?

The £15 billion being wasted on Trident is an obscenity. Not only could the financial resources have been better deployed, but the skills and talents of our designers, engineers, computer experts, construction workers and many more have been diverted from socially useful employment into developing nuclear weapons of mass destruction.

[Llew Smith]

In 1953, shortly after becoming President of the United States, Dwight D. Eisenhower—not a wild-eyed left wing revolutionary but a right-wing Republican—said something that we can all learn from:

"Every gun that is made, every warship launched, every rocket fired, signifies in the final sense, a theft from those who are old and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its labourers, the genius of its scientists, the hopes of its children . . . This is not a way of life at all in any sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron".

Sadly, our diplomats, as well as our politicians, try to hoodwink the global public over our nuclear weapons of mass destruction. For example, Britain's representative at the 2002 non-proliferation treaty preparation meetings, ambassador Peter Jenkins, announced that the UK had

"unilaterally reduced our operationally available stockpile to fewer than 200 warheads, which represents a reduction of more than 70 per cent. in the potential explosive power of our deterrent since the end of the Cold War."

But as CND's excellent briefing points out, the 70 per cent. reduction in the explosive power of British nuclear weapons has been achieved largely by replacing older, higher yield warheads such as Polaris and WE177 with the lower yield but more flexible Trident warhead. We should remember what that much-despised but ultimately wise US President, Jimmy Carter, said in his final speech to the American people as President in January 1981. He said:

"In an all-out nuclear war, more destructive power than in all of World War II would be unleashed every second during the long afternoon it would take for all the missiles and bombs to fall. A World War II every second—more people killed in the first few hours than all the wars of history put together. The survivors, if any, would live in despair amid the poisoned ruins of a civilization that had committed suicide."

We should listen, and if we do, we shall learn.

Even the current US Secretary of State, Colin Powell—while still Chairman of the US Joint Chiefs of Staff—at Harvard university in June, 10 years ago, could say:

"Today I can declare my hope and declare it from the bottom of my heart that we will eventually see the time when that number of nuclear weapons is down to zero and the world is a much better place."

Sadly the Bush Administration, of which Powell is now a part, are going in the opposite direction.

We must continue the campaign against all nuclear weapons, in this country and in all other countries that possess them, or aspire to possess them, just as Michael Foot—my predecessor in Blaenau Gwent—is still, at 90 years of age, rightly raging against the madness of nuclear weapons. Yet while the Government argue in favour of British nuclear weapons of mass destruction, they were seemingly willing to go to war against Iraq, with all the suffering and death that that brought, because that country was supposedly trying to obtain such weapons.

Meanwhile, Israel's ownership of nuclear weapons seems acceptable to our Government, as it obviously is to the Government of the United States. In the debate on Iraq in September last year, I reminded the House that the former Israeli nuclear scientist, Mordecai Vanunu, had been rotting in an Israeli prison for the past 17 years, when his only crime—if it can be so described—was to tell the truth and to inform the world about Israel's nuclear role, when all around him were lying. Sadly, my own Government have done almost nothing over those 17—now 18—years to obtain the release of Vanunu, who is a giant of the peace movement.

Under our current policy of insane possession of nuclear weapons, we make ourselves and the rest of the world even more insecure, as other countries misguidedly seek, at huge financial and environmental cost, to copy our own nuclear weapons of mass destruction. In my opinion—and in the opinion of CND and the wider peace movement—that is unacceptable. I say on behalf of all people with a grain of common sense that the march towards nuclear destruction must stop.

2.46 pm

Mr. Colin Breed (South-East Cornwall): It seems curious to have a defence debate but no Defence White Paper. Like many hon. Members, I feel that today's debate is perhaps a softening-up exercise for the issues that we might discuss in a week's time. Nevertheless, recent events have clearly had an impact on British defence strategy. As the Government appear to have abandoned the strategic defence review, they certainly have some explaining to do. Today and next week will provide them with the opportunity to do that.

I join other hon. Members in remembering the bravery of those who lost their lives and of those who are still in Iraq, whom we wish a safe and swift return home.

The forthcoming Defence White Paper will have to strike some careful balances—the Secretary of State tried to tiptoe his way through that minefield earlier—so the sooner it is published the better. The longer the rumours about infantry cuts or procurement troubles are allowed to persist, the more morale will suffer.

The Secretary of State was careful to stress that, as the Ministry of Defence learns the lessons from Iraq, it should be careful not to learn simply how to fight the last war. I hope that he sticks to his own advice. He also said, and the hon. Member for North Essex (Mr. Jenkin) repeated it, that it was highly unlikely that the United Kingdom would be engaged in large-scale combat operations without the United States. As a nation, we occupy a vital position as a key ally of the US, a central player in NATO, a member of the UN Security Council and an important member of the EU and the Commonwealth. Additionally, we still have commitments to our overseas territories. I do not need to remind the House that the US was not overly helpful during the Falklands crisis.

Mr. Jenkin: That really cannot stand on the record. Although the United States could not help us with overt military co-operation, it was of great assistance to us. That needs to be put on the record.

Mr. Breed: I am happy to accept that, but at the beginning of the conflict, when perhaps we needed the best support, it was not forthcoming. Indeed, there is some evidence to suggest that the Americans were working for the opposition.

The roles that I have just described for the United Kingdom are not conflicting roles. We must work within them all, in order that we might best maintain national and global security, and we must stand ready to act within each of them. However, this pivotal, multi-dimensional defence relationship carries with it complex responsibilities, particularly when partners within the alliances differ. There will be occasions when we shall be unable to satisfy all our allies, and we might have to choose. However, it would be dangerous and invidious if such decisions were based on the expediency of relationships rather than the principles that we as a country have long cherished.

Flexibility was the watchword of the MOD during its process of reform, and that should include flexibility in terms of who we fight with, not simply how our forces are deployed. The moves on European defence that were made at the Rome summit are about exactly that flexibility. European defence policy is not, and should not be, about ceding control of UK forces; nor is it in direct competition with NATO or the US. European security and defence policy means that we can conduct operations in yet more frameworks with the US, NATO, the UN or the EU, as the situation demands. The counsel from the Conservative Benches to disengage from EU co-operation certainly runs contrary to the wishes of the US and would offer no advantage whatever to NATO. The Conservatives were certainly not opposed, as I understand it, to the Western European Union, which for many years provided a European pillar within NATO itself.

EU operations such as those recently undertaken in the Congo, along with NATO operations such as those in Afghanistan, show that we can work in many organisations to try to improve security worldwide. NATO and the EU are not mutually exclusive. In fact, the EU will act only when NATO chooses not to do so. Therefore, NATO will continue to have, and must have, its prime role.

Regrettably, our forces are deployed in more and more situations all over the world.

Mr. Gray: Before the hon. Gentleman moves from the EU, will he say whether he foresees any circumstance in which our EU partners would increase their defence capability to bridge the gap that exists between the United States and us?

Mr. Breed: I hope so. One of the responsibilities of the countries that are joining the EU is to begin to understand their responsibilities to overall defence policy. At present, it is difficult for them to perform those duties—they will be net receivers of EU support—but, as the Secretary of State pointed out, there will be certain groupings and an understanding. As part of the European Scrutiny Committee, I have visited a number of the acceding countries. They understand that there is a responsibility on them to ensure that they contribute, albeit proportionately, to the defence of Europe.

Regrettably, our forces are deployed in more and more countries all over the world and, as has been clearly demonstrated, they are being stretched further and further, which gives everyone cause for concern, not least the troops themselves.

The last adjustment to defence policy, the new chapter to the SDR, made much of network-centric capability and of interoperability with advancing US technology. I think that it is agreed, however, that that should not be achieved at the expense of ensuring that UK forces are properly provided for. Without enough talented men and women, there will be no one to implement UK defence policy. That is why our service personnel must always be the MOD's first priority. They risk their lives to fulfil their duty, and we must repay them properly for that service.

Some strides have been made in that regard. I welcome the recent announcement that unmarried partners of members of the armed forces killed in action will receive equal pension rights as their married counterparts. The increase in widows' and widower awards is also timely.

It is unfortunate that those achievements have been made at the expense of some officers' pensions. It may have been possible to improve the situation of everyone without penalising others if the MOD had not been wedded to the idea of cost-neutral reform. It would have been perfectly possible to keep the MOD budget cost-neutral while making adjustments within it.

There is a danger of seeing such measures in purely fiscal terms—as an extra figure in the MOD budget—but the effect that such measures can have on members of the armed forces and their loved ones cannot be underestimated. To that end, I would like to raise a subject on which I have exchanged many letters and parliamentary questions with the Minster with responsibility for the armed forces: manning control points.

In principle, a mechanism that prevents soldiers who are struggling from blocking promotion paths is reasonable, but in practice we have seen considerable evidence from former soldiers that the system has been misused, or at worst abused. Such a system should never be used simply to try to move decent, hard-working soldiers on to short-term contracts, under which they enjoy fewer rights and their service can be terminated without the pension entitlement that they richly deserve.

When one is told by former servicemen that they believe that that is what has happened to them, one cannot take such an accusation lightly. If—this is another suggestion that has been made to me—undeserving soldiers have been bullied out of the Army and have chosen to release themselves from duty rather than face the embarrassment of being manning controlled, that is also a very serious matter.

The Minister will no doubt be aware that soldiers who feel that they have been unfairly dismissed are assembling a court case. I hope that he can assure those soldiers that the Government will take their case seriously and look closely at their own practices. A repeat of the Gulf war syndrome case, in which the MOD refused to accept any responsibility, would not help the morale of those serving or those who are considering service. An early recognition of responsibility, if need be, is surely preferable to a hefty legal bill later.

Mr. John Smith: Surely the hon. Gentleman will recognise that the MOD's position on Gulf war syndrome is absolutely open and transparent.

[Mr. John Smith]

Unfortunately, the research that was commissioned by the MOD has not provided conclusive evidence, but open it has been.

Mr. Breed: It is right to say that it has been open. I have been involved, as the hon. Gentleman has, in a number of debates in Westminster Hall and here and I think that we have rehearsed all the arguments on one side, but I still believe that there is a clear lack of genuine responsibility for the welfare of those soldiers. I am talking not about blame and the scientific evidence but about some recognition that those soldiers who are affected should have at least some support from the MOD, which they served.

The importance of sufficient soldiers on the ground has been reinforced by recent experience in Iraq. Clearly, peacekeeping requires rather more soldiers for longer than combat operations. At a time when UK forces are deployed in so many places around the world, the Defence Analytical Services Agency figures for September show that the establishment strength of the armed forces, even including deployed reservists, is falling. I hope that the Minister may be able to confirm in his winding-up speech that infantry numbers will remain at least at current levels. To cut troop numbers when they are overstretched and when reservist numbers are falling could, at the very least, be foolhardy.

I know that we shall discuss procurement next week, but it is right to put something on the record today as a precursor. The two aircraft carriers are essential to the SDR's expeditionary strategy. Industry sources have told me that the MOD's original plans were always over-optimistic and that the MOD quoted the best estimate for the lowest cost. Perhaps that is what we all try to do when we want to squeeze the proverbial quart into the pint pot but did the MOD play it straight? Was it looking at the broad estimates that were involved, or did it seek to find the figures that most closely fitted its case?

Two smaller carriers may be better than no carriers at all, but we do not know that that is the case, or whether we have one instead of two. Clearly, there needs to be a cost-benefit analysis so that we know precisely that value for money is being achieved. What impact might the shrinking of the carriers have on the joint strike fighter? That is just one issue that will have to be taken into account—there are many others—when we decide to reduce the size or the number of such vessels.

Mr. Gerald Howarth (Aldershot): As the hon. Gentleman has said, we will debate procurement next week. I wonder whether he can tell us in advance, to inform our debate more fully next week, whether the Liberal party is in favour of the two aircraft carriers at the proposed size of 60,000 tonnes?

Mr. Breed: We hope to be able to support that proposal, but, as the hon. Gentleman may well argue next week, we need a precise costing. Signing up to two large carriers now, on the basis of figures that may be wholly optimistic in terms of the final total cost, might not necessarily provide the value for money that he and other Members would want. Part of the problem is that because of our recent experience of cost and time overruns, decisions that were properly taken in a previous decade are regarded as rather less successful a decade later. We need robust figures to ensure that, if we do support the proposal for two carriers, they can be completed at the estimated cost and will produce the value for money that we are being encouraged to achieve.

Rumours persist that the MOD will cut the number of Typhoons it plans to order. That may well be advisable, but, if we are to cut them, I hope that the Government will say so soon, perhaps today or next week.

Procurement of major projects is not the only logistical problem that the Government face. One major lesson that the MOD faced in its "First Reflections" report was the supply chain management problems associated with getting equipment to theatre. It seems that even now some units in Iraq do not have desert kit. On 3 July, my hon. Friend the Member for Hereford (Mr. Keetch) asked the MOD whether all troops were now equipped with desert clothing. The Minister said that he would answer the question shortly, but it is still outstanding. I can conclude only that the lack of an answer means that the answer is no, but perhaps the Minister can offer another clarification when he sums up.

We all acknowledge that we have the best armed forces in the world—a point that they have certainly proved this year—but as we ask them to perform more and more tasks we must surely ensure that we do not stretch them too far; we must ensure that their needs are put first at all times. They need to be certain about pensions, and about accommodation and kit. Praise alone, however welcome, is rather hollow if the important material essentials are missing. When they put their lives on the line for us, it is our duty to seek the best for them.

3.2 pm

Mr. John Smith (Vale of Glamorgan): I welcome the opportunity to make a small contribution to this important debate. It is more or less five years since the publication of the strategic defence review, and today gives us a chance to assess the effectiveness of what was a very important document and a very successful strategy. I say that because, at the end of the day, the best test of Government policy is in its delivery. In the five years since the production of that radical new approach to defence in this country, British forces have done an absolutely outstanding job overseas in completely different theatres. Confronted with completely different security environments, they have in every case successfully achieved their military objectives. We need not argue about this too much—our forces are doing a splendid job throughout the world. But let us make no mistake: there are problems and issues that need to be addressed.

The SDR has been such a success that it is used as a model by other nations, in Europe and elsewhere, for reforming their military. I know that that is so because I have the privilege of being a member of the NATO Parliamentary Assembly and of the defence sub-committee, which examines the future military capability of NATO's existing and forthcoming members. We travel to those countries, and they tell us repeatedly that the policy document that they choose to use to confront the new world security environment is

the British SDR. Combined with our military advisers in those countries, we are assisting almost all the aspirant members with their military action plans to qualify them militarily for NATO membership. What better tribute could any Government be paid than for their policy to be adopted by others?

I had the privilege of attending the NATO Parliamentary Assembly in Edinburgh, at which the former Supreme Allied Commander Europe, General Wesley Clark, held up the British document and said, "This is the way forward not just for new NATO members, but for our European allies." That is why I must question the complete disapproval of the European security and defence policy on the part of the hon. Member for North Essex (Mr. Jenkin). The truth is that the ESDP will enhance, not undermine, the NATO alliance. He talked about duplicating military capability but that is nonsense, because such capability does not exist in most European allied countries, only one of which has any war-fighting capability. The Americans' biggest concern about the future success of NATO is its members' ability to pull their weight and deliver that military capability.

Mr. Jenkin: The hon. Gentleman is confused. I favour additional European capability, but the ESDP has produced not one extra bullet or lick of paint. In fact, it has probably used up defence resources that would otherwise have been spent on armed forces capability on extra headquarters and structures. The point is that the duplication of NATO planning and assets does not enhance capability; indeed, nothing could be clearer. Can he point to anything that the ESDP has created, in terms of capability?

Mr. Smith: I can point to one thing: all NATO members, including Canada and the United States, and all NATO parliamentarians, unanimously supported the ESDP, because it gives us a better chance of forcing our European allies to deliver a capability that they do not currently possess. The tragedy is that Her Majesty's Opposition—the Conservative party, which once could have been called the party of defence—are so preoccupied with Europe that they are prepared to sacrifice that capability to get on the Euro-bashing bandwagon. That is dangerous militarily.

Mr. Jenkin: When the Prime Minister came back from launching the ESDP at St. Malo four years ago, the excuse given for it was that it was the only way to encourage European nations to contribute to additional defence capability. During those four years, defence spending in the European Union has continued to decline. Only France and Britain have marginally increased their defence spending, France rather more so than Britain; all the other EU countries have continued to reduce their defence spending, so the hon. Gentleman's policy is not working.

Mr. Smith: The hon. Gentleman does not understand the arguments. There are two issues, one of which is defence expenditure. I agree entirely that it is a mistake for our European allies to cut their defence expenditure, given the increasingly dangerous environment that we find ourselves in. But the second and more important issue is how their existing expenditure is spent, and the point that the hon. Gentleman misses is that it is not spent on NATO-compatible capabilities. We want the money that they already have to be spent properly, although I agree that it should not be cut further.

Although it offers no guarantees, the ESDP gives us an opportunity to persuade our European allies to develop a capability that they do not currently possess, and which will enhance NATO. The biggest threat to NATO is the gap that is appearing between north America and Europe in military technology and capability. The biggest supporters of the ESDP are the American military. They were the first to recognise it, and if the hon. Gentleman has not visited the Pentagon recently, I suggest that he do so to confirm that fact.

I also pay tribute to this Government's successful defence policy in the light of the appalling mess that they inherited in 1997. We had witnessed the biggest real-terms cut in defence expenditure that this country had experienced in its entire history, including the 1930s. We saw nearly one third of the defence budget cut in real terms over a 10-year period.

Mr. Keith Simpson (Mid-Norfolk): The hon. Gentleman customarily speaks with great sincerity on this subject, but when I was a special adviser in the Ministry of Defence from 1988 to 1990, when we were moving on from the cold war into the new era, I do not recall him or any of his hon. Friends, then in opposition, asking us either to increase or even keep defence expenditure at its then current levels. If anything, they were asking for a greater peace dividend.

Mr. Smith: I certainly would have called for increases, but the hon. Gentleman should be aware that I was not a Member of Parliament at that time. If I had been, I can assure him—I am almost certain—that I would have asked for an increase. In a sense, it was not the scale of the cuts that was so damaging, but the way in which the cuts were carried out. The reality is that, by the mid and later 1990s, we were left with dangerous capability gaps. There was virtually no heavy lift capacity whatever for the expeditionary force, virtually no medical support for the British services, because it had been decimated in that period, and virtually no second line of logistics for the entire British forces. The gaps in military capability were dangerous, and the strategic defence review has managed successfully, in a relatively short time, to fill many of those gaps—although I would be the first to say that there is still a long way to go.

Llew Smith: Would my hon. Friend have agreed to one cut—the £15 billion that has been, and is still being, wasted on Trident? If he is in favour of nuclear weapons, in what circumstances would he agree to their use? If they are used, what benefits would they bring to the people?

Mr. Smith: I have to tell my hon. Friend that, as he knows, I have never been a member of the Campaign for Nuclear Disarmament. I have always supported a minimum deterrent, which is why I was surprised to hear the hon. Member for North Essex advocate, as the top priority for Conservative defence policy in the UK, renewal of the whole Trident and nuclear programme—at what price tag, I do not know. It should not be our top priority, because all the major nuclear powers are

[Mr. Smith]

reducing their arsenals dramatically. George W. Bush has reduced the number of operational nuclear warheads in the US from 18,000 to 6,000. As an ex-serviceman and strong supporter of defence, I support that strategy of minimising—and, I hope, one day, eradicating—nuclear weapons of mass destruction throughout the world.

Our security environment changes daily. It has changed dramatically since the strategic defence review, and the changes—not least the events of 11 September—have highlighted weaknesses in that review. I believe that 11 September represents the single largest and most menacing change in the security environment, and the most difficult one to address. We now need even more agility, mobility and flexibility, we need further reach throughout the world, and we need to confront many more scenarios than we could have imagined previously.

Just yesterday, we saw the great achievement of the Chinese—I do not want to sound churlish about it—in putting a space man into orbit 14 times around the earth. What does that mean in security terms? It tells the rest of the world immediately that the Chinese have now developed, without any shadow of doubt, a global capability, when we have assumed for the past 50 years that they had only a regional capability. The purpose of a defence strategy is not to address the actual threats, but the potential threats throughout the world, and to develop our limited resources in the best way possible to meet those threats. The strategic defence review has achieved an enormous amount in that respect, but it has not achieved enough.

I pay tribute to the Government for the biggest single increase in defence expenditure announced in the last 20 years, and I hope for further increases in the years to come. That is not because I am a warmonger, or because I want to encourage conflict anywhere in the world, but because I believe that an increased defence budget can be a force for good throughout the world. Investment in the right sort of military equipment will reduce the loss of life in the world.

We saw that clearly in Iraq. The doom-and-gloom mongers talked about hundreds of thousands of innocent civilians dying as a result of the conflict, but that did not happen. One of the most important reasons why it did not happen in 2003 when it did happen in 1991 was the technical sophistication of the equipment used by the allies when they went into Iraq.

Mr. David Kidney (Stafford): I share my hon. Friend's pleasure that not too many civilians died in Iraq, but I am finding it extremely difficult to ascertain exactly how many did die there. Does he have any accurate statistics?

Mr. Smith: The sad fact is that we do not know, and we are unlikely to find, a definite figure, but it is certainly nothing like the predictions of hundreds of thousands of deaths that were bandied around at the time. I realise that it is a dangerous argument to talk about balancing 1,000 against 100,000 deaths, but I believe that a badly equipped and trained army is a dangerous army. Being properly equipped and trained makes our army one of the best. However, there is still a long way to go.

Having paid tribute to the Government's defence policy, I want to deal with a couple of other issues. We have already touched on recruitment and retention levels in the services generally, and there is a problem there. We have to be careful because the nature of war is changing dramatically. The idea of having large numbers of infantry battalions is an old concept. What we need is the right number of people doing the right job in the right place with the right equipment. Frankly, that is not just a numbers game. Having worked in the services, I recognise that every commanding officer will argue that it is all about numbers and nothing else, but we have to deliver the right people.

It is already difficult, but it gets even harder when we have a tight labour market. Recruiting in our inner cities is becoming more difficult, but the best place to recruit—historically and today—is precisely in our inner cities and in our less favoured areas. I happen to believe that joining the services—I would recommend it to anyone—provides an opportunity for youngsters who otherwise might not have one. It is a wonderful opportunity for a second chance for those who have not succeeded in school or elsewhere, and it gives them an ability to get on in life. However, ethnic minorities do not get the chance that they should get. Since 1997, we have had a good record on our targets for recruiting ethnic minorities. In a previous speech, I said that it was not good enough, and it still is not. The proportion of ethnic minorities in the armed forces should not reflect the proportion of ethnic minorities in this country: it should be double or even treble, as it is in the United States. That is because many people in that group suffer the worst deprivation and live in some of the most run-down inner-city areas in this country.

In a previous speech, I asked whether it was conceivable that General Colin Powell, the first black man to become the chairman of the joint chiefs of staff, could have ever become Chief of the Defence Staff in this country. Someone contacted me after that speech and reminded me that General Powell had commented on that very issue. When he went to Buckingham palace to receive his honorary knighthood, he pointed out that if his father had chosen to emigrate to Britain rather than to New York, his son would have been lucky to become a sergeant-major in the British Army. That is not meant as a condemnation of our forces, because they have done a marvellous job. The Welsh Guards attended the Butetown carnival this year, in the middle of the mardi gras, recruiting young black men and women from the docks in Tiger Bay in Cardiff. More can be done to build on the success of the last few years to improve the recruitment of ethnic minorities. That will help us to meet the capability gap in recruiting, personnel and training, so that our forces can continue to do the splendid job that they do.

I recently had the privilege of visiting Ascension island, the airhead for the Falklands. As ever, we were welcomed by Squadron Leader Mark Pattinson and the other 25 military personnel on the base. We arrived late on a Friday afternoon and they all turned out to give us a warm reception and an excellent briefing before we flew back to this country. They are a splendid example of why our forces are so good.

An important part of general defence policy has to be our defence industrial policy, although I do not wish to stray on to the subject matter of next week's defence procurement debate. The Government have made a good start by publishing the policy document, which has been well received by industry and most defence

pundits. Of course, it is one thing to produce a good policy, but another to ensure that it works in practice. We need a balanced approach. We should not promote competition and the private sector for their own sake, because they will always be cheaper and more efficient. They need to be balanced against crucial military considerations such as efficiency, reliability, surge capacity and benchmarking.

My only request to the Minister is that he consider carefully how that policy should be applied to the Defence Aviation Repair Agency, which was created four years ago to balance the need to provide the benefits of the imperatives of the commercial sector against the need to prevent monopoly, to provide benchmarking for prices in the industry and a surge capacity in moments of crisis and conflict, such as in Iraq recently. I am confident that if he applies his own policy to the agency that he created so few years ago, the future of DARA, especially in my constituency—and the construction of the £90 million hangar, which will benefit the whole Welsh economy—will remain on course and deliver the benefits that our military services deserve.

Finally, I emphasise the point made by every hon. Member so far and pay tribute to the outstanding work that our servicemen and women do throughout the world.

3.24 pm

Mr. James Gray (North Wiltshire): It is always a pleasure to follow the hon. Member for Vale of Glamorgan (Mr. Smith), who speaks with such knowledge and passion about all defence subjects—although on this occasion I disagreed with two or three of his conclusions. I certainly endorse his tribute to our armed services throughout the nation and the fantastic job that they have done over the past five years. It is a tribute well worth paying, given that 46,000 of our troops and 25,000 vehicles were delivered to approximately the right place in Iraq with approximately the right equipment. That contrasted starkly with the performance of certain others in the same theatre of war, although I mean no discourtesy to them. I do not agree with the hon. Gentleman, however, that that was necessarily a result of the strategic defence review. Indeed, I think it may be the other way around—I think it may have happened despite the Government's failure to fund the SDR.

Nor am I certain that the hon. Gentleman is right in saying that European security and defence policy will necessarily lead, somehow or other, to an increase in European defence spending. The evidence so far suggests that moves towards ESDP have led to a reduction in spending. I am sure that the Americans, Conservative Members and everyone else who may be listening would be only too delighted if the European nations said "Fine: we will have ESDP tomorrow, we will have a European army, and we will spend 3 or 4 per cent. of gross domestic product on defence". Europe would then be able to defend herself, which would be great—but no one in this or any other European country has ever come close to suggesting that it would be the case. The truth is that we depend on the United States and NATO for the safe defence of Europe and of this country. That will always be so, and I for one welcome the fact.

I agreed with much of what the Secretary of State said. As he rightly observed, the nature of warfare moves forward all the time and all kinds of new challenges lie ahead. Asymmetrical warfare and dealing with terrorism, for instance, demand a different approach from what was required of us during the cold war.

Incidentally, the hon. Member for Vale of Glamorgan—who I fear has now left the Chamber—was talking complete nonsense when he attacked us for reducing our defence spending towards the end of the 1980s. He had obviously forgotten the fall of the Berlin wall and the peace dividend, as it was always called, and he could not have read any of the reports—he was not a Member of Parliament at the time—of how bitterly the Labour party attacked the Government for not making far deeper cuts. Had Labour been in power at the time of the fall of the Berlin wall, we would have no kind of defence capability left, for Labour was still in thrall to the Campaign for Nuclear Disarmament. We would certainly have seen far deeper cuts had Labour been in power.

It was refreshing to hear the hon. Member for Blaenau Gwent (Llew Smith) talk in a good, old-fashioned, pacifist, CND sort of way. He would have been entirely at home in the Chamber during 1986, 1987 and 1988, before the fall of the Berlin wall. He and the Labour party would then have been wholly in agreement, although now his is more or less a lone voice on the Labour Benches. I look forward to the speech of the hon. Member for Moray (Angus Robertson), whose views I suspect may be similar to those of his Celtic friend across the Chamber.

As I have said, I broadly welcomed what the Secretary of State had to say about the change in warfare. I look forward to seeing the White Paper, which I hope will be published in the not-too-distant future—before Christmas, I trust. It will be interesting to see what it contains. The rumours that have circulated in the defence community so far have been worrying, to say the least. One also suspects, given the Secretary of State's body language, that—notwithstanding all the new Labour talk and all his clever expressions about making best use of our defence capabilities and resources—what he actually meant was that he was required to give the Chancellor of the Exchequer a jolly big whack of cash, and that it had been his job to try to find a way of cutting our defence capabilities in order to do that.

In an intervention I challenged the Secretary of State to tell me if that was incorrect, and this was not about defence cuts. I challenged him to say that we would have the same or greater capabilities next year, the year after that and—if Labour was still in power, which I very much hope it will not be—in five years' time, which he signally failed to do. He would not give us any guarantee about future British defence capabilities. I fear that when the White Paper is published it will be full of clever-sounding new Labour expressions, rather like the SDR. As my hon. Friend the Member for North Essex (Mr. Jenkin) pointed out, in new Labour speak somehow or other less means more. The Government will spin in an attempt to demonstrate that although they are closing three infantry battalions and cutting one tank regiment, and are to reduce the size of the aircraft carriers, Britain should not worry about all

[Mr. James Gray]

those deep cuts. They will say "Don't worry about it, Britain. Your defence is safe in Labour's hands. We are saving loads and loads of money by cutting the number of soldiers, planes and ships. Do not worry about it—defence is actually better." I suspect that that is the sort of language that will appear in the White Paper. If I am wrong, I challenge the Minister of State to correct me when he winds up. I hope that he does not resort to clever new Labour spin to conceal the fact that the Government intend to make deep cuts in defence when the White Paper is published.

My hon. Friend the Member for North Essex spoke very well about defence policy in general, so I shall deal with three specific matters. I suspect that the tension between capability and resources currently faced by the MOD will be highlighted in respect of each. The Minister will not be surprised to hear that the first matter is the announcement that the C130J fleet is to be moved from RAF Lyneham in my constituency to RAF Brize Norton. If all goes according to plan, RAF Lyneham will close by 2012.

The Minister has often acknowledged that the plan is extremely bad news for my constituents. It will mean that 750 directly employed jobs will be lost, and that a significantly larger number—in local schools, shops and other enterprises that support the base—will also go. In addition, 2,500 RAF jobs will be lost—a matter that we have not faced up to yet. There will be a hole in the local north Wiltshire economy worth £75 million, which will be very significant for my constituency.

The Minister is aware of all that. I suppose that he would be justified in arguing that the effect on the local economy is not his primary concern, which is to ensure that the defence of the realm is in place. To some extent, I would accept that. I welcome the fact that the Minister and the MOD have agreed to work with me and the local task force that I have set up to counterbalance the worst effects of the closure. I am grateful also for the fact that civil servants are now working with us, but I should like to make a couple of pleas in that regard.

First, will the Minister ensure that if surveys of, for example, the contaminated land on the base are needed, the MOD will be prepared to go the extra mile to assist the task force in the work that it has to do? Secondly, will he ensure that the transfer, when it happens, will be swift and clean? We do not want RAF Lyneham to be left derelict or semi-derelict for a period of years, during which it could become a run-down mess.

The base may become non-viable before 2012. If only a small number of C130K planes are left on the base, it is possible that it may cease to be viable by 2009 or 2010. We should much prefer the matter to be clean cut, with the RAF leaving cleanly so that new civilian businesses and houses can come on to the base. An extended run-down happened elsewhere in my area, at the Corsham base, which was left derelict for a long time after the military moved out. I hope that the Minister will keep an eye on that in the years to come.

As an aside, I hope that the Minister will no longer be in post when RAF Lyneham closes. That is a purely political sentiment—on a personal level, I hope that the right hon. Gentleman will continue his work, but, on a political level, I hope to be doing his job by then. If that is the case, I shall certainly heed the request that I am making this afternoon. If I am not in his job when RAF Lyneham closes, I hope that he and his successors will do all that they can to facilitate the base's transfer to civilian use.

My second point is that the Government seem to be concentrating all the RAF's air transport and refuelling capability—as well as most of its passenger capability—at RAF Brize Norton. They are putting all their transport eggs in one basket, in a very big way. If I were a terrorist, or belonged to a nation that hated Britain, RAF Brize Norton would be the first place that I would bomb and try to close down. That would ruin Britain's entire defence capability at a stroke. RAF Lyneham was red hot during Operation Telic. Planes were coming in and out all the time. The fact that the base had two runways was useful on at least one occasion—when one is blocked by a broken down aeroplane the other can be used. We were using RAF Brize Norton at the same time. If all those capabilities were based in one place—at Brize Norton in Oxfordshire—there would be a real risk of it being hit in some way, severely depleting our capability as a result. Leaving aside my constituency interest, the Minister should give further thought to the strategic downside of basing all our transport capabilities at Brize Norton.

My second concern is entirely unrelated but it is a matter that is close to my heart. I was in the Territorial Army for seven years. I remain a member of the Court of Assistants of the Honourable Artillery Company—25 of its soldiers were deployed in Operation Telic. Thanks to my membership of the armed forces parliamentary scheme and my current membership of the Royal College of Defence Studies, I was pleased to spend a week in Iraq in May. During that time I met a great many Territorial Army soldiers. I wish to raise a number of matters relating to the TA and reserve forces, in particular with regard to their usefulness in Operation Telic and other future mobilisations.

The whole Iraq operation could not have happened without the Territorial Army. That should be made plain and it is contrary to what was said in the strategic defence review. I think that a total of 8,800 reservists of one sort or another are serving in the Gulf. At one stage, about 25 per cent. of ground troops were from the TA. They brought a large number of specific skills to the war effort—skills that could not have come from the Regular Army. I am thinking in particular of the Port and Maritime Regiment, which was deployed first in Southampton Marchwood. The regiment was responsible for all the 25,000 vehicles that were loaded. Then, it was moved to Um Qasr in Iraq and was responsible for those vehicles being unloaded, deployed in the field and brought out again. That port and maritime operation was carried out by a TA regiment that was called up on Christmas day, if I remember rightly, and was being used until the other day when the troops were finally demobilised.

The same applies to a significant degree to the Royal Army Medical Corps. A significant number of the medics were national health service doctors and nurses. The operation could not have been carried out without them. The Royal Logistics Corps and the Signals also relied significantly on the TA. There were lots of other teeth arm people out there—infantry people and special

forces—and all of them were from the TA. I am sure that the Minister will be the first to acknowledge the superb effort that members of the TA made.

I pay tribute to my hon. Friend the Member for New Forest, West (Mr. Swayne), who is serving as a major in the Territorial Army in Iraq and my neighbour and hon. Friend the Member for Westbury (Dr. Murrison), who is serving with the medical services there. It is remarkable that two Members of this House and two members of staff, I think, are serving in the Gulf.

Looking forward, it is one thing to have the compulsory mobilisation of that number of TA soldiers to fight a war—that is broadly acceptable to families and employers—but what is slightly more worrying is the compulsory mobilisation under the Reserve Forces Act 1996 that is now taking place and is apparently likely to continue for many years to come. People are being sent compulsorily from this country—whether they want to go or not—to serve in Iraq in peace-building operations of one sort or another. I shall be interested to know the Minister's reaction to that. Sooner or later, I think that that will become less acceptable than compulsory mobilisation for fighting a war.

The Regular Army expects to go to places such as Iraq to undertake peacekeeping operations, build infrastructure and so forth. A stockbroker does not expect to be called up compulsorily to go to Iraq six or 12 months after the war to patrol and be on guard, or even to relieve Regular Army counterparts. I suspect that there will be a difficulty with retention and recruitment in the TA if such mobilisations go on indefinitely. It would be interesting to hear the Minister's view on what can be done to avoid that.

I have several questions about pay and conditions. I think I am right in saying that, under the Reserve Forces Act 1996, once someone has been compulsorily mobilised for a six-month period, they cannot be remobilised for another three years. If that is so, now that so much of the Territorial Army has been mobilised what on earth will we do if another Iraq arises next year or the year after and it is still three years before we can replenish our reserves?

What can we do about the attitude of employers? Later this year, it will be compulsory for employers to know when their employees are members of the TA, which I broadly welcome. One could argue—I often do—that people should not join the TA unless they are prepared to serve. That is only fair and it is right that employers should know. However, I fear that some employers will say, "Well, if you're in the Territorial Army, I'm not going to employ you." Some private sector employers might have some reason for doing that, but even more worrying is the fact that several public sector employers have adopted that position. I am told that both the Leicestershire and the Cambridgeshire fire authorities have said that no firemen may be in the TA. That seems bizarre. Similarly, two or three police forces have said that no policeman may be in the TA. The Government should make it plain to public sector bodies that if they are in receipt of public money, they should employ members of the TA and other reserve services. Perhaps the Minister could do something about that.

I have come across several soldiers who suffered problems after compulsory mobilisation due to the pay structure. Members of the TA receive the same pay as the equivalent rank in the Regular Army. Incidentally, I apologise to the Air Force and the Royal Navy, I am including all three services; I use "TA" as shorthand because I served in it. However, if soldiers can demonstrate hardship—for example, that the amount of money that they are receiving from the Army, Navy or Air Force is less than they need to pay their mortgage and normal outgoings—they are given a hardship payment to make up the difference.

The difficulty lies in the necessity to demonstrate to the authorities that one is suffering hardship. Almost all the TA soldiers who were called up had to do that. They had to produce bankers' orders to prove that they were paying their mortgage so that their pay could be made up to a level that would prevent their families from suffering hardship. There were benefits for those who could see what was coming and had converted their credit card payments, for which they were not paid by the Army, into bankers' orders, but not for those who were unprepared. That is wrong.

If members of the Territorial Army and other services are to be compulsorily mobilised their pay should be commensurate with their civilian pay. They are being taken away from civilian life, where they have family commitments and houses, and receive quite different rates of pay that do not allow them to keep up their way of life. Reserve forces' pay should be linked to civilian pay, although there should be some form of capping. It would be unacceptable for a stockbroker giving up a £150,000 job to be a private soldier to receive the same rate of pay. However, there should be some broad link, without the intrusive pay inquiries that went on during the run-up to Operation Telic, and without too much examination of people's bank statements, so that their way of life can continue as it did before their call-up.

The House will be aware of reports such as the one in *The Daily Telegraph* on 29 May, headlined:

"TA faces mass fall-out in Gulf pay bungle".

There was an entire page of articles about people affected by a pay bungle in the pay department of the armed services. As we heard earlier, *The Guardian* reported that 2,000 people have left the reserve forces since Iraq.

The figure may be incorrect and I should be happy to have the Minister's assurance that he is confident that both retention and recruitment in the reserve forces will continue at their current levels. However, the RAMC in my area—Wessex—reports significant departures. NHS personnel in the RAMC are saying, "I'm not having this. I'm not going to be called up compulsorily and kept out there for unreasonably long periods and paid less than I would be as a consultant at my local hospital. I am not going to do it. My wife won't let me do it. I am very sorry but I am going to leave the Territorial Army." If the Minister disagrees, he must say so and let us know what he intends to do about it to ensure that retention and recruitment in the TA and the other services is kept up. I suspect that part of that may involve linking their pay to civilian pay. Incidentally, there is one other thing that he could do about that—we ought to have a mobilisation day.

Mr. Ingram: It is important to correct the hon. Gentleman's comment about 2,000 part-time soldiers—as they are called in an article that appeared in

[Mr. Ingram]

The Herald and elsewhere—leaving the Territorial Army. I asked for that to be looked at, and it is important to correct what has been said because other hon. Members have referred to it. General Sir Mike Jackson, the Chief of the General Staff, has replied to *The Herald*—I hope that other papers pick this up too—saying:

"There is no evidence in any of the volunteer reserve forces of mass departures from the TA as a result of the call-out and service in Iraq. The drop in TA numbers is seasonal and consistent with previous years. It is largely due to the departure of officer cadets in the University Officer Training Corps",—

which is part of the TA—

"in their third year, who, on reaching the end of their studies, leave the UOTC. The new university intakes join in October."

So there has been a departure, but for those reasons.

Mr. Gray: I very much welcome that reassurance. It is important that we know that, and it will be important to revisit that statement in the months to come. I hope that that will remain the case and that we will not find that TA people are dropping out. I think that I am right in saying there are 38,000 people in the TA, but there should be 45,000 under the SDR.

I understand that we are currently going through the bidding process—to use laymen's terms—where various parts of the Army bid for TA back-up. Those bids will be decided by the end of this year, and I understand that they currently amount to about 95,000 or 100,000 TA soldiers. We currently have 38,000—less than half what the Army is asking for—so the presumption is that there will be some very heavy scaling back on what the Army is requesting and, no doubt, a careful re-examination of the way in which the TA works and what it does. It would be interesting to know the Minister's reaction to that suggestion and his thoughts about how on earth the TA can begin to supply anything like what the Army is asking for; or perhaps he is considering fundamental restructuring in the roles that it plays.

I wish briefly to mention something else on that front. My hon. Friend the Member for North Essex and the Secretary of State referred briefly to a home defence force role for the TA. Of course, it has always had such a role—that is why it is called the Territorial Army—and there has always been an argument for some kind of home defence role. However, I simply wish to say two things. First, giving the TA one week's extra training, which was announced under the new chapter of the SDR, is laughable. That amount of training is absolutely neither here nor there. It is entirely pointless, and the TA might as well not do it.

Secondly, if, as some have suggested, the TA is taken away from a war-fighting role and moved into some kind of home defence role—a key points guarding role of some sort—on an ongoing basis, I guarantee that people will leave the TA. There is no way in the world that the people with whom I served in the TA, who are trained for war-fighting roles, would content themselves with some sort of "Dad's Army" role, guarding key points.

Of course, like the Regular Army, the TA is ready to fulfil such roles, but only if they are taught war fighting. They must be taught war fighting and they may then use those skills in aid of the civilian power. That is a perfectly normal role of both the Regular Army and the TA. However, if those in the TA only had a home defence force role, they would not stay there. As evidence for that, we need only glance back 10 years, or thereabouts, when we had a huge home defence force, which the then Conservative Government set up. We took a lot of former TA and regular soldiers into the home defence force, but it did not last more than two or three years. It was impossible to recruit or retain soldiers. People will not give up their weekends, two weeks a year or Wednesday nights for training to do a job that they believe the police could easily do. They must be trained for war fighting, albeit using those war-fighting skills for defence of the civil power.

One last matter on which I want to touch only in passing relates directly to defence policy, but is none the less extremely important. One of the things that one is required to do at the Royal College of Defence Studies is write a 10,000-word thesis, which I am glad to say I did. I did it on the subject of the use of the royal prerogative to go to war, and I did it largely by examining *Hansard* dating back to the second world war and examining the way in which we decided to go to war in every war since then, up to and including Afghanistan. The reality, of course, is that in all those wars, two or three of them under this Government, no vote was allowed in this place at any time, nor was there any suggestion that there should be one. In most of those wars, the Secretary of State or the Prime Minister came along to the House of Commons two or three days after the war had started to announce what they had done and to say that the people would judge them in a subsequent general election if they did not get it right.

I know that that runs contrary to what a great many of my hon. Friends and many other Members would think, and that they would ask what is the purpose of having a great House of Commons if we cannot even decide whether to go to war. I would say that the decision to go to war is a great deal too important to leave to this Parliament. It should not be a matter for this Parliament—it should be a matter delegated to the chief executive, the Prime Minister. He should decide on the basis of the secret intelligence available to him what troops he should deploy and what the troops should do when they are in the theatre of war. After all, had the Prime Minister taken that approach, had he not sought to spin and to persuade this House of Commons and the nation that what he was planning to do in Iraq was right, and had he done what he did in relation to Afghanistan—placing a paper in the Library and saying that he had a great deal of secret intelligence that he could not share, but that he must tell the House that he believed that sending in troops was the right thing to do—he would not be in the position he is in today. It is only because he felt the necessity to spin and to persuade people that somehow he landed up in the appalling shambles that we see unfolding in the Hutton inquiry.

Were we in future to have an evenly balanced House of Commons, with perhaps a majority of one or two on either side, and were we required to come to this House for a vote on a war, it seems to me that the Opposition, however noble and distinguished they may be, would take party political advantage of that narrowness of the majority, giving away statesmanship in favour of political expediency. I know that this is a deeply unpopular view in my party, and almost certainly a

deeply unpopular view within the House as a whole, but I believe fundamentally and passionately that we should ask the Government to carry out certain functions for which they should be answerable in retrospect but for which they should not have to justify themselves to the House in advance. There is a place in modern government for the royal prerogative, and the Prime Minister was incorrect in allowing political pressure to force him to come to this House and seek two substantive votes prior to the Iraq conflict. He should have just gone ahead and done it, and if he had got it wrong, we would have told him about it in no uncertain terms in retrospect.

Angus Robertson: Does the hon. Gentleman believe that there are any other policy areas in which Parliament should not take part, or is it only matters of life and death on which Members of Parliament should not decide?

Mr. Gray: There are quite large numbers of Government policies on which the House takes no decision, such as the appointment of ambassadors and bishops. There are all sorts of areas in which the Prime Minister makes use of the royal prerogative that he has inherited to make dozens of decisions that do not come to this place. If we had a vote in the House every time a bishop was appointed, we would be bogged down to say the least. There are large numbers of areas in which we leave it to the Prime Minister to make up his mind. After all, that is part of parliamentary democracy. When a general election comes, we look at what the Prime Minister and the governing party have done and we decide whether it was a good thing. If every decision, no matter how important or unimportant, came to this place for a vote, they would not be accountable for their actions in the same way as they are under the current system of parliamentary democracy. I realise that that is not a popular view, but having just completed that thesis, on which I shall shortly publish an article, I thought that I would take the opportunity of sharing it with some of my parliamentary colleagues.

Leaving that point to one side, I have a real worry about the way in which the Government seem to be committing us to more and more overseas adventures of one sort or another. We seem to be involved in them with fewer and fewer resources. Rather than face up to that, the Government seek to camouflage the imbalance between commitments and resources with new Labour spin and new talk, with all these clever expressions about modernising warfare and all the standard guff that we hear all the time from the Labour party.

I challenge the Minister to be absolutely straightforward in his response. If he has not got the right resources and if the White Paper is about cuts so that the money can be spent on health, education or other things, I challenge him, for heaven's sake, to say that we do not have the resources to do the things that we would like to do. That is what the people of this country would expect him to say.

3.55 pm

Mr. David Kidney (Stafford): It is a pleasure to follow the hon. Member for North Wiltshire (Mr. Gray). I enjoyed his speech until he came to his final remarks. I thought that it was a very welcome development that Parliament had the final say on the biggest decision that we can take, which is to start a war. However, there will be emergencies when actions sometimes must be taken before Parliament has all the facts, can debate the issue and make a decision. I also welcome what he said about the Territorial Army and reservists, especially the point about the importance of responsible employers ensuring that the reservists have time off to do the important work that they hold themselves ready to do for this country.

I congratulate the hon. Member for South-East Cornwall (Mr. Breed) on his new responsibilities and I wish him well with his brief for the Liberal Democrats.

My constituency has hosted RAF Stafford for more than 60 years, and today its role is to provide combat support services and single service storage and distribution. I therefore thought that I would confine my comments to the policy for defence logistics. A good place to begin is Operation Saif Sareea 2, which took place in September 2000 when United Kingdom and Omani forces came together on an exercise. The UK tested our ability to conduct expeditionary warfare and provide support for expeditionary forces. The National Audit Office gave a reasonably positive assessment of that exercise in July 2002. It concluded that

"logistic support was demonstrated with personnel and equipment being successfully moved to, from, and around a large theatre of operations."

Beyond the headlines, there are issues of concern, and I shall pick out two that are relevant to this debate. The first is the issue of strategic lift. Although dedicated strategic lift assets are probably a matter for next week's debate, the policy relies on access to civilian planes in so far as the Ministry insists on using them for part of its strategic lift capacity. As the National Audit Office said, if we rely on civilian planes, it is absolutely essential that we have guaranteed access to sufficient civilian strategic lift resources in a crisis. I endorse that conclusion.

In relation to the Saif Sareea exercises, the National Audit Office drew attention to the unreliability of asset-tracking systems and pointed out that there were periods when it was not possible to track items sent from the United Kingdom to the exercise theatre. The Public Accounts Committee reiterated those observations and also commented on communications, which again are more a matter for next week's debate.

The conflict in Iraq began with a build-up of our forces mostly in Kuwait and it was then followed by military action. From a logistics point of view, I want to deal with the reports of shortages of supplies that the hon. Member for North Essex (Mr. Jenkin) picked up. I have followed the story and it is my experience that many of the reports were exaggerated. In fact, some of them were unfair to the people who delivered supplies to the front. However, there are points to address.

Lord Bach, who is Minister for Defence Procurement in the other place, talked about that subject when he addressed the Royal United Services Institute for Defence Studies at the end of July. He said:

"In a logistics exercise of this size, there were bound to be some problems. Most of these were addressed quickly. Others proved more difficult to solve."

In his speech, he continued to talk about some of the difficulties and how they could be resolved. He mostly drew on a report that was published in July entitled

[Mr. David Kidney]

"Operations in Iraq: First Reflections", so I shall move on to that report directly rather than quoting him second hand.

The report said:

"Initial reports suggest that our equipment and logistics support performed well overall, although improvements are required in respect of asset tracking and distribution within theatre."

It includes a comment that the Ministry of Defence is able to track assets that have been properly put together and sent to theatre but that we cannot check where they are when things are off and running.

The report made general conclusions that I shall draw to the attention of the House. We are endeavouring

"to integrate more closely the idea of single-Service supply chains",

yet the report confirms that we are still some way from completing that work. It drew the important conclusion that we must be careful about the balance of ready stocks that we hold and those that we source directly from industry, which especially relates to points made about boots and clothes. The message is not to be too seduced by the "just in time" philosophy of commerce in some of the situations that we face during warfare.

The report drew attention to the need for a

"common and robust tracking system to enable equipment and stocks to be tracked throughout the supply chain in fast-moving, complex operations."

The last conclusion to which I shall draw attention, which is relevant to human support for people doing the fighting, is the

"need to review the provision of Temporary Deployable Accommodation to ensure that accommodation and human support services are made available to our people, particularly in arduous locations."

Behind those recommendations, we must recognise the immense human effort involved in delivering logistic support to the front line. Given that RAF Stafford is a storage and distribution point, as is the Ministry of Defence's Army base at Donnington, I was able to see the work of the people at the Defence Storage and Distribution Agency, who are mainly civil servants, during Operation Telic. I saw their commitment and dedication and listened to their stories of 12-hour shifts, seven days a week. I saw them send away the items that formed part of the supply chain. Their dedication and commitment made the logistic side of Operation Telic a success. The telling statistic when one compares Operation Telic with Operation Desert Storm in 1991 is that we transported twice as much in half the time. The personnel who were involved in that tremendous achievement deserve a big "well done" from the House. The operation required the movement of 46,000 service personnel, ships, aircraft, armoured vehicles, support equipment, clothing, accommodation, medical equipment and food supplies over 5,500 km to the theatre of war.

News of progress on the Ministry of Defence's end to end review, which is one of many reviews that I want to mention in a moment, followed for the Defence Storage and Distribution Agency, although I hesitate to say that the review has ended—it will continue. As a first consideration of the review, my right hon. Friend the Minister of State said:

"The Ministry of Defence has recently completed a detailed review of the way in which we provide logistic support to land and air forces (including naval air and the royal marines)."

He said that the review was a fundamental and wide-ranging piece of work, examining the totality of our logistic support from industry to the front line, that the work was in progress, and that consultation with trade unions would take place at every step along the way. He said that a number of key changes were needed, which had been identified. He told the House in September that he had placed a summary of the conclusions of the initial report in the Library, where hon. Members have access to it.

I notice that the end to end review is one of many reviews of the supply chain currently taking place. I was told in the summer that 21 reviews were under way at the same time. There are two dangers associated with such activity. First, there is the effect on human beings. We all wonder about the need for change and worry about the uncertainty created by talk about the need for change. There is a danger that the morale and confidence of those doing the work might be affected by too many reviews at the same time.

Secondly, each review can be justified on its own merits. The people carrying out each review can justify the conclusions that they reach, but it is important to retain an overview of the total effect of all the reviews being completed together, to ensure that the strategic service is satisfactory and robust at the end of the process. However, I should not like my right hon. Friend to think that I have anything against the Ministry of Defence keeping a finger on the pulse of what is happening.

I recognise how quickly the strategy of warfare changes, not to mention the technological developments that take place. Together, those factors for ever change the requirements of our armed forces and our ability to conduct war, whether in our defence or in other people's countries. I recognise, therefore, the need for such reviews. I simply warn about the effects of too many reviews at the same time.

I shall say a little about RAF Stafford's present position. At least three of the current reviews have a bearing on its future. We have the airfield support services, the future defence supply chain initiative, and the air combat service support units. The most high profile part of the airfield support services review has already been mentioned in the debate—the future of the fire defence service, which has a presence at RAF Stafford.

The review of the future defence supply chain initiative has a bearing on all the civil servants who work in the storage and distribution service at RAF Stafford. The review of the air combat service support unit has a bearing on the uniformed personnel at RAF Stafford. To give the full picture, there are about 700 uniformed personnel and about 1,100 civil servants at RAF Stafford.

The trade unions nationally are concerned about the reviews relating to the present work carried out by the civil servants. They fear excessive privatisation and a loss of civil service jobs, a loss of the civil service ethos

on which the forces can rely, and a loss of the ability of the supply chain to respond in an emergency, as the civil service has always done. It is appropriate for me to say to my right hon. Friend the Minister that the trade union campaign concerns me. I take an interest in what the trade unions say to me. My right hon. Friend needs to be able to meet their concerns in the outcome of the reviews that he announces to the House in due course.

Those who work at RAF Stafford, whether in uniform or as civil servants, do tremendous work for the armed forces generally. Not only I, but the whole community of the Stafford area believe that. We have very good relations between the civilians who live in the area, including those whose jobs are at RAF Stafford, and the uniformed personnel based there. Between us, we create a good relationship between civilians and the armed forces: that is perhaps reflected in Staffordshire's good armed forces recruitment record.

The combat support personnel at RAF Stafford are ready to be deployed anywhere in the world at any time. When they are required to go, they go: they are a very reliable part of the supply chain. The tactical supply wing should never be overlooked—its personnel provide the fuel for helicopters used in the activities of our armed forces, not only at the front line, but sometimes beyond it. I have seen images of the holes in the ground in which our personnel work in Afghanistan and Iraq as they keep our helicopters flying, whether on offensive operations, delivering supplies or taking the injured away from the front. They are an important part of the forces on every deployment. How many people know that for the past 30 years the tactical supply wing has worked continuously to supply fuel for helicopter operations in Northern Ireland?

Having been a regular visitor to the Defence Storage and Distribution Agency at Stafford, I would rank its civil servants with the best in the commercial sector. For example, nationwide storage and distribution for Argos is based in Stafford, and there is absolutely no difference between the quality and effectiveness of the two operations.

Despite all that, there is some concern about ongoing reviews that may affect RAF Stafford. In recent years—the hon. Member for North Wiltshire mentioned this—local councils have been consulted by the armed forces when decisions taken following such reviews may have an impact on the local community and economy. That is a good development. The new council that was elected in Stafford in May recently had such a consultation. Perhaps it took it the wrong way or did not understand the importance of an open exchange of views at an early stage, but it came away with the impression, which it then publicised to our community, that RAF Stafford is in danger of closing. The same review team conducted the review into the closure of RAF Lyneham that was mentioned by the hon. Gentleman. Will my right hon. Friend comment on that, especially in relation to the possible effect on the air combat service support units at RAF Stafford? I hope that he will say that the camp has a future.

Mr. Gray: The hon. Gentleman is right to be concerned, but he should nevertheless be cautious about the assurances that he receives. When I raised the matter of RAF Lyneham with the Prime Minister at Prime Minister's Question Time, he told me that he was certain that it would play a central role in future conflicts. How wrong he was.

Mr. Kidney: I remember the hon. Gentleman making those comments, so I shall bear that in mind. However, I know my right hon. Friend the Minister very well; I have met him to talk about these issues previously. I am sure that I can rely on his answer, although how much he can reassure me is another matter.

My remarks are entirely about the logistics of providing our armed forces with what they need at the right time. There is a great difference between fighting a war and the business of commerce. A letter of apology, a refund, or compensation after the goods do not arrive on time is fine in the world of commerce, but no use at all for armed forces at the front who rely on prompt delivery.

At the beginning of the debate, the Secretary of State paid tribute to those who have lost their lives in Iraq. I therefore ask for hon. Members' forbearance while I make my final point. The one constituent of mine who lost his life serving his country in Iraq was David Clarke, who had barely reached his 19th birthday. He was serving in one of our Challenger 2 tanks, which was hit by a shell that another Challenger 2 tank had fired. I did not know David, but I went to the funeral and it was clear from the tributes on the day that he was a young man who was full of promise, very brave and committed to public service in the armed forces. He gave his life gallantly for this country. I should like to pay tribute to his family—his mother, father and younger brother—who have behaved with great dignity and fortitude throughout the shock, horror and grief that they have borne.

Clearly, people in that position are worried about combat identification and want to know what the Government can say about reducing so-called friendly-fire fatalities in future combat. It would be helpful if, either today or later in writing, the Minister could bring me up to date on the Government's actions to meet the challenges of combat ID.

4.15 pm

Hugh Robertson (Faversham and Mid-Kent): It is a pleasure to follow the hon. Member for Stafford (Mr. Kidney) and his tribute, which he was right to make. All hon. Members would do well to reflect on his words and the lessons that can be learned.

I want to speak about what I believe to be the most important issue that affects British defence policy: our response to the events of 9/11. I should also like to consider the further implications for our defence policy. Before I do so, I want to put another matter on record. A great deal has been written—and said in the House—about the preparations for and the aftermath of the war in Iraq, but little has been said, even in the Chamber, about the fighting of that war.

Whatever one's political view, everybody would agree that the campaign was an overwhelming success. I suspect that it will be studied in staff colleges throughout the world for many years as a model of its type. That reflects enormous credit not only on the armed forces who fought the war but on all those who were involved in its planning and support. I realise that times are

[Hugh Robertson]

difficult for the Secretary of State, but he and other Ministers—I include the Minister of State—can be justifiably proud of the role that the Ministry of Defence, and all the other defence institutions for which it is responsible, played; they did the country proud.

Defence has changed enormously in the 22 years or so since I left school to join the Army. Given the scale of the changes, it is not surprising that defence policy has often appeared to chase the game, to use a sporting analogy. It has seemed to react to events rather than to predict the future and act accordingly. When I joined the Army, defence policy was entirely conducted in the predictable parameters—almost a straitjacket—of the cold war. That was the first phase of defence policy that I experienced.

When we went through Sandhurst, people such as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) taught us the four pillars of UK defence policy. It is a great tribute to my hon. Friend that I remember them now. They were: defence of the UK home base, the overseas dependencies, NATO and our independent nuclear deterrent. It is clear that three of them related to the conduct of the cold war. We exercised endlessly against imaginary enemies, almost always organised on Soviet lines, and memorised their equipment. When I took over as adjutant of a main battle tank regiment in Germany in 1990, we were flown over the battle positions that our individual tanks were expected to occupy when the Red Army crossed the border. Everything was governed by the cold war.

Even then, it was clear to us all that things were about to change. The night that the wall came down, I was a student at the junior division of the staff college. I vividly remember everybody gathering in the television room to watch those amazing scenes from Berlin. We knew then that a new age of defence policy was about to begin. The end of the cold war ushered in a new era of optimism. As many hon. Members have said this afternoon, there was talk throughout the west of a new world order, peace dividends and, of course, smaller defence budgets.

The whole of my second year as an adjutant in Germany was spent preparing for "Options for Change", drawing up orders of battle involving smaller numbers, fewer squadrons and so on. That was an understandable reaction, but, as we now know, a wrong one. In fact, freed from the straitjacket of communism, the world became a rather more dangerous place. Sir Anthony Parsons, our ex-ambassador to the United Nations, put it brilliantly in his book about the first 50 years of that organisation, when he described the period as moving from cold war to "hot peace". Older ethnic, religious and territorial allegiances began to reassert themselves. Bitter conflicts broke out around the periphery of the old Soviet Union and across Africa. Defence planners then began to realise that the reductions made in the early 1990s had gone too far. The strategic defence review clearly sought to put that right.

It is my personal view that the events of 9/11 usher in another new era of defence policy—effectively the third of my lifetime. Some preliminary work has clearly been done in the SDR new chapter, but I wonder whether we in this country have really begun to understand the implications of that momentous event. Indeed, I worry whether, psychologically, we in Britain have already begun slightly to dismiss the events of 9/11 as another of those disasters—natural or otherwise—that occasionally afflict the world. People in the United States have certainly not done so, however, as I saw on a recent British American Parliamentary Group visit, and we must not do so here.

Before I examine the implications for UK defence policy, post-9/11 and the SDR new chapter, I want to say a few words about the new threat that we now face. We must recognise at the outset that al-Qaeda is a wholly new and entirely different type of enemy, whose leadership is dedicated to the overthrow of our state and, indeed, of our whole way of life, whatever the human cost. It does not seem to be so much a single, identifiable group as an umbrella organisation. It is a network of many different terrorist organisations and, critically, of rogue states. That network is spread right across the globe from north Africa through the middle east, Afghanistan and Pakistan down to south-east Asia. It is bound together very loosely by a loyalty to an extreme form of Islam and, critically, by a desire to attack the west, particularly America. If we are to defeat such a formless enemy and others like it, we will need a full range of responses considerably outside the scope of normal—in post-cold war terms—UK defence policy.

What does that mean in practical terms? First, we need strong international institutions. My right hon. Friend the Member for Devizes (Mr. Ancram) has talked at some length about the need to repair fractured international institutions such as NATO, the UN and the EU. It is a tragedy that so many of them are divided at the very time when the need for them is greatest. Successful military operations demand clarity of command and control. I therefore hope that, for practical as well as ideological reasons, the Government will concentrate on re-forming and re-focusing NATO rather than devoting their energy to developing alternative structures in the EU, as they are at the moment.

Secondly, we need to broaden the scope of our defence policy to react to the new and complex political military environment. Diplomatic, legal, humanitarian and international development responses will all be needed, and it is vital that we get the correct structures in place now. I shall give an example. Having seen the Iraqi army in 1991—pre-sanctions—I have always felt that the problems of rebuilding that country after the conflict would far exceed the problems involved in fighting the war. I was therefore disappointed, when sitting on the Front Bench in the summer, to hear the right hon. Member for Birmingham, Ladywood (Clare Short)—who was then still Secretary of State for International Development—say during the debate on Iraq on 4 June that the

"preparations for the post-conflict situation were inadequate."—[*Official Report*, 4 June 2003; Vol. 405, c. 210.]

If she is right—I have no reason to doubt her—that must simply never happen again.

We must develop mechanisms that allow the UK's armed forces to react more speedily than existing readiness profiles and resourcing assumptions allow. UK forces will often have to be generated in very tight time scales and I am not convinced that those mechanisms currently exist.

Thirdly, we will have to undertake a fundamental reappraisal of our defence relationship with the United States, especially in respect of procurement and

training. We clearly must maintain an independent UK military capability, but, in practical terms, as the Secretary of State said, it is unlikely that we will ever again launch a major military operation without the support of the United States, which is the world's remaining superpower. Our forces clearly work well together at the moment, but it will be sensible to ensure, without compromising our independence, that both people and equipment are interoperable in future.

Fourthly, we need to examine the balance and capabilities of our armed forces. We must look at the whole concept of expeditionary warfare and effects-based operations. Again, the Secretary of State said something about that earlier. When one is outside government, it is difficult to have an informed opinion, but it is my instinct—clearly, without the information, it can be no more than that—that the current threat level warrants an increase in our armed forces. If that is not possible, and I realise that there are budgetary constraints, their numbers should certainly not be cut to balance the budget. The operational requirements in Iraq, Afghanistan, the Balkans, Northern Ireland and across Africa simply do not allow that. I say to Ministers that they should remember the experience of the early 1990s, which I lived through as a soldier. It is very simple to reduce troop numbers, but it is incredibly difficult, and takes many years, to build them up again and, critically, to replace the experience that has been lost.

The performance of UK military equipment in Afghanistan and Iraq was enormously reassuring. I heard one of the brigade commanders in Iraq describing the Challenger 2 main battle tank as the man of the match. Clearly, in both those conflicts, the Warrior and the AS 90 proved themselves to be battle-winning assets. It will not be a popular thing to say, but I think that we can agree that the Tomahawk cruise missiles performed extremely well. However, those operations illustrated other things. The new carriers are a vital focus for powerful amphibious operations. They need to be at the planned size both as a means of projecting our power across the globe and for their deterrent implications. They will also be needed at that size to cope with the new expanded role for defence policy.

I visited HMS Ark Royal just after the start of the summer recess. Personnel there were enormously proud of the work they had done during operations in Iraq and enormously enthusiastic about the new carriers. The one message that they asked me to take back was: do not reduce the size.

There is an ongoing need for heavy armour. I am always slightly nervous when I hear talk of cutting main battle tank regiments as though they were dinosaurs of the cold war: they are not. The role of the main battle tank in both Afghanistan and Iraq was crucial. Indeed, I am told that both 3 Commando Brigade and 16 Air Assault Brigade requested more heavy armour on a number of occasions to boost their combat power.

There are clearly lessons to be learned on the role and deployment of attack helicopters. I hope that the lessons learned from both those conflicts will show that there is a role for tanks and helicopters; they are complementary, not alternative assets.

We clearly need to look again and refine the procedures for close air support. I am afraid that my regiment discovered to its cost that that is not always what it should be. We need to improve assistance to allow aircraft to identify and to destroy targets while achieving the maximum amount of discrimination against civilian targets. The critical aspect, surely, is the question of balance. Please do not be tempted to reduce our heavy armoured capability to build up a lighter, more mobile role; given the current threat, both are necessary.

One thing stands out above all those factors—the quality of the people in our armed services. I have already stated my personal view that the size of the armed forces should be increased as their commitments rise. However, they definitely need to be fully recruited at their current proposed levels. The SDR defined overstretch as trying to do too much with too little manpower, and we must face up to the fact that our armed forces are currently overstretched.

In the new defence environment post-11 September, and allied to the changes in social values that have occurred in this country in the past 10 years, we need to look at the entire welfare, or G5, package and how it affects our servicemen and women. There is also the question of training. All three armed forces need regular, realistic and challenging training: ultimately, that is what saves lives. Because of the current level of commitment, our armed forces are not getting the necessary time to train between operations; ultimately, that is dangerous.

I believe that the events of 11 September have changed the world and should usher in a new era of defence policy. The SDR new chapter has clearly made a start, but we need a fundamental defence review to address these issues. Among other things, such a review should certainly encompass the role of international institutions, with an emphasis on reorganising NATO, the question of the scope of the UK's defence policy, and the mechanism to bring together the diplomatic, legal, humanitarian and international development responses that will be required. It should look again at our defence relationship with the United States, particularly in terms of procurement and training. It should look at the reorganisation of our armed forces, with an emphasis on numbers and balance; that is the way to meet such a complex threat. But above all else, I hope that the first page of such a review will recognise that our servicemen and women are our most valuable assets and need protecting. Without them, without the qualities and professionalism that they bring, nothing in defence is possible.

4.31 pm

Mr. Malcolm Savidge (Aberdeen, North): I should like to develop certain themes that I mentioned in last month's defence debate, particularly terrorism, weapons of mass destruction and the world order. On terrorism, although I share some of Professor Sir Michael Howard's concern about the not wholly helpful use of the term "war on terrorism", I supported the campaign against terrorism and the military action in Afghanistan.

Last month, I quoted what Professor Paul Rogers' report for the Oxford Research Group said about the campaign against terrorism. Today, I should like to refer to the International Institute for Strategic Studies' recently published edition of "The Military Balance".

[Mr. Malcolm Savidge]

That publication shows the balance that one would expect of it, but warns us that in its view, as a result of the Iraq war, al-Qaeda has probably been strengthened, so as far as recruiting power, morale and operating capability are concerned.

During the McCarthy era, the US hard right used to refer to its opponents as "Stalin's useful idiots". One might wonder whether today's US hard right are Osama bin Laden's useful idiots. We must surely agree that, as the IISS says, if Afghanistan and Iraq are not to become breeding grounds for future terrorism, it is of key importance that we address as a priority nation building and stability throughout those countries. If the handover to democracy is to be achieved quickly in Iraq, it is crucial that we seek maximum responsibility for the United Nations in whatever agreements are reached.

It is also vital that we reunite the international community, sadly shattered as it is, in its campaign against terrorism. Of course, we must also seek international unity in our campaign to prevent proliferation of WMD in general and nuclear weapons in particular, as well as long-range missile technologies, whether to terrorists or states. Our primary means of doing so must be through the United Nations, and through arms control treaties. I fully recognise that the UN has many faults, though many of those of which it is accused by its member states are the fault of the member states themselves, not least the most powerful ones. Whatever its faults, it is the only UN that we have, and it is our only hope, so where it has faults, they need to be reformed. It is worth remembering the words of Henry Cabot Lodge, that the UN is

"an organisation to prevent you going to hell, not created to take you to heaven."

We should resist the arguments of the US hard right, who suggest that because the UN is not a perfect vehicle for taking us to paradise, it should therefore be discounted.

Arms control treaties have their weaknesses too, but they have also had considerable successes. If we reflect on the success of the nuclear non-proliferation treaty in preventing proliferation and examine the expert forecasts of what was expected over past decades, we can appreciate that there are far fewer nuclear weapon states in the world than previously foreseen. Of course, there are all sorts of problems, such as dual-use technology, and the nuclear non-proliferation treaty underestimated the extent of potential diversion from civil nuclear programmes into the creation of nuclear weapons.

Where there are weaknesses, our primary responsibility must be to strengthen the treaties and strengthen verification. I welcome the Bush Administration's recognition of that point in respect of additional protocols to the nuclear non-proliferation treaty, but I find it sad that they do not recognise its importance in respect of biological and toxic weapons. They should remember what a previous Republican President, Ronald Reagan, said: "Trust but verify".

The non-proliferation regime urgently needs to be strengthened. Of course, some states are likely to cheat or act in defiance. The US neo-conservatives suggest that we should consequently look to counter-proliferation and a more militarily aggressive stance, involving military interdiction of the transport of materials, pre-emptive strikes and even pre-emptive war. It is not inconceivable that the international community could be forced to use such means, but I believe that they are so dangerously destabilising to the whole world community that they should be adopted only as an absolute last resort and if there is international consensus. The fear is that the neo-conservatives regard it as an early resort and want to adopt it either unilaterally or unilaterally with a posse of the willing. They see counter-proliferation as an alternative to non-proliferation, and that could undermine non-proliferation.

Pre-emptive war is a particularly dangerous concept when it is based on flimsy intelligence evidence, on potential future weapons programmes, or on potential future alliances between states and hostile terrorist organisations with which those states have no current relationship. That gives almost carte blanche for nations to declare war against other nations. We should remember that a policy of pre-emptive attack could provoke more terrorism. I recall the figures provided by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) about the first year of the Sharon Government, who used precisely those policies. In that first year, the number of Israelis killed increased fourfold and the number of Palestinians killed was four times as great again.

Pre-emption can provoke proliferation, particularly if the Bush Administration stick to the policy of abandoning the negative security assurances given to the non-nuclear weapon states under the nuclear non-proliferation treaty. Pre-emption can also, of course, destabilise the world order. We shall have to deal with states that, as signatories to the nuclear non-proliferation treaty, are found to be cheating or in breach of it—states such as North Korea, for example. However, it should be done by means of diplomacy and international consensus.

We have to strengthen verification to find out whether other states are more skilfully and more covertly trying to break a treaty to which they are a signatory, but we also have to deal with the non-signatory states. Far too often we do not talk about the problem of dealing with India, Pakistan and—perhaps most of all—Israel. The current position in relation to Israel encourages other middle eastern states to proliferate. Of course, the five nuclear weapons states must show their genuine commitment to fulfilling their obligations. The United Kingdom Government played an honourable role in the negotiations on the nuclear non-proliferation treaty in 2000, when we managed to gain a degree of international consensus that was not expected. However, the rest of the world would be justified in asking how genuine the nuclear states are being when they say that they wish to progress towards multilateral nuclear disarmament.

In particular, the Bush Administration appear to be moving in the opposite direction on almost all the 13 agreements that were reached. Instead of strengthening the anti-ballistic missile treaty, they have abandoned it. They are trying to move away from the comprehensive test ban treaty. The Moscow treaty looks more like a public relations exercise than something that will lead to a genuine, irreversible reduction in weapons, as treaties

such as the strategic arms reduction treaty would have done. New nuclear weapons programmes are being discussed that contemplate using nuclear weapons rather than having them as a deterrent, and I have already mentioned the situation on negative security assurances. The conference on disarmament in Geneva has been at a stalemate for far too long, with China blocking matters on fissile materials and the United States blocking matters on the weaponisation of space. It is a tragedy that nation states can show such urgency in rushing into war and so little urgency in trying to achieve a safer, more stable world.

A stable future cannot be based on a single state imposing its will by military might. President Bush should remember that when his father spoke of "a new world order" he did not mean one state laying down the law for the rest of the world while breaking the rules itself. Indeed, President Bush should remember the words of an earlier president, John Fitzgerald Kennedy, who in 1961 said:

"We must face the fact that the United States is neither omnipotent nor omniscient—that we are only 6 per cent. of the world's population—that we cannot impose our will upon the other 94 per cent. of mankind—that we cannot right every wrong or reverse every adversity—and that therefore there cannot be an American solution to every world problem."

The US neo-conservatives have ruthlessly exploited the hideous tragedy of 11 September to push forward their own agenda. The real lesson of 11 September is that no nation can enjoy unilateral invulnerability as a result of military power and technology. On the contrary, the security of each nation must depend on the common international security of us all. In a world in which we cannot un-invent nuclear weapons, and given that human ingenuity could invent even more destructive weapons, we urgently need to create a world order that reduces conflict and its causes.

4.43 pm

Angus Robertson (Moray): I am pleased to be able to speak in today's debate, having missed the last opportunity because I had to attend a Committee that was discussing the common fisheries policy, which is a matter of supreme importance to the many hundreds of my constituents who face job losses in that industry. Defence is also an important policy area and that is why I am pleased to make my contribution today.

The importance of defence was brought home to me last week when, with other right hon. and hon. Members, I attended the remembrance service at St. Paul's. I attended on behalf of the Scottish National party and Plaid Cymru and I fully associate myself with the comments of the Secretary of State for Defence and other hon. Members and the condolences expressed to family members who have lost loved ones.

The importance of defence was also reinforced last week when I had the good fortune to tour the majority of Scotland's defence establishments and units, including the Army at Craigiehall and Stirling, the Territorial Army at Forthside, the Navy on the Clyde, the Royal Air Force at Leuchars, and the Highlanders, which is the regiment that recruits in my constituency. I have already written to the Under-Secretary of State asking him to pass on my thanks, but I should like to express my gratitude again now.

The tour was characterised by the extraordinary generosity with time shown by officers and men and women in all the establishments I visited. I am very grateful to them, and I am also grateful to the Minister and the MOD staff who made it all possible. In all the establishments there were reports of men and women who continue to serve in Iraq, Afghanistan and elsewhere. I echo others in paying tribute to all those deployed personnel, and to their families back home. Regardless of political affiliation, there is sincere appreciation of the work of service personnel, which is shared by the SNP and Plaid Cymru.

I want to begin by talking about issues relating to the world as it is, rather than as I want it to be. The first concerns Scottish regiments. It was raised time and again, in discussions last week, by service men and women and their officers who are greatly concerned about the future of various historic Scottish regiments. Ministers are, I know, aware of the considerable unease among serving and retired regimental personnel who fear that the ongoing MOD review will lead to a spending shift that could have a negative impact on current regimental structures.

That unease is also felt in traditional recruiting areas. In Moray, for example, hundreds of signatures were collected in a couple of weeks by *The Northern Scot* newspaper demonstrating support for the Highlanders. This comes at a time when recruitment to the regiment has been particularly successful, so any threat to its existence is seen as leading inevitably to a reversal of that success. I realise that as the review is ongoing Ministers are unlikely to commit themselves to the preservation of any particular unit, but it would be useful to know what time scale the Government envisage with regard to the publicising of their intentions, so that minds can be put at rest.

Speaking of time scales, let me return to the issue of contractorisation in the airfield support services project. The Secretary of State has confirmed that plans to privatise the defence fire service as part of the ASSP have been postponed. Originally, in reply to a question that I asked earlier in the year, the Minister of State said that the Government would make an announcement in October. The Secretary of State has told us that that had been delayed, and the Transport and General Workers Union says it expects an announcement to be made at the beginning of next year. Will the Minister of State now explain the reason for the delay and tell us in which month an announcement will be made and what issues are holding things up? It should be borne in mind that the implementation of the conclusions of the 2000 fire study would already be saving taxpayers' money and retaining the flexibility of current arrangements.

Perhaps the delay is due to the MOD's intention to decouple the defence fire service privatisation from that of the ASSP. I sincerely hope so. I know that my view commands support across the House: many Labour Members also oppose the privatisation of the defence fire service. We know that 30 DFS personnel have been serving in Iraq in recent months and performing key tasks, including the training of the Iraqi civilian fire service. We are all well aware of the dangers in Iraq, which affect not just service personnel but units and services such as the defence fire service. One DFS member has died on duty in Iraq. I think it wrong to contractorise a service that is so close to the front line. I

[Angus Robertson]

hope that the MOD will listen to DFS members in my constituency and throughout the United Kingdom, and will not proceed with the privatisation.

A number of Members have raised the issue of homeland defence. I, too, believe that the Territorial Army and the part-time Air Force and naval personnel perform a vital role. That was highlighted by my namesake, the hon. Member for Faversham and Mid-Kent (Hugh Robertson), who spoke of the results of 11 September and the plans to introduce civil contingency reaction forces to deal with such disasters. I was very reassured to hear that the TA in Scotland appears to be on course to recruit the target of 500 personnel for both units, but is the Minister of State content that the financial support for the project is adequate? I was told by TA members recently about their concerns over equipment and access to transport for exercises.

On a related issue, will the Minister say whether the MOD is considering introducing pensions for TA members as part of the pensions review? The TA's status appears to be second class compared with that of the reserve firefighters, who do receive a pension. At a time when we are supposed to be looking for imaginative ways to recruit and retain TA personnel, the question of introducing a pension is important.

My last point about the way the world is rather than the way we would like it to be has to do with a matter specific to my constituency—the relocation of search and rescue services from RAF Lossiemouth to new, purpose-built accommodation at RAF Kinloss. The Minister will be aware that D Flight of 202 Squadron, with its two Sea King helicopters, is set to make that move in May 2005, and that building work is due to start next April. The decision follows the completion earlier this year of a two-year option study by the MOD, which concluded that the squadron should join the rescue services already based at RAF Kinloss.

RAF Kinloss is home to the aeronautical rescue co-ordination centre, which controls the military response to emergencies over an area of 1 million square miles. It is also home to the RAF's busiest mountain rescue team, and Nimrod aircraft from the base carry out an average of 52 rescue missions every year. I have gone on record as welcoming the move, with the proviso that its effect on RAF Lossiemouth will be clarified. I sincerely hope that the change will enhance the station's search and rescue capacity, by bringing the main relevant units together on one base. I hope that the Minister will confirm that the change will do nothing to alter RAF Lossiemouth's long-term operational prospects. People in Moray would appreciate a comment on that.

I shall keep my remaining remarks brief as I know that other hon. Members want to speak, but I want to deal with the world as I should like to see it. The hon. Member for North Essex (Mr. Jenkin), the Conservative spokesman, spoke about his desire for a sovereign, independent defence policy for the UK. I agree that that is something that all normal countries should have, although I doubt that Unionist Members in other parties would share my desire that my country should exercise its own sovereign and independent defence policy, with decisions made in Scotland.

That is what normal countries do—they decide whether they should send their young men and women into conflict. I should like my country to be normal in that respect and able to make such choices in future. Scotland can build on a proud fighting and peacekeeping tradition. Scottish units could offer a more stable life to service families, which would be based in one area for their service careers. They could offer service personnel the same sort of peacekeeping experience available in the UK forces, but without the strains of overstretch. Also, a purely Scottish defence policy could guarantee that the salaries of service personnel would be spent in the Scottish economy. It would ensure that Scotland remained free of nuclear weapons, and that defence industries would be able to continue in a stable democracy.

That is the world as I should like it to be in Scotland. I want my country to become a normal country, making normal decisions about sending our young men and women into conflict. If that had been the case earlier this year, Scottish service men and women would not have had to fight in a conflict that was not sanctioned by the UN.

4.54 pm

Huw Irranca-Davies (Ogmore): I am pleased to contribute to a debate that has contained some thoughtful and intelligent contributions from all parts of the House. Earlier, my right hon. Friend the Secretary of State mentioned that flexibility was now the key word. I agree, and contend that responsiveness is also vital. Other hon. Members have spoken about NATO and other organisations, but I want to comment briefly on the role of the UN. I am not one of the detractors who say that the United Nations is broken and cannot be fixed. The UN is bruised and its often quoted unique legitimacy needs to be restrengthened.

In a debate such as this, there is a temptation to reflect solely on the incidents in our immediate history—those that are still ongoing in Iraq. I want to broaden the discussion. The United Nations is a unique institution. What it decides to do and the responsiveness and flexibility of its decisions and actions have an immediacy of impact on the role of NATO, European reaction forces and United Kingdom troops.

I welcome the work that the Defence Committee has done on the strategic defence review and the new chapter, in particular the focus on terrorism. That work echoes a new realisation within the UN. I think that Kofi Annan has seen that, despite his opposition to what happened in Iraq. He recognised that there is a case to be made for intervention on humanitarian or conflict resolution grounds within states and over sovereign territorial borders. That is the world in which we now live.

The UN can no longer take some effective action but, as on so many occasions, merely pass resolution after resolution hoping that something will come of it. It must make its work meaningful and be serious about acting upon it. That does not mean that military intervention or peacekeeping troops on the ground will be necessary in every instance.

Like many other hon. Members and international observers, I would welcome a change in understanding in the UN. When resolutions are passed they must be

taken seriously and they must be acted upon more speedily and with more flexibility where appropriate.

I am not one of those who knock the UN. It has played a massive role ever since its inception. Since 1996, there have been 42 peacekeeping and observer missions worldwide. At present, 16 peacekeeping operations are under way. The UN has negotiated 172 peaceful settlements to various regional conflicts, including the Iran-Iraq war, the withdrawal of Soviet troops from Afghanistan and in El Salvador. So, quiet diplomacy also has its role, but backed up by a serious intent and the use of military intervention where necessary.

Humanitarian aid should not be overlooked. More than 30 million refugees in flight from war, famine or persecution have received aid through the United Nations High Commissioner for Refugees since 1951. At present, more than 19 million refugees—mostly women and children—are receiving food, shelter, medical aid and sustenance through the UN.

There is a critique of the United Nations, however. It has failed at moments of supreme crisis to act on the decisions that it has already taken. It has proved insufficient to the challenges that it has faced. Despite the high standards associated with the UN, in the hundreds of wars since 1945 it has authorised use of force only twice: the Korean war in 1950 and the Gulf war in 1991. That amounts to only two occasions in its entire history. That poor record of conflict prevention and resolution and enforcement action is a reflection on the UN. It colours perception of the UN throughout the world, including in present conflict situations, where any discussion of UN action is looked at askance, or with a smile or rebuke. Those of us who seriously believe in the role of the UN have to change that.

I will deal with how we can move to that situation, but if we make the UN more responsive and flexible in its approach, that will have an implication for United Kingdom capabilities as well as European and international capabilities and the demands on them.

Mr. Breed: Does the hon. Gentleman agree that one reason that there are so few UN-authorised actions is the regular imposition of the veto by certain countries? Is he suggesting that that should be reformed?

Huw Irranca-Davies: The hon. Gentleman brings me to that point a little earlier than I had intended. Yes, there should be a review of the use of the veto. That is reflected not only in what has happened in the recent past but also much further back. Indiscriminate use of the veto can lead not only to lethargy but to inertia in decision making while in some areas of the world people are losing their lives.

Iraq has already been mentioned. We could also consider Afghanistan. In the Federal Republic of Yugoslavia, the UN neither backed nor prevented the war and, in retrospect, changed its mind. In Rwanda in 1994, there was a failure to act while genocide was going on. There is a lack of intervention in current situations, for example, in the Congo, the great lakes region or Liberia—a country that turned, inevitably, to the US. The UN fails to enforce many of its resolutions and to act in moments of crisis.

As I said, troop commitments are not required in every case, but the inertia is striking. When people are losing their lives and major human rights abuses are taking place, the UN needs to put across the message that it can be more proactive and dynamic when appropriate. The message should resound across the international community that the UN is serious about stepping in when that is needed.

The use of the veto is often not governed by considerations driven by the international fraternity, or sorority, but by national interests, such as energy. That has happened not only in the immediate past. A range of countries has been guilty of indiscriminate use of the veto, or of threatening its indiscriminate use. The US is often mentioned, although it is not the only one, but we can certainly cite it in terms of the Cuban blockade and its belated refusal to condemn Halabja. We can cite Russia in relation to Afghanistan and Kosovo, and so on.

Current processes in NATO and the composition of the Security Council favour certain countries. They also favour countries that can deploy certain resources; in effect, the NATO countries. Should that be so? In a new century, should it be primarily the post-1945 make-up of the Security Council that determines how the UN makes its decisions?The composition of the Security Council and its decision making alienate much of the developing world. That is unfair and it needs reform. It damages the whole concept of multilateralism.

I began my contribution by developing the theme of what the UN has actually achieved. Those achievements are significant, but because the UN has failed to act in moments of supreme crisis it now appears to some people—although I am not one of them—as merely a talking shop. Its decision making is flawed. It is seen, at best, as a creature of the permanent members, with misuse, or threatened misuse, of the veto.

If the use of the veto is to be reviewed and reformed, that use should be delicate. It should be used to cut through problems as a surgeon uses delicate instruments in an operation. It should not be used as a sledgehammer or a chainsaw, as has so often been the case.

The developing world deeply distrusts the UN as a peacekeeper. How can we achieve reform? As the hon. Member for Faversham and Mid-Kent (Hugh Robertson) and other hon. Members have pointed out, if we want the UN to have a better speed of response and to be willing to act where appropriate—which is essential—that will have an effect on troop capabilities and demands on different nations. The decision-making process needs streamlining and the institutions restructuring to some extent.

One suggestion—I do not say that it is the only way forward—is that seats should be found on the Security Council for regional or sub-continental areas, which would have an implication for our representation as well. Another suggestion is to reform the veto and consider majority voting. Greater transparency is essential. Non-permanent members are regularly excluded from the real negotiations. For example, in the run-up to adopting resolution 1441, non-permanent members of the Security Council had to consult the *New York Times* to see the draft resolutions. So information needs to be passed to all the nations represented at the UN.

I began by mentioning Kofi Annan. In an interview in the *Financial Times* earlier this year, he was quoted as saying:

[Huw Irranca-Davies]

"If the challenges we now face have changed, the responses must also change. We must be able to adapt our institutions and structures to deal with that. I'm not sure that the organs of the organisations are working in an optimum fashion."

I agree with that. We need to increase legitimacy and develop representation for all members of the UN.

In conclusion, I ask a simple and straightforward question to the Secretary of State, as we consider a review of how we deploy and assess the current and future capabilities of UK forces, as well as our interaction with European partners and multilateral partners worldwide: what impact would a reformed, more proactive, more flexible UN have on those capabilities?

5.6 pm

Mr. Crispin Blunt (Reigate): I do not want to follow the hon. Member for Ogmore (Huw Irranca-Davies) down the road of UN reform; I want to focus rather more directly on British defence policy itself. First, I want to commend to the House the excellent speech by my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson). I should have liked to make such a speech, and I commend its details to the Minister. He will know, as I do, with what authority my hon. Friend speaks on these matters, and he had some proper and extremely wise advice for the Government on the detail of the application of defence policy, particularly the complementary use of heavy and light capability, as the Secretary of State referred to it.

There is, however, one detail on which I should like to depart from what my hon. Friend said. In fact, it is not really a detail; it is a rather central point in his analysis of what has happened to British defence policy. I disagree with him that the events of 11 September were a fundamental turning point for the United Kingdom. They were a fundamental turning point for the United States, and that has had significant consequences for the United Kingdom, but the reshaping of British defence policy in 1990–91, at the end of the cold war, was the most significant event for us.

Obviously, through the 1990s, when I was a special adviser in the Ministry of Defence, there was a certain amount of settling down in that process and the adding back of a certain number of infantry battalions when it became clear that the cuts at the end of the cold war had gone too far. Then we had the SDR when this Government came to power in 1997, which very largely confirmed the overall direction that defence policy had taken since Tom King's reforms.

Those reforms have stood the test of time in a strategic sense, although not in a tactical sense, where changes have had to be made. The then Government were beginning to address the whole issue of asymmetric threats as part of the policy of being able to deploy forces overseas and having an expeditionary force capability, which was being built up during the 1990s.

The Defence Committee stated in its report on the 1998 SDR that the Government had not paid enough attention to issues such as homeland security and asymmetric threats. Plainly, the Government's reaction in the form of the new chapter of the SDR shows that they have started to make progress in relation to the lessons of the events of 11 September. A wholesale change in British defence policy, however, will not be seen. Our policy was established to enable us to have an expeditionary force capability to intervene around the world to have some influence on those areas of the world from where these threats are emerging. The problem for British defence policy is that the Government accepted the framework that they inherited in 1997 and promptly took £500 million out of the budget in the first year. They have now started to add back a small real growth in the defence budget.

Sitting watching British defence policy and the shape that the armed forces will have to take under those budgetary constraints, however, is like watching a slow-motion train crash. Any serious observer of defence who listened carefully to the Secretary of State's speeches—I am something of an aficionado of such speeches, having had something to do with them previously, and my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) will be the same—will have heard between the lines a Secretary of State preparing to administer very serious cuts inside the Ministry of Defence. That is simply because, on the existing budget, it will not be possible to obtain armed forces fully recruited at the establishment at which the Government now say that they aim, combined with providing two aircraft carriers with their aircraft and the full purchase of Typhoon. The equipment programme rolling forward is far too heavily loaded to be sustained by the funds that the House is currently voting and intends to vote for defence under the Government's comprehensive spending review plans.

We can hear the words of the Secretary of State indicating that cuts will come. We have heard the rumours of cuts in Scottish infantry battalions. I went through all that in 1992–93 with the debate about the end of the Gordon Highlanders, with all the pain that that caused before the Highlanders were formed, and we can hear that debate happening again. We can hear in the words of the Secretary of State, if we listen carefully, the defence pips beginning to squeak.

In my brief remarks, I want to warn the non-experts and the people outside the defence establishment—I suspect that the defence establishment knows perfectly well what will happen—that we are about to have another series of defence crises, as the Government, as usual, try to get a quart out of a pint pot. The timing for the Ministry of Defence, of course, is absolutely lousy. As it needs more money, the Government are running out of it. The fiscal position of the Government is heading south in a tearing hurry—we have already heard about the Chief Secretary sending notes round to spending Departments making it clear that the good days are over and that they cannot expect large increases in their budgets. In terms of the Government's fiscal position, the next two or three years look as if they will be extremely tight, which is usually extremely bad news for the Ministry of Defence.

In the end, it will come down to the Prime Minister. He has deployed the armed forces overseas on numerous occasions and has set the tone that the Government have taken in deploying British troops around the world to Sierra Leone, to the Democratic Republic of the Congo—admittedly only a small force, thank goodness, due to the insistence of the chiefs of staff on avoiding getting anything more than a fingernail into that

particular mangle—and to the Balkans and Iraq, which look like endless commitments. In the debate during the next year or so about public expenditure, the Prime Minister must give the Ministry of Defence the funds to sustain the operational capability of the armed forces at the establishment and with the forward equipment programmes that the Government are currently planning. If they do not, we will probably yet again face a round of salami slicing. The danger is that that will happen on the back of all the pressure that has been placed on all the men and women of the armed services. For a long while, they have been able to sustain enormous operational pressure, but that cannot go on for very much longer.

The Chief of the Defence Staff and the other Chiefs of Staff are warning about the degrading of training because of the huge commitment to operations. The armed forces need time and money to recover their capability. If they do not receive that, an institution of which the United Kingdom can properly be enormously proud will waste away under the twin fiscal and operational pressures to which the Government are subjecting them.

I hope that the Secretary of State's words were part of his negotiating position with the Treasury and the Prime Minister. I hope that the Secretary of State and his Department can rely on the Prime Minister's support in the negotiations on expenditure that will take place over the next few months.

5.16 pm

Mr. Keith Simpson (Mid-Norfolk): It is a great pleasure to follow my hon. Friend the Member for Reigate (Mr. Blunt). He slept through my lectures at the Royal Military Academy Sandhurst, as did my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson). Although he has probably disappeared for a wee dram, I think that the spokesman and military adviser for the Scottish National party was another of my boys. I like to spread my expertise widely. Someone on the Labour Benches is probably also among that group.

We heard 10 contributions in the debate and, in their own way, they were all interesting and rich. Their common theme was a genuine warmth and respect for our armed forces and the role that their personnel play. That is a most constructive and important tone.

It was a pleasure to hear the hon. Member for Blaenau Gwent (Llew Smith). It was like a walk down memory lane. He was like a first world war sweat trying to bring back happy memories of open warfare in 1914 before going over the top on the Somme. It was a pleasure to hear him talk about nuclear weapons and nuclear proliferation. He is out of step with nearly all the main parties, but he has genuine heartfelt views.

The hon. Member for South-East Cornwall (Mr. Breed) is standing in for the hon. Member for Hereford (Mr. Keetch). I trust that nothing has happened to the latter in the Liberal Democrat reshuffle and that he has not been sent into the outer darkness. *[Interruption.]* The Minister mutters something naughty from a sedentary position.

It is interesting that the hon. Members for South-East Cornwall and for Vale of Glamorgan (Mr. Smith) both talked about ESDP as a means of conducting defence within more frameworks. The hon. Member for Vale of Glamorgan suggested that it would enhance security and, without wishing to start more rabbits running, I must say that many in the House and, I suspect, Ministers as well are a little sceptical—to say the least—about that. The problem is that enhancement may take place to the detriment of the proven track record of NATO.

The speech of the hon. Member for Vale of Glamorgan was full of good old Welsh stump politics. He is a loyal supporter of the Government and, if I were in central casting, I would choose him to play someone speaking on behalf of the Labour party in the House of Commons in the 1920s or 1930s. It was great stuff.

My hon. Friend the Member for North Wiltshire (Mr. Gray) is a former Front-Bench defence spokesman. He spoke forcefully for his constituents at Lyneham. They know that they have a doughty fighter working on their behalf. He also raised important issues for members of the Territorial Army, including their conditions of service, their pay and the role of their employers.

My hon. Friend mentioned his essay on the use of the royal prerogative to go to war. I am happy to volunteer to mark it on behalf of the Royal College of Defence Studies—I am sure that it is worth a beta plus at least. He made a serious point about the role of Parliament, which I am sure that the House will want to debate on another occasion.

The hon. Member for Stafford (Mr. Kidney) spoke warmly in support of RAF Stafford and the base at Donnington. He raised an important point about logistics and the private-sector ethos of "just in time" that has been introduced into the armed forces. I have said in previous debates that "just in time" could become "just too late". Although "just too late" might cause business problems and loss of money in the private sector, it can mean something far worse in military operations.

I agree with the praise that my hon. Friend the Member for Reigate gave to my hon. Friend the Member for Faversham and Mid-Kent, who spoke warmly and with great knowledge about the military expertise of our armed forces and the danger of changing the balance in our armed forces to the extent that things that we take for granted, such as the heavier side of our Army, could be thrown out. I concur with his comment—I shall use my shorthand—that there is no doubt that throughout military history, sweat has saved blood. We reduce the training level of our armed forces at our peril.

The hon. Member for Aberdeen, North (Mr. Savidge) made a thoughtful speech about the origins of terrorism and emphasised the role of the United Nations. I do not agree with his comments about the United States of America—he is a little over-critical.

The hon. Member for Moray (Angus Robertson) spoke on behalf of the Scottish National party. He rightly said that defence was important and spoke up for the interests of the Scottish defence establishment. I shall perhaps leave the debate between him and Scottish Labour Members about Scottish independence for another debate.

The hon. Member for Ogmore (Huw Irranca-Davies) spoke mainly about the role of the United Nations but raised an important point about the limits of

[Mr. Keith Simpson]

humanitarian interventionism. My hon. Friend the Member for Reigate rightly focused on the major problem of the relationship between resources and the commitments that the armed forces face now and, crucially, those that they will face in the next two or three years.

The debate takes place against the background of continuing operations in Iraq, the hiatus over the Hutton inquiry and the defence White Paper, which we hope will be published before the autumn. Post-conflict operations in Iraq are dependent on several factors that are beyond the control of the United Kingdom Government or, indeed, our armed forces. There is still no sign of Saddam Hussein, and I suspect that without his capture or death, elements in Iraq will be encouraged to continue the kind of conflict that they are carrying out. We are yet to discover weapons of mass destruction, and if we are unable to discover them it will continue to cause much scepticism among a large section of the British public. The final factor, of course, is the policy of the United States Government because we are the junior partner.

I shall say a few words about the Hutton inquiry. Yesterday, quite rightly, the Secretary of State said that he accepted responsibility for the actions of the Ministry of Defence and his departmental officials. I am old fashioned because I assume that the right hon. Gentleman is a right hon. Gentleman and that whatever the outcome of the inquiry he will take responsibility for those actions. More significantly, the inquiry has revealed in great detail the workings of modern government, which we would otherwise not have known for some 30 years. That raises questions about the way in which the Government conduct business. To an extent, we have seen government by sofa and informal relationships have perhaps led to decisions not being taken properly. That is something on which the Government and Parliament need to reflect.

My concern is that the Hutton inquiry, combined with the continuing failure to find weapons of mass destruction, has encouraged great scepticism among the public about British government, which should concern all of us—not just the current party in government, but the rest of us as well. There is great scepticism about the role and integrity of our major offices of state and our intelligence services. That concerns me because it may well be that in the next few months, or in a year or two, God forbid, the present Government or another Government come to the House and to the public with claims that there is a clear and immediate threat, and the public will be sceptical or will just not believe them. That affects not just the reputation of the present Government. It is a matter for all of us.

I turn to the defence White Paper that we expect in the autumn. It will be a crucial White Paper. Apart from anything else, it will test the Government's commitment to defence and it will—in the words of the Secretary of State—be about change,

"not change for its own sake, but essential change, modernization and new thinking in defence".

I shall take as my text not the speech that the right hon. Gentleman made to the House today, which was good up to a point, but rather bland. I recommend to all right hon. and hon. Members the lecture that he gave at the Royal United Services Institute on 26 June this year, which is the detailed version of the speech that he gave this afternoon. It is far meatier and contains far more interesting ideas. Obviously, it saved the policy-making civil servants having to compose two speeches. I shall focus on the earlier speech, which is the one that we should have heard today.

The speech is entitled "Britain's Armed Forces for Tomorrow's Defence", which I expect will be—surprise, surprise—the title of the White Paper. The right hon. Gentleman began his lecture by saying that he is frequently asked

"why are Britain's Armed Forces so consistently successful in the wide range of tasks they undertake?"

He comes to two conclusions in the lecture. The first—a point raised by many hon. Members—is the quality of our personnel and decisions taken by the MOD on how they are trained, organised, equipped and supported. The second is that the armed forces and the MOD are prepared to change and modernise. Most hon. Members would broadly agree with that, perhaps with the caveat that the MOD has a mixed track record on providing the resources for training, organising and supporting the armed forces, but I do not wish to be churlish about that.

I would add two other reasons behind the success of our armed forces recently. First, not only under this Government, but under previous Governments, our armed forces have got used to making do with just enough and just in time. They are supremely practical applied people. They take the Duke of Wellington's knotted string approach to dealing with military problems, but I suspect that, as my hon. Friend the Member for Reigate said, we are just about getting to the end of the knotted string.

Secondly, our armed forces are now trained to operate and fight jointly and multi-nationally, as successive Governments have emphasised. The UK has always been at its most effective when it has been in effective coalitions. His Grace the Duke of Marlborough and His Grace the Duke of Wellington knew how to work coalitions—the right coalitions, not sham coalitions.

In his lecture, the Secretary of State outlined the need to change and modernise across the whole spectrum of defence. He referred to military structures, headquarters, organisations, weapons, equipment and personnel. He spoke in greater detail about effects-based operations—that is, the ability to deliver critical effect at the right moment. What did the right hon. Gentleman mean by that? He stated:

"Measuring the capability of our Armed Forces by the number of units or platforms in their possession will no longer be significant."

Although that sounds good in theory, the problem for us as parliamentarians and, indeed, for the armed forces is that only through their deployment and operations will we be able to assess their capability. How will the MOD or the Treasury assess that capability? What comparative indicators can be used against other countries, let alone against the threats posed by international terrorists? I hope that that core element of the defence White Paper will be considered by the Select Committees on Defence and on the Treasury and by the Public Accounts Committee.

The Secretary of State said:

"At the heart of effects-based operations are people."

We all agree on that. Those people will be required as never before to have initiative, flexible skills and state-of-the-art technology. Can the Ministry of Defence recruit, train and retain such high-quality personnel in a market where many in the private and public sectors will be looking for the same kind of people? That is an enormous challenge, and as yet I have not heard an answer to how it is to be done.

He said that there is a need to restructure the armed forces to deal with

"the more frequent demands of concurrent medium and small scale operations"

and to act as "multipliers of combat power". The logic of those changes will have an impact on our military organisations, including regiments—not their regimental cap badges, but the way in which they are structured—and on the way in which the RAF and the Royal Navy organise their platforms. I hope that the White Paper will provide some detail on how that will be achieved in practice. If the Secretary of State is correct about the tempo of operations, as I think he is, what impact will that have on service personnel and their families? More frequent operations in less traditional military units will place an even greater stress on armed forces personnel.

What does that mean for the defence budget? The Secretary of State claims that the 2002 spending review settlement provides an additional £3.5 billion and that the defence budget is rising. The Library assessment tells us that since 1997 the share of gross domestic product spent on defence has fallen from 2.7 per cent. to 2.2 per cent. The current financial position is that in real terms UK defence spending is about £1 billion less than in 1996–97. As my hon. Friend the Member for Reigate and other hon. Friends said, there is already a serious crisis in the defence budget without the major changes that the Secretary of State seeks. For the purpose of the debate, however, let us assume that £3.5 billion is the correct sum.

The Secretary of State says that that money has to be used for reform and modernisation. In his lecture, he said:

"But it would be a failure of ambition simply to invest the new money in new systems while carrying on as before with the rest."

He continued:

"So in the forthcoming planning round"—

this is the guts of the issue—

"I will be asking our Top Level Budget holders to think radically".

A dreadful keening noise was heard from the senior military and civil servants sitting in his audience, because they all know that "thinking radically" means: "There is no money in the pot, the Treasury is after us again, and you guys have got to come up with an answer that will make it look as though we are not cutting." He went on to say that their outputs will be delivered "partly by setting them"—wait for it—

"some stiff 'stretch' targets as they are known in the acquisition world."

However,

"These targets are not decisions. And this will not be a 'cuts' exercise."

I do not know who wrote this, but I suspect that they could earn a tremendous amount of money in the private sector—in fact, they probably do.

The Secretary of State continued:

"The aim will be to give us options—planning flexibility. At the end of the process, we will make decisions. In some areas, investment will go down; in others, it will go up—perhaps significantly."

The House of Commons expects the Secretary of State not to repeat that verbiage in the White Paper but to give answers about what the stretch targets are. Will we have a decision or will there be a continuing exercise? Many of us suspect that the comments are cover for further cuts. That will be disastrous for defence spending.

I do not know whether the Minister of State will pick up a point that several hon. Members made about combating terrorism, especially in the context of ballistic missile defence. That is always a slightly embarrassing subject for the Government, not because of Conservative Members but because of Labour Back Benchers. Will the defence White Paper spell out in detail the programme in which the United Kingdom will participate in conjunction with our American allies and how much it will cost?

Several hon. Friends, including my hon. Friend the Member for North Wiltshire, mentioned my next point. The Government are rightly worried about a major terrorist incident in the UK. However, we are genuinely concerned about the lack of political direction and co-ordination at the heart of Government. The Prime Minister has an outstanding man in Sir David Omand in the Cabinet Office. He is a sort of Sir Maurice Hankey, but with a sense of humour. Despite the training and exercises that the Government have carried out, I agree with my hon. Friend the Member for Faversham and Mid-Kent that public opinion, let alone our armed forces and emergency services, is neither psychologically nor operationally prepared for an equivalent of 9/11. I do not know how people can be prepared for such an eventuality, but the action that has been taken so far is not sufficient. I am especially worried about the role of the civil contingency units. We were promised greater details about that but they have not emerged.

The defence White Paper will be crucial. I applaud much of the Government's thinking—we cannot stand still and there must be change. However, I believe that the Government's comments act as a cover for their inability to deliver a budget to tackle current defence commitments, let alone the great investment in personnel that will be required to deal with network-centric warfare and all the major procurement programmes. Unless the Government can make a convincing case, they will fail to persuade not only Members of Parliament but the public who elected them.

5.38 pm

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I thank all hon. Members for their contributions. The hon. Member for Mid-Norfolk (Mr. Simpson) did himself a disservice when he said that he used to send people to sleep. He did not send me to sleep because he quoted so extensively from that wonderful piece that the Secretary of State delivered. It kept me

[Mr. Adam Ingram]

awake, as it did the first time that I heard and read it. It is worth revisiting and the hon. Gentleman was right to alight on it because it makes important points, on which I shall elaborate.

In setting our defence policy, we are conscious that its terms will shape not only the type of operations that we plan to be able to mount but the scope and nature of our procurement programmes far into an uncertain future. Our policy has a significant effect in declaring where and how we plan to operate and exert our influence in the world. It also declares to our allies and adversaries our assessment of the circumstances in which we will operate alone, with NATO, in an ESDP structure or in coalitions of the willing, and the scale of those commitments.

It is critical that our defence policy is based on a rigorous assessment of the nature of the risks that we face, and that it suggests how they may develop in time. Those judgments focus our attention on organisations or nations that are likely to pose the greatest risk to our interests, now and in future.

All that gives us a clear picture of the capabilities needed to match and defeat the challenges ahead, but I need not remind the House that defence capability has two components. One is matériel; the other involves the men and women who serve our country with such distinction. The people we need, and the training that they require to deliver the necessary capability, are changing. In particular, the expeditionary nature of operations and the increasing technological complexity of military equipment are placing unprecedented demands on our people. We owe it to them to ensure that our evolving requirements are adequately reflected in what we believe to be a far-sighted and coherent defence policy that will sustain the vitality, professionalism, skill and reputation of our servicemen and women. As many hon. Members have pointed out, getting that right cannot be regarded as a simple science.

Events have shown that we should not ignore the probability of the unexpected. Accordingly, our defence policy must be alert and responsive to the shocks and crossroads in international affairs that we might encounter. Of necessity, therefore, planning horizons are more ambitious, and while they must be based, in part, on experience, they must also accommodate a greater degree of uncertainty than was the norm in the closing decades of the last millennium. That means that we must always be prepared to re-evaluate our perceptions and predictions.

The fact that the broad direction of the strategic defence review, in terms of deployability, mobility and expeditionary warfare, was the right one has been borne out by events. My hon. Friend the Member for Vale of Glamorgan (Mr. Smith) spoke graphically and forcefully on that subject. The hon. Member for Faversham and Mid-Kent (Hugh Robertson) made similar points. I notice that he is double-hatting in this debate. One minute he is on the Front Bench, the next he is on the Back Benches, and now he is on the Front Bench again.

Mr. Gerald Howarth: He is multi-skilled.

Mr. Ingram: He may be multi-skilled, but he has been very well trained, leaving aside some of the lectures that he may have had to listen to in the past.

The SDR new chapter provided the new focus of our response to the emerging threat of international terrorism. It built on the solid foundation of earlier work, and added emphasis to a rapidly evolving understanding of our security environment. The defence choices over the coming months will further shape the ability of our armed forces to meet the tasks that we will set in future. Those tasks change as the world around us changes. The greatest challenge that we now face is to predict and adapt to those changes quickly and effectively.

The greatest risk that we face is that of failing to make a judicious assessment of the evolving need and, worse still, failing to enable our armed forces to make the required changes in configuration, equipment, and personnel policy. The Government have a responsibility to assess the challenges, and to enable the changes that will underwrite our defence in the future. This debate has reminded us, as every defence debate does, that our armed forces continue to be heavily engaged in the world, and the probability must be that this will not change in the near future.

The majority of hon. Members have, as I would have hoped, taken the opportunity of today's debate to raise issues that bear upon some of the areas that I have just mentioned. I would like to deal with those points now. One of the central charges made by the hon. Member for North Essex (Mr. Jenkin) was that we have too many commitments and too few resources. I think that that sums up a major part of his contribution. What he did not say, however, was which commitments we should not have undertaken. *[Interruption.]* If people make the charge that we have too many commitments, they must face up to the responsibility of saying, "Not now. We cannot do this." In saying that we have too few resources, he should not do as he did at the Conservative party conference when he talked about "enough boots", "enough ships" and "enough aircraft". He should define what "enough" means, and tell us what our shortfall is. That is the way in which the Government can realistically be held to account. He should give us not some generalised statement of what could be good—a motherhood and apple pie philosophy—but a specific analysis and a specific commitment on those points.

On the hon. Gentleman's point about over-commitment, should we not have made a contribution in Sierra Leone, the Balkans, Afghanistan or Iraq? The Conservatives had very strong views on Iraq. Indeed, they were saying that we should make a commitment in Iraq before we had even come to a conclusion on that issue. The resource pressures were there at that point in time. Now Conservative Members say that there is insufficiency of resources. They were arguing for the commitments. They have to take that on board.

Another issue that the hon. Gentleman raised related to training. He referred to the July publication of the director of operational capability report. An earlier report was published in February. Both those reports were commissioned at my request. I asked the DOC to undertake the studies, and we made a conscious decision to publicise all the things that we discovered during that assessment, which was very much an in-depth assessment of the initial training regime, which perhaps had not been studied comprehensively, if at all, for many years. Clearly, that was required.

The important aspect was that it identified key areas for improvement. Significantly, 42 out of the 60 actions that were identified have now been acted upon. I visited one of our major training establishments the other week to see what was happening. I met a lot of new instructors. Everyone told me what a wonderful change there had been in the culture, ethos, approach and the way in which training was handled. They knew that there was more to come and that there were probably better ways of doing it. I had to point out to them that we were at the beginning of the implementation of that assessment but that the important aspect was that there was commitment in that training regime.

When I hear criticism of our training regime, I simply reflect on how many thousands have been put through that regime—tens of thousands over the past few years. We could not deliver in all those conflicts to the extent that we have if that machine were broken and failing the armed forces, in this case the Army. I say to hon. Members, when they make their central charge that there is something flawed in our initial training structures, that we could not be successful if that were the case. That does not mean that things cannot be improved. That is why I commissioned the DOC report and why we will continue to look for ways to implement it.

The hon. Member for North Wiltshire (Mr. Gray) commented on the Territorial Army and the reserves issue. In an intervention, I set out the reason for the reduction of 2,000 about which we saw lurid headlines. The media did not come and ask us. They could have got a proper explanation but, sadly, they are more interested in lurid headlines, and others then take up the charge without saying to the MOD, "Give us the facts." I hope that the fact that I gave helps—I am sure that it helped the hon. Gentleman. The hon. Member for North Essex raised the matter, too but did not hear the explanation that was given.

There is another interesting aspect. Again, if the TA were beginning to disintegrate because there was too much pressure on it, too many demands were made of it, or there were some fault lines in all this, we would begin to see a major problem in retention and recruitment. We are not seeing that. Over time, we have to study that but we are not seeing it at this point.

Interestingly, 9 per cent. of the deployed Army reserves have applied to join the regular forces. I hear that the TA is fragile and beginning to disintegrate but TA members have now realised what a contribution they can make by committing themselves in a regular way. That is an indicator of strength, not weakness.

I had the privilege of being in Ukraine recently, where 4 Para, a TA regiment, was training alongside our Polish and Ukrainian friends. Some of them had just come out of Iraq, but where did they want to go? Back to Iraq. I was surprised. There were professional people there. There was a joiner, a plumber, people who could earn substantial money in the private sector, but they wanted to commit themselves in that way, so it is not all doom and gloom. I do not believe even for one moment that there is a weakness in the way in which the TA is currently responding to the demands that are placed on it. Again, we will have to assess that over time.

The hon. Member for North Essex asked about the cost of Operation Telic. I do not know how many parliamentary questions I have answered on that but the current net cost is running at £700 million against a predicted budget of £1 billion. Further costs for the year 2002–03 are currently being assessed, and will of course be published in due course. We have made it clear that we are committed to achieving our objectives in Iraq, and the budget and financial support is important in that regard.

I turn to the points made by the hon. Member for South-East Cornwall (Mr. Breed). Other Members have said that he may have been elevated in the recent reshuffle—*[Interruption.]* He is shaking his head. I pass on my best wishes to his predecessor, the hon. Member for Hereford (Mr. Keetch), who will obviously be back on the Front Bench at some point. The hon. Member for South-East Cornwall raised at least two important points, the first of which concerned pensions. Although the issue of pensions does not relate strictly to defence policy, I can see how a connection could be made. The accusation is that we are cutting pensions, but the service pension has not been reduced—it will still be worth 50 per cent. after 35 years, with a tax-free lump sum of three times the pension. Personnel will also have scope to accrue further benefits if they serve for longer.

It is true that we will no longer provide an early immediate pension, as this would not be consistent with the expected Inland Revenue policy of not allowing pension benefits to be paid before the age of 55. We have to position ourselves in terms of future policy—otherwise, we will have to revisit this issue—and that is the sensible approach to take. However, we do intend to provide a replacement early departure scheme, which will offer similar benefits and structure, and provide support until the preserved pension and tax-free lump sum are paid out at the age of 65. *[Interruption.]* The hon. Member for South-East Cornwall looks perplexed, but before charging us with cutting pensions, he should read the written statement produced by one of my colleagues on 15 September, which dealt with some of those points.

Mr. Jenkin: Will the Minister give way?

Mr. Ingram: I know that the hon. Gentleman allowed me to intervene on him, but I am trying to deal with the many points that were raised. If time permits, I shall certainly return to that issue. I am not being discourteous, but let me not be distracted from trying to deal with the points that were raised.

The hon. Member for South-East Cornwall also mentioned manning control points, on which I have some statistics. Only three people left the Army in 2002 as a result of MCPs, and in the past four years there have been 209 MCP discharges. In the judgment of those who run the Army, MCPs are an essential tool for controlling its manning structure, and are used solely to maintain the structure's integrity. MCPs are a mechanism to retire those who have reached their ceiling, and who are preventing more able soldiers from being promoted. A judgment call has to be made, to ensure that the career paths of talented young people joining the forces are not being restricted. We handle sensitively those who are asked to leave under MCPs, and it is important to remember the statistics to which I have referred.

My hon. Friend the Member for Vale of Glamorgan offered strong support for the strategic defence review and asked about ethnic recruiting. It is worth bearing in

[Mr. Ingram]

mind just how successful we have been in recruiting. The financial year 2002–03 was an excellent recruiting year: 26,220 new recruits were taken on, comfortably exceeding the target. Indeed, in recent years there has been steady, year-on-year progression. In 2001–02, the armed forces achieved 95 per cent. of their target; in 2000–01, the figure was 90 per cent.

On ethnic recruiting, all three services have specialist teams whose aim is to promote armed forces careers to ethnic minority communities. According to unaudited figures for the first quarter of 2003–04, 446 people from ethnic minorities, including Commonwealth citizens, were recruited. However, the important point is the aim in achieving better results in this area. That aim is for each service to increase incrementally, each year for the next three years, the proportion of UK ethnic minority recruits—I stress UK ethnic minority recruits—by at least 0.5 per cent., with a tri-service aim of reaching 5 per cent. as soon as possible. We are undertaking several key initiatives to target that issue. It was also right to highlight the fact that, for whatever reason, inner cities are no longer the prime recruiting territory that they once were. To give an example, recent initiatives in London include the launch of the first mobile recruiting office—effectively a bus—which is operating within the M25 area. It enables recruiters to reach communities that have not always been accessible in the past. We are taking the campaign out to the communities, rather than having a static recruiting office.

Patrick Mercer: I heard with interest what the Minister said about recruiting successes, but will he deal with the point that was raised earlier? The Army is under-strength and recruitment is improving but recruitment capping figures have been announced for the infantry, the Royal Armoured Corps and the Royal Military Police. Will he explain why?

Mr. Ingram: We have debated that matter before across the Dispatch Box and I thought that I had reached a point of understanding with the hon. Gentleman. We were highly successful in our recruiting campaign, but the training regime was set at a certain standard with a certain anticipation of numbers. We watched for a while as those numbers increased to see if there was a glitch and establish whether to respond with extra resources. A decision was taken some way down the line to do so because it looked as if the trend was upwards. We then had to staff the additional resources and take them from elsewhere. While we were doing that, we recognised that the armed forces—in this case the Army—were heavily committed. Judgment calls have to be made in the process, but it does not detract in any way from the importance that we place on recruitment. It is important to recognise the strength of our approach to recruiting and how successful we have been. There is no failure, but success. That is the important message that has to go out, together with recognition of how good the training regime has been.

Patrick Mercer *rose—*

Mr. Ingram: I am not going to give way.

The hon. Member for North Wiltshire raised several issues, many of which related to the forthcoming White Paper. It is only proper to wait and see what it contains before conducting a fuller debate. He mentioned Lyneham, but I disagree with some of his comments about it. Irrespective of whether it closes, the number of RAF posts would have changed by virtue of the fact that the new aircraft type requires fewer people to service and maintain it. That explains part of the large reduction in the RAF footprint and we subsequently took the decision to locate in Brize Norton on grounds of the best strategic fit. We took account of all the associated risks, which were part of the review, and our best advice was different from his viewpoint. We were told that the risk was manageable.

I can, however, give the hon. Gentleman a commitment on the reinstatement of the land and putting the base to other uses. We operate a good neighbour policy and I give my commitment to working closely with the local authorities and the planning agencies to ensure that we do the best that we can for the community—primarily because of the great contribution that RAF Lyneham has made over the years.

Many other issues were raised in the debate—*[Interruption.]* If some hon. Members had not spoken for so long, I would have had more time to respond. I have already had to cut out a range of important responses.

The hon. Member for North Wiltshire also mentioned reservists. The current banded rates for the standard award are as set out in a statutory instrument. Although the rates have not kept pace with the increase in civilian earnings, reservists can additionally claim a hardship award to cover essential outgoings. We recognise that that is not ideal and work is in hand to produce a new statutory instrument. The new scheme will take into account the statistical evidence arising from the mobilisation for Iraq. We are learning a valuable lesson.

My hon. Friend the Member for Stafford (Mr. Kidney) raised many important points, but I do not have enough time to go into them all. He referred to three essential change initiatives that can produce major improvements. All the changes, if reflected in financial changes, will assist the front line. I understand that they will have an impact on the work force in the relevant establishments. I recently visited Donnington and met people from the Ministry of Defence in Stafford. I was able to give them some hopefully strong assurances about how we are handling this. My hon. Friend also asked about contact with the trade unions, and I met them on 18 September.

I was hoping to say something about the contribution of the hon. Member for Moray (Angus Robertson). Scotland is a normal and a proud country. It is proud to be in the United—

It being Six o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Mineworkers' Compensation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

6 pm

Mr. Kevan Jones (North Durham): I am pleased to have secured this debate, and I thank Mr. Speaker for selecting this subject for debate this evening. It gives the House the opportunity to discuss the position of former surface workers of British Coal who are suffering from respiratory disease as a result of their exposure to coal dust at work. I know that many right hon. and hon. Members who represent coal mining or former coal mining constituencies will have constituents who are affected.

The decision by the Government to sign, in September 1999, a handling agreement to cover compensation claims for dust exposure by coal miners was widely welcomed in many former mining constituencies such as mine of North Durham. The agreement set in place a scheme to compensate coal miners and avoid the expensive and protracted process of taking individual cases through the courts—a process that had been estimated to take between 15 and 20 years. The scheme has had its administrative problems, mainly because of the large numbers of claims, but many former miners are now being compensated for the damage that coal dust did to their health.

According to the latest figures from the Department of Trade and Industry, more than £785 million has been paid out in compensation. In my constituency, just under £9.5 million has been paid out to former miners or their families. However, no amount of compensation can compensate individuals for the effect that coal dust has had on their health—the daily gasping for air—or the tragedy of watching a loved one die the agonising death that dust causes. I give the Government full credit for recognising the wrong done to those men and putting in place the current scheme, which, I must emphasise, has been welcomed in many constituencies.

The majority of those exposed to coal dust were exposed while working underground. The compensation scheme covers those individuals, but it does not cover those who worked above ground and were often exposed daily to high levels of coal dust. They often worked in the processing of the coal or as blacksmiths, whose main job was on the surface, but often—sometimes daily—took them underground.

The 1999 handling agreement resulted from a High Court case in January 1998, which was brought by underground workers who were exposed to coal dust. The High Court found in favour of six out of the eight claimants, but because all the claimants were underground workers, the Court never addressed the position of surface workers exposed to coal dust. When the handling agreement was signed in September 1999, it was accepted that the issue of potential exposure to coal dust on the surface would be resolved. The agreement even included a statement of intent to that effect.

To underline further that commitment the Department of Trade and Industry placed a minute before Parliament on 10 July 2000, which indicated that it was prepared to accept liability for those workers in dusty jobs on the surface. I have a copy of that minute before me and it is headed "Non-statutory liability to pay compensation to miners for exposure to surface dust". Paragraph 2 explains the liability that the DTI proposes to accept in respect of exposure to surface dust for employees at the surface of British coal mines. Paragraph 5 explains the reasons for accepting liability. It states that

"exposure to dust on the surface leads to the same lung disease as dust underground".

It continues:

"The DTI have investigated the level of dust prevailing in surface jobs in British coal mines, measures which could have been taken to reduce dust and those which were taken.

The DTI proposes to accept that British Coal did not fully meet its responsibilities towards certain categories of workers in dusty jobs on the surface".

The minute is also clear about what the acceptance of liability means for claimants. Paragraph 8 states that

"acceptance of this additional liability will mean that current claimants can extend their claim to cover time spent in dusty jobs on the surface and men who have only worked on the surface will be able to put in a claim".

The reference to surface workers is so clear in that the word "only" is in bold type.

Anyone reading the minute—which is signed by Ann Taylor, director of the coal health claims unit at the DTI—would probably conclude that surface workers exposed to coal dust could pursue claims for the damage to their health, but that is not the case. On 17 July 2000, the DTI retreated from its earlier clear position, as outlined in the minute. It is now prepared to compensate miners for chronic bronchitis, but not for the more debilitating conditions of chronic obstructive pulmonary disease and emphysema. It asserts that, according to the available evidence, levels of coal dust on the surface were low and that if the measurements were accurate, the dose of dust received over a working life would be insufficient to cause loss of lung function causing long-term disability.

That is a very different stance from the one adopted in the minute laid before the House in July 2000. It means that many thousands of surface workers who are suffering the debilitating effects of exposure to coal dust can no longer claim compensation—people such as Mr. Lynn, a constituent of mine in Chester-le-Street, a blacksmith employed by British Coal throughout his working life. Although his main job was on the surface, it took him underground regularly. Mr. Lynn has a medical report stating that he is suffering from chronic obstructive pulmonary disease, but he is denied compensation because his is deemed to have been a surface occupation. He walked into my surgery gasping for air. He is clearly suffering the effects of his employment in the coal industry.

Today my hon. Friend the Member for Caerphilly (Mr. David), who unfortunately cannot be here tonight, raised with me the case of a 90-year-old widow whose husband died recently. His death certificate states that he died as a result of coal dust on the lungs, but she too has been denied the right to claim compensation, unlike many thousands of miners' widows throughout the country.

The DTI has made some concessions to surface workers, but only if they can prove that they worked for a minimum of five years underground as part of their

[Mr. Kevan Jones]

employment after 1954. I understand that the concession was made on the basis that if a man already suffered from some disability owing to his underground exposure, work on the surface might increase that disability. I consider that illogical. A surface worker could easily have accumulated far more exposure to dust over, say, 30 years than a man who had worked underground for five years and then worked on the surface for 15.

If it is accepted that surface dust contributes to the cause of disabling chronic obstructive pulmonary disease when combined with underground dust, why should it not be accepted that the same surface dust alone contributes to it? There is evidence—and I have talked to many who have worked in the coal industry, including my father—that many surface jobs, especially those involved in the preparation plants and in the washing of coal, exposed workers to dust levels that were far higher than those experienced by workers underground.

The claimants' solicitors group has also produced some evidence from an environmental study carried out in 1956 that indicates that dust levels at the surface of some collieries were higher than the levels recorded underground. Like Mr. Lynn, many surface workers have medical evidence to confirm that they are suffering from COPD. Despite that, however, the DTI has now issued a blanket denial of liability in respect of purely surface workers, and in respect of those with less than five years underground post-1954.

It is now four years since the handling agreement was put in place and three years since the DTI put a minute before Parliament accepting liability for the dust exposure of surface workers. In that time, surface workers have continued to suffer, and to die. Often, they live next door to other former employees of British Coal who have been rightly compensated for their disability, and they find it hard to understand why they cannot be treated in the same way.

Four years on, the issue of compensation for surface workers needs to be addressed urgently by the Government. Failure to do so will mean that the cases will be put before the courts, and that will be both expensive and time consuming. People continue to die and fail to understand why they cannot be treated in the same way as other British Coal employees. In addition, the good will built up in the constituencies involved—and I remind my hon. Friend the Minister that they are overwhelmingly Labour constituencies—will be lost.

In closing, I urge the Minister to do his utmost to resolve this issue, to avoid expensive litigation, and to compensate men who, through no fault of their own, have had their health ruined because of the negligence of others.

6.12 pm

The Minister for Energy, E-Commerce and Postal Services (Stephen Timms): First, I congratulate my hon. Friend the Member for North Durham (Mr. Jones) on securing the debate and bringing this matter before the House. It concerns many hon. Members, especially those with constituencies in the coalfield areas, and I entirely understand the concerns that have been expressed and the strength of those concerns. I am pleased to have this opportunity to update the House on the progress that my hon. Friend has acknowledged is being made in respect of meeting the health liabilities of British Coal.

This debate is the first opportunity that I have had to address the House on this issue, and it allows me to remind hon. Members that this Government assumed not only a legal but a moral commitment to make sure that former miners, and their families, receive the compensation to which they are entitled, and as speedily as possible.

More than 450,000 claims have been registered under both the respiratory and vibration white finger schemes. That amounts to the largest personal injury scheme ever in this country, and possibly the largest ever in the world. We are still receiving more than 4,000 new claims a week under the respiratory disease scheme, and it is impossible at the moment to say when all the claims will be settled. However, I can say that my Department and our contractors are committed to ensuring that our obligations are met in full.

My hon. Friend referred to the fact that the respiratory disease liability stems from a High Court judgment handed down by Sir Michael Turner in January 1998. That judgment found British Coal liable for causing a number of respiratory diseases, including chronic bronchitis and emphysema, in miners who worked underground after 1954.

The judgment did not cover those miners who had worked solely on the surface. However, as part of the ongoing negotiations between the Department and solicitors, we looked at the possibilities of assessing surface-only claims through the scheme. My hon. Friend referred to the minute that the Department placed before Parliament in July 2000, which proposed to accept some liability in relation to surface dust, although—as my hon. Friend will see from the minute—the precise extent of that liability, and the detailed arrangements for the payment of any compensation to this group, would have to be negotiated between the parties.

As a result of those negotiations, the Department offered to process claims for miners who had so-called mixed employment—those who had worked underground and in dusty jobs on the surface. The claimants' solicitors accepted that offer and those mixed workers have been able to have medical assessments and receive offers in the same way as underground workers since then.

My hon. Friend asked in particular about the case of a blacksmith. Where claimants worked in such jobs—spending part of their week above ground and part underground—the Department is putting evidence to an expert panel, the dust reference panel, which is establishing the amount of time spent underground in any given week. Compensation is being paid for that underground exposure. Blacksmiths are shortly to be referred to that panel.

For surface-only workers, the position is more complex. It is not the case that the Department has a blanket ban, as my hon. Friend suggested. As long ago as November 2000 the Department offered to allow surface-only workers access to the medical assessment process for chronic obstructive pulmonary disease

where there was evidence of substantial exposure to dust. The criterion for entry to the process was evidence of pneumoconiosis—a disease that occurs only as a result of dust exposure and not as a result of smoking. As my hon. Friend will appreciate, there is a need to disentangle the two.

The claimants' solicitors felt unable to accept that offer on the basis that they believed all men in the agreed categories of dusty jobs on the surface—for example, those working in the preparation plants—should have access to the medical assessment process.

We have also offered to discuss compensation for surface-only workers for chronic bronchitis and the temporary exacerbation of asthma. Again, the claimants' solicitors have not to date accepted that offer, although they have asked within the past few weeks to look at it again with officials.

More recently, the Department has offered to consider individual claims for COPD brought forward by the claimants' solicitors on a common law basis, on the basis that some highly susceptible individuals might be more at risk of COPD than the generality of surface workers.

All those steps show that the Department is committed to paying fair compensation to that group of claimants. The step that we are unable to take at present is to put all workers in surface dusty jobs through the main medical assessment process for COPD on a schemed basis. I will explain why that is a difficult step for the Department to take at the moment in the light of the medical evidence that we have received. Notwithstanding that, the compromises that we have made do not amount to the blanket ban that my hon. Friend suggested was in place.

I understand why the solicitors have not felt able to accept any of the offers that we have made to date. They feel that the Department's medical evidence is based on incorrect data. If they could demonstrate that, the medical issues would have to be re-examined in the light of that new information and might well point to a different conclusion. It could then be possible to achieve a comprehensive settlement for surface workers, rather than progressing on a piecemeal basis. I do not want to blame anyone for the delays. We are all in this together. There has been some good co-operation between the parties—the claimants' solicitors and the Department. However, those outside the process occasionally fall into the trap of thinking that no progress has been made or that the Government are dragging their feet. I hope that it is becoming clear from my speech that that is not the case.

Mr. Jimmy Hood (Clydesdale): I understand that this is the first time that my hon. Friend has spoken at the Dispatch Box on this subject. He is making some interesting points.

I wish to put down a marker and to raise an important issue, which has not had the publicity that it should: the miners who worked for the National Coal Board and private mining companies. As I understand it, the Department is reluctant to settle with miners who are entitled to compensation but who worked partly for the coal board and partly for private mining companies because the private companies' insurers are not prepared to sign up to the scheme. I raise that with my hon. Friend and hope that he will pay it some careful attention and seek a solution. Thousands of miners are suffering great injustices. They are entitled to compensation, but they are denied it because those insurance companies have not signed up.

Mr. Timms: I shall certainly look into the important point that my hon. Friend makes, which has been raised with me in the past. The liability on the Government applies to those who worked with British Coal; the scheme relates to British Coal's health liabilities. However, I shall look closely into the extent to which we have made progress in addressing my hon. Friend's point.

In relation to the surface-only workers about whom my hon. Friend the Member for North Durham expressed particular concern, the Department's position is based on advice provided by our medical expert: that the concentrations of respirable dust, as opposed to visible dust, on the surface were not sufficient to cause COPD in the great majority of surface-only workers, even over a working lifetime. It follows that if surface-only workers have COPD, according to our advice it is most likely to have been caused by smoking, as it certainly can be. It is worth remembering that, under the terms of the underground scheme, the effects of smoking 15 cigarettes a day are held to cause damage equivalent to the dust exposure of a face worker, and compensation payments to smokers are discounted accordingly.

Mr. Kevan Jones: With great respect, that is nonsense. I used to deal daily with compensation claims in the shipyards, where a certain percentage of the claim was taken off for smokers to take account of damage not caused by dust. The Department's approach seems to make the generalisation that many people are suffering due to exposure to other things, such as tobacco smoke. In many cases—for example, that of Mr. Lynn—the people involved have never smoked a cigarette.

Mr. Timms: I think that my hon. Friend may not have quite caught my point. I was making the point that, indeed, under the terms of the underground scheme, the effects of smoking 15 cigarettes a day are held to cause damage equivalent to the dust exposure of a face worker, and compensation payments are discounted accordingly.

The Department's medical advice is based on the only dust figures for the surface currently available to the parties and on assumptions relating to loss of lung function that have been accepted by the judge. The differences between the Department and the claimants' solicitors relate to the medical evidence and the consequences that flow from that. We agree with the claimants' solicitors in wanting fair compensation for that cohort of claimants. It is not the case that we want to resist a well-founded claim, but medical evidence is needed to substantiate the case and the problem is that, at present, there is none.

We want to co-operate with everybody involved to reach a fair settlement. We are not resisting a fair settlement if evidence can be found to justify the points that have been made.

Mr. Dennis Skinner (Bolsover): My hon. Friend has suggested that the door has been opened and that he will

[Mr. Dennis Skinner]

look at the blacksmiths' case, the insurance case, the private mines and some of the other cases. Is he aware that those of us who worked on the screes removing the dirt from the coal were exposed to more dust than about 80 per cent. of the miners underground? He can take it from me—I did 21 years. Some of my friends refused to work on the screes because it was a lousier job than working underground. While he is in this benevolent mood, will he look into that? Will he make sure that things are dealt with before the cut-off date next year? I am worried that if the cut-off date is reached some of the other changes might never take place.

Mr. Timms: I am aware of the point that my hon. Friend makes, and I say again that there needs to be medical evidence to allow us to go beyond what we have done so far and such evidence has not been forthcoming at the moment.

The Department was pleased to co-operate with a proposal from the claimants' solicitors to study data on pneumoconiosis among surface-only workers and to put a group of surface-only workers through the medical assessment process. My predecessor, my right hon. Friend the Leader of the House, announced that to Parliament on 30 March 2001. Data on that disease are significant because, unlike COPD, the disease can only be caused and worsened by dust. If we could establish high levels of that disease among surface-only workers, it could point to higher dust levels on the surface than our evidence to date has shown. If that were shown to be the case, our medical advice would no longer stand because it would be based on unsound evidence. But the study did not produce any evidence that required us to reconsider our medical evidence and, as a result, the position has not changed. We wrote to the claimants' solicitors in February to inform them of that.

More recently, the solicitors chose to raise the matter with Sir Michael Turner at the High Court in July. They applied for an order requiring the Department to disclose all documentation relevant to surface dust by the end of August, to be followed by mediation to determine the issues still between the parties. They asked that, if the mediation were unsuccessful, the judge should give directions for litigation of the issues in the framework of the existing coal health respiratory disease litigation. The judge did not grant the order, but he requested instead that the solicitors identify a number of lead cases and that they investigate their dust exposure and medical circumstances and put them forward at the next court hearing for the Department to consider. It is hoped that that will give the Department sufficient information to decide whether there are points between the parties that can be resolved by mediation.

At a meeting of the coal health ministerial monitoring group last month, the solicitors made it clear that they were having difficulty identifying lead cases and asked the Department to assist by opening its archives to them in advance of identifying the cases. We were entirely happy to co-operate with that request. We have granted access to British Coal's archives to allow a search for surface dust records. We are next due to appear before Sir Michael on 10 November to report on progress made.

I wish to say to my hon. Friend the Member for North Durham and others in the Chamber and elsewhere who have followed this matter very closely that we have done everything possible—through the offers we made to compensate some cohorts of surface-only workers, through the joint surface dust study and through the opening of British Coal's archives to the solicitors—to give those in the group an opportunity to establish their case. But my hon. Friend will recognise that the Government also have a responsibility to the taxpayer, who is funding compensation, to ensure that compensation is paid only where the Department is genuinely liable, and I make no apology for our adopting a robust approach. If the claimants' solicitors can establish their case—we have been genuinely as helpful as we can in assisting their efforts to do so—we will ensure that payment is made to that cohort of men as soon as possible, but we cannot pay compensation on the basis of the existing medical evidence; the medical case is simply not there.

I should like to say a little about more general progress. This is a huge responsibility, and from the outset the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Edinburgh, South (Nigel Griffiths) and I have set about meeting all the parties involved in the process to ensure that we are doing everything that we can to make progress. We have held useful meetings with the solicitors representing the claimants, mining union representatives, coalfield campaigners and the Department's own contractors under the auspices of the Department's ministerial monitoring group, and progress continues to be good.

Under the two schemes, a total of £13.7 million has been paid out in both interim and full and final settlements to those in the constituency of my hon. Friend the Member for North Durham. Of course, more needs to be done, and we will continue to be as helpful as we can in establishing claims if the medical evidence is forthcoming, and it occurs to me that perhaps my hon. Friend will have suggestions to make to the claimants' solicitors to assist them in identifying individuals who may be able to help, through their own experience, to establish a case.

The motion having been made at Six o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at half-past Six o'clock.

House of Commons

Monday 20 October 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Youth Unemployment

2. **Mr. Graham Allen** (Nottingham, North): When he next plans to visit Nottingham, North to discuss youth unemployment. [132602]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I shall be happy to visit my hon. Friend's constituency, especially as long-term youth unemployment there has been cut by 71 per cent., with 1,500 young people already helped into jobs by the new deal and by the good work of local bodies which I know enjoy energetic support from my hon. Friend.

Mr. Allen: Will my right hon. Friend continue to remind everybody that in 1997 in constituencies such as mine unemployment was the No. 1 problem and that it has been tackled effectively by his team and by previous teams? More than 2,000 people who were unemployed are now in jobs in my constituency as a result of the new deal programmes.

Will my right hon. Friend reassure me that the rumours that I have heard that the Opposition still intend to abolish large chunks of the new deal policy—

Mr. Speaker: Order. The hon. Gentleman should be seated. The Secretary of State should say nothing about Opposition proposals.

Mr. Smith: I strongly and warmly endorse the parts of the question put by my hon. Friend the Member for Nottingham, North (Mr. Allen) that commended the new deal and our other policies for economic stability. Keeping people attached to the labour market has transformed the experience and the culture of expectations in Nottingham and places right across the country that previously endured mass unemployment. We have been proud to cut unemployment, and it would stagger me if anyone were to suggest abandoning programmes that have helped to give us the lowest unemployment in the G7 and the highest rate of employment.

Health and Safety (Royal Mint Llantrisant)

3. **Huw Irranca-Davies** (Ogmore): If he will make a statement on Crown immunity from prosecution for health and safety offences as it relates to the Royal Mint in Llantrisant. [132603]

The Minister for Work (Mr. Desmond Browne): The Government remain committed to removing Crown immunity from statutory health and safety enforcement and will seek a legislative opportunity to do so when parliamentary time allows.

In the meantime, the Health and Safety Executive applies Crown censure procedures where prosecution would have been justified but for Crown immunity. On 11 September 2002, the Royal Mint was censured under those procedures in respect of the circumstances of the accidental death of John Wynne.

Huw Irranca-Davies: I thank the Minister for that response and for the assurances that he has given and which I have received in writing from the Department. Does he agree that, for the benefit of Mr. Wynne's widow and family and the many others affected by Crown immunity from prosecution, the Health and Safety Executive recommendation of 1978 that Crown prosecution immunity should be lifted should be acted on as soon as possible? If the Government cannot find time in their legislative programme, will my hon. Friend be willing to support a private Member's Bill should one be fortheoming?

Mr. Browne: As my earlier answer implied, I am aware of the circumstances of the tragic death of John Wynne. Before I go on to the detail of my hon. Friend's question, I express my condolences to Mr. Wynne's widow, Mrs. Katrina Wynne, and to the rest of the family. I also pay tribute to my hon. Friend's hard work on behalf of his constituent in that case.

My hon. Friend raises an important issue relating to the timing of this overdue reform. I can only repeat that the Government are committed to that reform and that as soon as an appropriate legislative opportunity makes itself available we shall reform the law in that regard.

Minimum Income Guarantee

4. **Phil Sawford** (Kettering): How many pensioners in the Kettering constituency are in receipt of the minimum income guarantee. [132604]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): About 3,100 pensioners in the Kettering constituency were receiving the minimum income guarantee. I can confirm that all my hon. Friend's constituents on the minimum income guarantee are now receiving pension credit.

Phil Sawford: I thank my hon. Friend for that answer. Thousands of my constituents have benefited from the minimum income guarantee and welcomed the fact that they were all transferred to the new pension credit. What

action does my hon. Friend propose to ensure more take-up so that more people who may be entitled to the new tax credit claim it?

Maria Eagle: My hon. Friend will be aware that we have undertaken to write to all pensioners to encourage them to apply for their entitlement. There has also been a lot of publicity from the Department. Obviously, there is a certain amount of controversy about the policy and that, too, might raise people's awareness that there is an entitlement for which they can claim. I hope that, despite the controversy about the policy from the Opposition, all Members will urge their constituents, many of whom could be up to £400 a year better off on average, to claim the pension credit.

Mr. Oliver Heald (North-East Hertfordshire): Of course we would urge constituents in all constituencies, particularly Kettering, to claim the pension credit, but has not the Minister estimated that 1.4 million of the poorest pensioners in the country will still not be claiming pension credit in 2006? Is Kettering a typical constituency? If it is, does that not mean that 2,000 of the poorest pensioners in Kettering will not be receiving the pension credit in 2006?

Maria Eagle: The hon. Gentleman is being a little disingenuous. He knows as well as we do that the 2006 figure that he quotes is a target, not a ceiling. My hon. Friend the Minister for Pensions has made it clear that we want everyone who is entitled to pension credit to claim, and the truth is that the Conservative party does not want them to claim because it does not want the policy to be the great success that it is going to be.

Mr. Gordon Marsden (Blackpool, South): My hon. Friend and the Government are to be commended for introducing the pension credit. When I have gone around Blackpool to talk to some of my older pensioner constituents in the past two to three years, one issue that has been raised with me concerns those people with very small savings who have not been getting benefits. Will my hon. Friend assure me that, in the process of rolling out the pension credit to an increasingly broad group of people—[HON. MEMBERS: "Kettering?"]—as in Kettering.

Hon. Members: Hear, hear.

Maria Eagle *rose—*

Mr. Marsden: Will my hon. Friend ensure that her officials give full attention to the need to be clear and concise in the language that they use on the hotlines and elsewhere?

Maria Eagle: I am sorry, Mr. Speaker. I mistook the great cheer as meaning that my hon. Friend had finished, seemingly on a high.

Kettering is like many other constituencies in the sense that any of us who knock on doors regularly and talk to pensioners—whether in Kettering or elsewhere round the country—know very well that pensioners were greatly concerned that they were just missing out on help if they had been prudent enough to save during their working lives. The pension credit is the first policy adopted that rewards saving, rather than penalises it, and it should be supported throughout the House.

Pensioners (Means-tested Benefits)

5. **Mr. Peter Viggers** (Gosport): What proportion of pensioners are eligible for means-tested benefits. [132605]

The Minister for Pensions (Malcolm Wicks): Pension credit has removed the old weekly and intrusive means test. Instead, most pensioners aged 65 and over will have their award fixed for five years and only have to tell us about major changes in their circumstances. About half of all pensioner households will be eligible for pension credit and other income-related benefits, standing to gain £400 a year on average. Already, more than 1.1 million pensioner households on the credit will receive more money than they did before.

Mr. Viggers: With a firm of actuaries calculating that a couple would need to save £180,000 to float free from means-tested benefits, what advice does the Minister have to give to young couples on modest means who are planning for their retirement?

Malcolm Wicks: The example presented by the shadow Secretary of State was specific, very long-term and assumed that the couple were not owner-occupiers, which would not be typical of elderly households, so I dispute its usefulness. In the here and now, large numbers of people in Gosport—and, indeed, Kettering—stand to benefit from pension credit. I am pleased to inform the hon. Gentleman that 70 of his constituents attended a recent advice session in the Gosport bingo hall, which I am sure he is very familiar with, and they were given very good advice. Already, people in Gosport are benefiting from pension credit. Let us focus on that.

Mr. Frank Roy (Motherwell and Wishaw): My hon. Friend supports total uptake in the pension credit system, but will he look into the fact that pensioners are not allowed to go into the Pension Service building in Motherwell to meet the staff face to face to discuss their claims?

Malcolm Wicks: We are very concerned—hon. Members' advice will be most welcome—to reach all elderly people who might be eligible for pension credit. That is why we have a number of advice surgeries in my hon. Friend's constituency and in all constituencies. There is also a telephone line, a freephone line, and we are arranging many home visits, but I should like to talk to my hon. Friend to get his advice on how to make pension credit even more accessible in his constituency.

Mr. David Willetts (Havant): I was very disappointed that the Minister did not accept the estimate by an independent firm of actuaries that a couple would need to save £180,000 during their working lives to secure

enough income to keep them off means-tested benefits when they retire, but if he does not agree with that figure, could he tell the House what his estimate is?

Malcolm Wicks: May I say that I have a report that Mercer actuary Deborah Cooper, who did the calculation, says that

"reports that people should save £180,000 or not bother at all are misleading"?

It would help the House if we had studies that were not only accurate but helped us in the discussion. Under the last Conservative Government, there was no incentive for savings: there was a penalty knocking off any savings or occupational pension pound for pound. Why does not the hon. Gentleman welcome the fact that at long last pension credit rewards savings and does not penalise them?

Mr. Willetts: Why does the Minister not give a simple answer to a simple question? All that Members of the House and the entire savings industry want to know is how much people need to have saved to build up a sum of money sufficient to float them off means-tested benefits. That is the sum needed to be confident that one has not mis-sold a pension. If the Minister does not accept the figure produced by Mercer, he owes the House an account of what his estimate is.

Malcolm Wicks: The hon. Gentleman's problem seems to be that Mercer may not accept the example that he cites. He asked for simple estimates, but he is being simplistic. What the figure might be depends on a wide range of assumptions, but bringing forward a figure that is in denial of owner-occupation, which is the common experience of pensioners, is not at all helpful. Pension credit is a major advance in recognising savings in this country.

Siobhain McDonagh (Mitcham and Morden): Can I bring my hon. Friend's attention to the response of one of my real—not made-up—constituents, Mr. Catt of Pollards Hill? He wrote to me:

"the really exciting news for me was the result from a claim made for minimum income support ... not only have I been granted assistance with some MIG, but the increase within the new pension credit ... is almost too good to be true. To be so much more financially independent is akin to the Promised Land."

Is my hon. Friend getting many similar responses from pensioners across the country?

Malcolm Wicks: Yes, indeed, and while Opposition Members may be more interested in the simplicity of far-fetched actuarial assumptions, I am pleased that my hon. Friend has brought this debate down to earth by talking about real people. I am delighted that in the Gosport constituency, for example, someone who had a home visit and had not been receiving minimum income guarantee previously is now £20 a week better off. In fact, because one of her friends happened to be there, too, that friend is also claiming attendance allowance for the first time. Surely we should welcome those human experiences and not knock a real social policy advance.

Annabelle Ewing (Perth): Is the Minister satisfied with the take-up rate of the means-tested pension credit in Scotland by pensioners other than those who were already in receipt of the minimum income guarantee? If he is not satisfied, what does he plan to do to ensure that all pensioners in Scotland receive their entitlement, and that they do so as quickly as possible?

Malcolm Wicks: Of course we want every eligible elderly person in Scotland and across Great Britain to receive pension credit. That is why we have said previously that, although we have planning assumptions, we will not be satisfied until we reach every pensioner who might be eligible. May I say to the hon. Lady, however, that given that pension credit has only been in existence for a week or two, I hope that she will understand that it will take a little longer before we reach the targets that we have set.

Jeremy Corbyn (Islington, North): What estimate does the Minister have of the comparative costs of administration of the pension credit compared with increasing the state pension to an equivalent level and recouping the excess wealth from others through income tax rather than through this system of administration of pension credit?

Malcolm Wicks: Of course there will be higher administrative costs for a targeted system than for a flat-rate system. By 2004–05, however, when the full pension credit will have been in place for a whole financial year, we will be spending over £9 billion more than in 1997. That gives my hon. Friend's constituents around Highbury stadium in Islington far more money, when they are on low incomes, than simply raising the basic pension. I am sure that he would welcome that for his constituents in Islington.

Mr. Hugo Swire (East Devon): Does the Minister not accept that, by extending means-testing in this way and by changing Government policy yet again, he is adding to the confusion of many of my elderly pensioners? Does he share the concern of the Select Committee on Trade and Industry about the payment of pensions? Post offices up and down the country—such as Knowle post office near Budleigh Salterton, which shut last week—are closing, so what practical steps can the Minister take to reassure real people such as my pensioners and the elderly and confused that they will find it easy to claim their pensions in future?

Malcolm Wicks: People use the term "means-testing", but we need a serious and adult discussion about this. Pension credit is a million miles away from the old-fashioned weekly means test over which the hon. Gentleman's Government used to preside. His constituents can, through one phone call, find out whether they are eligible for pension credit, or there can be a home visit. Direct payments and the introduction of the Post Office card account are likely to guarantee the security of more local post offices as they start to use modern banking systems not only for the Post Office card account but for access to other accounts. That is the point.

Widowers' Benefit

6. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on widowers' claims to benefits pre-dating April 2001. [132606]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): We introduced bereavement benefits in April 2001, for the first time extending support to both widows and widowers. Prior to April 2001, there was no statutory basis on which to pay widows' benefits to men. This is being contested in both the domestic and European courts. Following a judgment of the Court of Appeal on 18 June, all parties have petitioned the House of Lords to appeal further. We are awaiting its decision on the petitions.

Mr. Chapman: My hon. Friend will be aware that that decision will be eagerly awaited by my constituents, many of whom are widowers, and not least by the Wirral TUC, which has long campaigned on this issue. The decision to equalise bereavement benefits for men and women in April 2001 was very welcome, but is it not time that it was carried to its logical conclusion and that backdated payments were made to widowers as the European Court of Human Rights has ruled and that widowers were included who had lost their spouses prior to the change in the law? What hope can my hon. Friend give widowers in my constituency that this matter will move forward as quickly as it can? Bereavement benefits are effectively being denied to some widowers in my constituency, who are suffering as a result. They want a decision as quickly as they can get it.

Mr. Pond: The whole House will wish to pay tribute to my hon. Friend for his tenacity and hard work in pursuing this issue over a considerable time. He will appreciate that, while these matters are before the courts, it is not appropriate for me to speculate about the outcome. However, I appreciate his welcome for the changes that we made to the system of supporting bereavement. They are intended to focus help when and where it is needed most in the immediate aftermath of a loss when children are present, and towards older bereaved men and women.

Social Exclusion

7. **Paul Farrelly** (Newcastle-under-Lyme): If he will make a statement on the steps his Department has taken to tackle poverty and social exclusion. [132607]

14. **Mr. Huw Edwards** (Monmouth): What research his Department has commissioned within the last two years to evaluate its policies for tackling social exclusion. [132614]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): We recently published "Opportunity for all"—the fifth annual report that provides a detailed account of our strategy and policies for tackling poverty and social exclusion. That report was supported by a wide range of research and evaluation evidence drawn from a variety of sources, including departmental research.

There is significant progress to show. There are now 500,000 fewer children in relative low-income households than in 1997. Since 1997, we have helped nearly 2 million more people into permanent jobs and virtually eradicated long-term youth unemployment and, for the first time ever, more than half of lone parents are now in work.

Paul Farrelly: I thank the Minister for her reply. I know from experience in my constituency of Newcastle-under-Lyme that, through the minimum wage, the various tax credits, and initiatives such as sure start, we are seeing the benefits of the Government's commitment to tackling poverty and social exclusion. Time and again in the constituency, however, I come across young people who have stopped education and become lone parents at much too young an age. What steps is the Minister taking to improve their life chances by helping them into work, and to train and study?

Maria Eagle: My hon. Friend is right to note the increase in employment in his constituency. It has increased by 6.9 per cent. since 1997, and now stands at 81.3 per cent., which is higher than both the regional and national averages. My hon. Friend is also right to suggest that particular groups such as lone parents find it harder to get into work because of the barriers that they face. He will be aware of the new deal for lone parents, which has already helped 280 lone parents in his constituency into sustained employment. Programmes such as sure start, and the help available through the Connexions service, can also put young lone parents in touch with the programmes that can help them. This is in contrast to the declared war on lone parents by the Conservatives—*[Interruption.]*

Mr. Speaker: Order.

Mr. Edwards: May I commend my hon. Friend and her colleagues on ensuring that many of their policies are subjected to evaluation? Will she join me in paying tribute to those who undertake that evaluation in universities and other research institutions? What conclusions has she reached about the Government's policies on encouraging people with disabilities to get into employment?

Maria Eagle: I echo my hon. Friend's thanks and congratulations to those who carry out that research. Everyone in the House will know that they do not always come up with the results that we might like to see, but that just proves the independence and quality of the work that is being done. I join my hon. Friend in congratulating them on that work, because without that evidence, it would not be so easy for us to come up with policy initiatives that will make a difference.

Mr. Willetts: And they help us to criticise the Government, too.

Maria Eagle: Indeed; the hon. Gentleman would otherwise have nothing whatever to do.

In respect of helping disabled people into work, my hon. Friend is right to identify them as one of the harder-to-help groups who perhaps find it more difficult even than lone parents to overcome the barriers to work.

There is no doubt that, despite the lessening gap between the overall employment rate and that for disabled people, there is still a lot more to do. In that regard, I hope that the pathways into work pilot, which is starting this month, will show us a way forward in assisting into work those disabled people who have been out of the labour market for some time.

Sir Archy Kirkwood (Roxburgh and Berwickshire): The Minister is quite entitled to refer to the publication last month of "Opportunity for All" as a very valuable document and an annual statement of the Government's progress. According to my account, they are making valuable progress on 33 of the 55 poverty indicators in "Opportunity for All", and that is welcome. But may I draw the Minister's attention to the fact that the proportion of pensioners in the categories dealing with pensioners in persistent poverty is gradually increasing, in three years out of every four? This is at the same time as the minimum income guarantee and means-tested benefits for pensioners are being increased by the Government. Does the Minister accept that that is a worrying figure? What plans do the Government have to tackle the problem for that group of retirement pensioners?

Maria Eagle: I thank the hon. Gentleman for his remarks. He is absolutely right to say that the persistence of poverty is perhaps one of the most difficult problems that "Opportunity for All" and the statistics that it regularly produces have highlighted. There is a time lag between the publication of statistics and the implementation of the measures that we have put in place to try to tackle some of these issues, particularly in respect of the persistence of poverty. Pension credit and some of the other measures that the Government are now introducing will have an impact on the persistence of poverty, but there is no doubt that it is one of the most difficult issues to tackle in relation to poverty. However, simply redistributing to all pensioners the cash that is currently going to the poorest pensioners would have nothing other than a negative impact on the problem.

Mr. Gary Streeter (South-West Devon): Is it not true that every person helped back into work is a person helped to escape from poverty and social exclusion? Presumably, that is why we are seeing so many television adverts at the moment featuring road blocks and encouraging people back into work, which I applaud. Have the Minister and her Department yet found a way of measuring how many people are specifically encouraged to make contact with the Connexions service and other local agencies as a result of those television adverts, which were probably rather expensive? Is there a way of measuring whether they are effective, so that we may know whether taxpayers' money is being effectively spent?

Maria Eagle: The hon. Gentleman began by making some excellent points. I very much approve of the Joseph Rowntree report, which recently said that work for those who can work has made a real contribution to reducing poverty, and that poverty would be much worse without the improvements that have been made to the tax and benefits system for those on low incomes. That is undoubtedly true.

Advertising campaigns are evaluated. Some of the self-same researchers on whom my hon. Friend the Member for Monmouth (Mr. Edwards) heaped praise, with which I agreed, are evaluating the value for money of those campaigns. That information is, of course, in the public domain.

Employment (Older People)

8. **Syd Rapson** (Portsmouth, North): If he will make a statement on progress in encouraging the employment of people above pensionable age. [132608]

The Minister for Work (Mr. Desmond Browne): Our "Age Positive" campaign is encouraging employers to adopt non-ageist employment practices. Studies show that there has been a marked reduction in the number of companies using age in recruitment. Currently around 930,000 pensioners work. That represents an increase in the employment rate of pensioners from 7.8 to 8.5 per cent. since 1997. Furthermore, we are committed to extending opportunities for older workers and to introducing age discrimination legislation. We are promoting employment among those aged 50 and over and helping people over pensionable age to remain in work if they wish to do so.

Syd Rapson: I thank the Minister for his reply. I cannot understand anyone wanting to work after pensionable age and I shall not be joining them. On behalf of my constituents who have an interest, however, may I ask the Government to take seriously the proposals agreed at the Labour party conference that those in occupational pensions should be able to draw their lump sum, carry on working and draw their pension when eventually they voluntarily retire, without encountering any disbenefit?

Mr. Browne: The implication of my hon. Friend's question is correct. If people choose to take the state pension later while they work on, they deserve a better deal. My right hon. Friend the Secretary of State made the direction of the Government's policy clear at the conference. In addition to enhancing the situation in relation to deferment by increasing the percentage points by 7.5 to 10.4, we propose to offer people the choice for the first time ever of a taxable lump sum if they defer their pension.

Mr. James Gray (North Wiltshire): If the Government are so committed to ending ageism in the workplace, why is there a compulsory retirement age of 60 in the Foreign and Commonwealth Office?

Mr. Browne: The hon. Gentleman probably knows fine well that it is Government policy across the civil service to move from a pension age of 60 to 65. That is a matter for consultation. Once those consultations have concluded, it will be clear how that will apply across each Department.

Mr. Roger Berry (Kingswood): Would it not be helpful for Government Departments to set an example?

Why, for example, should the Ministry of Defence tell one of my constituents who worked as a health and safety adviser that he must retire at the age of 60 not because he could no longer do the job—indeed, he was first employed 12 months ago—but because he had reached the age of compulsory retirement?

Mr. Browne: My hon. Friend highlights why it is so important for the Government to change the policy not only in their Departments but across the country. I cannot, of course, comment on individual cases, but we all know that older workers, whether they be in the Ministry of Defence or elsewhere, have a wealth of skills and experience that can benefit businesses, public services and the economy as a whole. We want employers not only to allow people to work, but actively to recruit workers of that age range.

Private Pension Schemes

9. **Chris Grayling** (Epsom and Ewell): To ask the Secretary of State for Work and Pensions if he will make a statement on the Government's policy on private pension schemes. [132609]

The Minister for Pensions (Malcolm Wicks): Our document "Action on Occupational Pensions", published in June, sets out a balanced package of measures seeking to ease financial and administrative burdens on employers while ensuring protection for scheme members. By increasing protection, promoting confidence, simplifying the system and enabling people to make informed choices, people will be able to use private pension savings alongside their state support to build up the level of retirement income that they need and expect.

Chris Grayling: I think the Minister's reply is rather thin. The Government appear to believe that the solution to the pensions crisis is either to make people work longer or to use means-testing as a way of rationing the cost. Does the Minister not think it would be smarter just to encourage people to save more for their retirement?

Malcolm Wicks: My brief answer covered much substance in policy, which I recommend the hon. Gentleman studies at some stage. As we have already said this afternoon, pension credit encourages savings. The hon. Gentleman says that our proposals are thin, but they include the introduction for the first time in Great Britain of a pension protection fund to protect pensions when companies go bankrupt. That is not thin—that is a major advance towards social justice.

Kevin Brennan (Cardiff, West): On that point, was my hon. Friend surprised by the comments made last week by the Confederation of British Industry about the Government's proposal of a pension protection fund? The CBI made some critical remarks, which have subsequently been criticised by the Iron and Steel Trades Confederation. Is it not likely that in the past some of the CBI's members got away with not losing their pensions by taking a runner before their company went bust, as usual leaving the workers—such as those at Allied Steel and Wire in Cardiff and Sheerness, and at Dexion in Hemel Hempstead, and for all I know workers in Kettering as well—without their pensions? As well as legislating for the pension protection fund, as he has promised to do, will he do something to compensate those workers?

Malcolm Wicks: Workers who are already in severe difficulty, such as the Dexion workers whom I met only the other day, are examples of the tragedy of companies going bust leaving people who have been saving for 30 or 40 years bereft of any hope of substantial benefits. My right hon. Friend the Secretary of State has said that we will look at any sensible proposals in relation to that group, but it is difficult to legislate retrospectively. I am pleased that, in future, the pension protection fund will put an end to such scandals.

Mr. Steve Webb (Northavon): To pursue that issue, the Government will be well aware that compensation schemes are quite common. All such matters could be regarded as retrospective, but compensation is not an unfamiliar concept to Government. Why cannot the workers who have lost catastrophically and who are absolutely innocent receive compensation? Will the Minister tell us what he thinks is the principal stumbling block to introducing such a scheme? Will he accept my offer to work with the Secretary of State and himself and their officials, on a cross-party basis, to draw up proposals to deal with the problem that could be included in the pensions Bill?

Malcolm Wicks: Despite the discussions proper in the House of Commons, I hope that we can get cross-party support for the new pension protection fund. I am afraid that I can only repeat that we are examining sensible suggestions. It would be wrong of anyone in this House to raise false hopes in respect of a complex situation.

Mr. Nigel Waterson (Eastbourne): May I remind the Minister that he has had cross-party support, at least from the Conservatives, for the past year or so in tackling the grotesque injustice affecting long-serving workers whose pension funds become insolvent? Why has he still not taken action to change the rules on winding up pension funds that become insolvent? Will he promise today to announce his detailed plans very soon—perhaps at the pensions summit on 4 November?

Malcolm Wicks: Those details will be with the House very shortly. If the hon. Gentleman is offering cross-party support in this important and complex area, I very much welcome it.

Housing Benefit

10. **Mr. Tom Harris** (Glasgow, Cathcart): What progress he has made with his plans to reform housing benefit. [132610]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Our priorities for reforming housing benefit are to improve administration, promote choice and responsibility, enhance work incentives and reduce levels of fraud and error in the system. We have already made considerable progress. In particular, our major structural reform—

the local housing allowance—will begin in the first pathfinder authority next month. That is the single most radical reform to housing benefit since its introduction in 1988.

Mr. Harris: Does my hon. Friend agree that, although withdrawal of housing benefit from antisocial neighbours should be used only as a last resort, where it is used it might prove to be an effective sanction? If the Government choose not to use such a measure, is there not a danger that they will be accused of, in effect, subsidising antisocial behaviour by tenants whose rent, after all, is being paid by the Government?

Mr. Pond: My hon. Friend and the House will be aware that we have consulted on proposals to introduce powers for local authorities to apply housing benefit sanctions to those engaged in antisocial behaviour. The consultation ended in August and we are considering the responses. My hon. Friend will not be surprised that many organisations were not overenthusiastic about the idea, but I am sure that his constituents, like mine, believe that the right to housing benefit should be balanced by the responsibility to ensure that individuals receiving it do not make their neighbour's lives a misery through loutish antisocial behaviour.

Sir Sydney Chapman (Chipping Barnet): Whatever the need to change and reform the housing benefit system, are the Government having any more success in tackling the many abuses in housing benefit fraud? The Minister may know that I have been asking questions of the Government for the past two or three years. Can he report any significant progress in dealing with this costly fraud?

Mr. Pond: The hon. Gentleman will know that for the first time ever we have an explicit target for dealing with fraud and error in housing benefit. We are making that a priority, and are putting the necessary resources in to ensure that we deal with fraud and error. We are rightly putting a lot of resources into the housing benefit system, but we want to make sure that those resources go to the people who need and deserve that help, not to the cheats and fraudsters in the system.

Mr. Derek Wyatt (Sittingbourne and Sheppey): Does the Minister have any good news for my constituents, as payment of housing benefit by Swale borough council is now seven months behind? My poorest constituents have taken out overdrafts, which have been called in. They have then foolishly taken out loans on credit cards, but those credit card facilities have been called in. It is desperate. What good news does the Minister have about housing benefit in my constituency?

Mr. Pond: My hon. Friend is right to highlight the impact that failure to administer housing benefit effectively can have on both his constituents and all of our constituents, which is why we want to work with local authorities to ensure that we improve performance. Again, we have established firm targets for the performance levels that we expect, and we are investing £200 million over three years to improve local authorities' performance. However, if they do not respond to that assistance and if we are unable to achieve an improvement in performance in other ways, my right hon. Friend the Secretary of State has the ability to direct local authorities to take appropriate action. In certain cases, we must consider whether constituents' interests desperately need such intervention.

Child Support Agency

11. **Bob Russell** (Colchester): How many prosecutions have been made in the past year against parents making false statements to the Child Support Agency. [132611]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Fourteen people have been prosecuted under the Child Support Act 1991 for making false statements, and 163 have been prosecuted and convicted for failure to provide information, 16 in the past month alone.

Bob Russell: My main concern is that the Child Support Agency does not appear to be as diligent as it ought to be in pursuing people who are clearly lying in the information that they give it. Does the Minister agree that more prosecutions and greater publicity are needed so that people who make false declarations are made aware of what will happen and so that the parents, children and taxpayers who are being cheated get the right result?

Mr. Pond: We should, and we will, come down hard on those cheats who cheat their children, not just the Child Support Agency, by providing false information. It is a criminal offence, and is subject to a maximum penalty of £1,000. However, our main purpose is to make sure that non-resident parents provide information and make the appropriate payments. The reforms that we are making to the child support system ensure that by replacing a complex assessment with a much simpler formula the agency's resources can go into enforcement and compliance, not into it spending most of its time working out the assessment in the first place.

David Taylor (North-West Leicestershire): May I put to the Minister a circumstance that is well known to virtually all Members who have dealt with a CSA case in their advice sessions? Communication links between the CSA, the Inland Revenue, the Department for Work and Pensions and others are often less than sound, and they are not always using the information available to them as effectively and efficiently as possible. Could a cross-Government departmental group be formed to try to integrate that flow of information so that we can pursue more vigorously as an example to others people who are lying, deceiving and cheating the taxpayer as well as their children and ex-partner?

Mr. Pond: My hon. Friend is right to say that the Child Support Agency works with the Inland Revenue and other agencies. *[Interruption.]* As my right hon. Friend the Secretary of State just remarked from a sedentary position, the same people may be lying to those agencies as well, but we are taking every measure possible to ensure that information is shared between Government Departments and agencies, so that the support that those children need goes to them, and so

that parents who are lying and cheating to avoid their responsibilities to their own children are brought to account.

Andrew Selous (South-West Bedfordshire): Why do the Government give themselves powers in this area that they then fail to use? The Minister will be aware that in nine of the 11 cases in which the CSA started moves to take away driving licences from non-resident parents who persistently failed to pay, payment started without the driving licences having to be taken away. Should we not see more of that? What does the Minister intend to do about it?

Mr. Pond: The hon. Gentleman makes precisely the point that the main purpose should be to ensure that the money needed to support those children goes to them. For the most part, prosecution must be the last resort. We want to make sure that non-resident parents understand that if they will not meet their responsibilities, we have the power to take action. The great majority of non-resident parents do meet those responsibilities, but we have made it clear that, where necessary, we will use those powers, and we are increasingly using them, as I said in my response to the main question.

Mr. Andrew Dismore (Hendon): I agree with my hon. Friend that it is important that we start to switch staff away from calculating the debts and into enforcement action. Could he say how many staff will be switched to enforcement action and over what period, so that we can get to grips with the huge unrecovered backlog of debt owed by absent parents towards the upkeep of their children?

Mr. Pond: I thank my hon. Friend for that question. We are shifting resources, as he acknowledged, from the assessment of cases to compliance. The agency is reviewing the best way of transferring resources in that process as we move over to the new system through child support reform. My right hon. Friend the Secretary of State will report to the House once we have agreed the best way of transferring those resources across.

Mr. Paul Goodman (Wycombe): Following the question from the hon. Member for Hendon (Mr. Dismore), the Minister will be aware that non-payers cannot be prosecuted if they are not identified, and that up to a million old cases are waiting to be transferred to the new scheme. On 2 July Doug Smith, the chief executive of the Child Support Agency, told the Select Committee on Work and Pensions:

"The software that we needed to do bulk conversions . . . was intended to be available to us around the autumn of this year. It is now clear that that will not be available . . . into the spring of next year."

Can the Minister confirm that the software will indeed be available next spring? What date has he set for the transfer of old cases to the new scheme?

Mr. Pond: We have said that we will transfer the old cases to the new scheme as soon as we are sure that the software and the other parts of the mechanism are working properly. *[Laughter.]* Despite the giggles from the Opposition Front Bench, we want to make sure that parents with care and the children whom they are caring for get the resources that they need. It would be irresponsible of us to try and transfer all the old cases across until we are sure that that will happen. Thousands of cases each week are currently being dealt with under the new system. We are improving all the time in terms of the number of cases that are cleared, and when we are satisfied that the system is working properly and that the software is running properly, we will transfer the old cases across.

Occupational Pensions

12. **Mr. Jim Cunningham** (Coventry, South): What plans he has to use pensions protection funds to underwrite deficits in occupational pensions. [132612]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Through the introduction of the pension protection fund, we are taking action to ensure that a pension promise made is a pension promise honoured. The fund will step in to protect members of defined benefit schemes if their sponsoring employer goes bust and the scheme is underfunded.

Mr. Cunningham: I thank my right hon. Friend for that answer, in particular the detail that he went into, but I am sure that he is aware that there is widespread anger in Coventry about the way that the ex-employees of Massey Ferguson were treated in respect of their pension fund. Equally, is he aware that the employees at Rolls-Royce have been balloted recently, because, once again, a company looks as though it is going to default on its occupational pension fund? Does he have any plans to meet those companies to discuss these matters?

Mr. Smith: First, I praise my hon. Friend for the energy with which he has been advancing and representing the needs of his constituents. As he knows, I was pleased to meet him and our hon. Friend the Member for Coventry, North-West (Mr. Robinson) to discuss those very matters. I understand that the Massey Ferguson situation is the subject of legal action, so I cannot comment further on it. In relation to Rolls-Royce and any other company that is contemplating, or perhaps reported to be contemplating, changes to its defined benefit arrangements, I have to say that I well understand when the employees and their trade union representatives move the issue up the bargaining agenda and say that the promises that have been made to workers over the years must and should be honoured. Of course, the pension protection fund that we are bringing in is an important way of ensuring that that is indeed the case. I hope that the fund will have support in all parts of the House.

Mr. Patrick McLoughlin (West Derbyshire): When the Secretary of State brings in that fund, does he intend that the public sector should contribute to it?

Mr. Smith: We are already supporting the provision of occupational pensions through our proposals to simplify pensions legislation and the costs of operating schemes by cutting away acres and acres of red tape on those schemes, which, with the best of intentions, was introduced by Conservative legislation. As far as

whether the public should stand as a guarantor of the fund, that would be wholly inappropriate. First, there would be the moral hazard. Secondly, I hope that a moment's reflection would underline the importance of not nationalising that risk, which is what the hon. Gentleman is advocating amounts to. The state cannot stand behind the hundreds of billions of pounds of what are private sector obligations. Moreover, the scheme that operates in the United States has no such underwriting from the US Government.

Jim Dobbin (Heywood and Middleton): As I understand it, the Secretary of State has received suggestions from a pensions expert, Dr. Ros Altmann, as to how the Government could make those compensation payments with little or no cost to themselves. I have a number of constituents in this category. Has my right hon. Friend had time to consider those proposals?

Mr. Smith: Like my hon. Friend the Minister for Pensions and other colleagues in our team, I have met a number of representatives and workers affected by this tragic, awful situation where funds have gone under and they have no means of ensuring that people get the pension that they were promised. As my hon. Friend said in his answers, we are looking seriously and carefully at any serious, sensible propositions here and I am happy that offers were made earlier of cross-party support on the matter. However, it would be quite wrong for us to raise false hopes that those people can get extra help until or unless we know that that is the position. We do not know now that that is the position.

I too have met Ros Altmann and others, and I have encouraged our officials to engage with her and with those who are campaigning for Allied Steel and Wire and for United Engineering Forgings as well as for other workers affected. However, I do not want to raise expectations until we know that something can be done to help those people.

Stakeholder Pensions

13. **Gregory Barker** (Bexhill and Battle): If he will make a statement on the take-up of stakeholder pensions. [132613]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): Over 1.5 million stakeholder pensions have been sold since their introduction in April 2001—over 500,000 in the last 12 months for which figures are available. That is an encouraging start and a sign that stakeholder pensions are a valuable option for many.

Gregory Barker: I thank the Minister for that answer, but since the launch of stakeholder pensions they have been targeted specifically on the about 5 million lower-income earners who have no other form of occupational pension. Of the figure quoted, how many are from that target group—with no form of occupational pension—as opposed to people just transferring provision from elsewhere? What does she believe to be the acceptable de minimis in respect of take-up from that target group before the policy can be judged a success?

Maria Eagle: As the hon. Gentleman must realise, stakeholder pensions provide a flexible and low-cost option for those who had no such option before their introduction. They are also portable.

Financial Services Authority figures show that 70 per cent. of stakeholder pension sales are to those earning less than £30,000 a year, and 46 per cent. to those earning less than £20,000. The hon. Gentleman suggested that such pensions were for grandchildren. Figures from the Association of British Insurers indicate that 97 per cent. of sales are to people of working age—although I do not understand why Opposition Members should object to grandparents' buying their grandchildren pensions if they wish to do so. I hope that that answers the hon. Gentleman's question.

Dr. Vincent Cable (Twickenham): Does the Minister agree that if there is to be maximum confidence in stakeholder pensions there must be a fair and efficient system for resolving disputes? Can she explain the current crisis in the pension ombudsman system? It is taking more than a year for a file even to be opened when disputes arise. Will she investigate, and suggest some solutions?

Maria Eagle: I will think about what the hon. Gentleman has said. I understand that we are discussing with the ombudsman the resources that he needs in order to deal with the matter. If I have anything further to say to him, I will write to him separately.

Pension Credit

15. **Mr. John Robertson** (Glasgow, Anniesland): What assessment he has made of the impact of the pension credit on (a) poorer pensioners and (b) women pensioners. [132615]

The Minister for Pensions (Malcolm Wicks): The new pension credit proposals are a major weapon in our attack on pensioner poverty. Pension credit, however, is not just for the poorest; it is also for those who might be described as being on modest incomes, or as hard-pressed—such as the couple in Glasgow who were not eligible for minimum income guarantee, but who, following a visit from the Pension Service, are now receiving £24 a week in pension credit. My hon. Friend will welcome that news, as he is himself a mighty champion of pensioners in his constituency.

As for the benefits for women, it is very significant that two out of three pension credit beneficiaries are expected to be women.

John Robertson: I thank my hon. Friend for his answer, and congratulate him and his colleagues on all the work that they have done on pension credit.

Like many other Members, I am worried about uptake. I do not just mean telephone uptake. Some people do not like talking on the telephone, and the forms, letters and other correspondence issued to pensioners are difficult to understand. Will the Minister try to simplify the system?

Malcolm Wicks: We will always look for improvements on what is a very new policy, but the important thing is that we are making access to the new credit as easy as possible by not requiring people to fill out forms if they do not want to. They can deal with the matter on the telephone, and there will be advice surgeries in my hon. Friend's and all our constituencies, as well as home visits.

I hope that all Members will get behind pension credit. There are people out there who deserve extra support, and it is our duty to ensure that they receive it.

Miss Anne McIntosh (Vale of York): Is the Minister aware of the difficulties being experienced by care homes during the current delay in processing information on whether a poorer or female pensioner is eligible? Will he ask the Department to review the position so that care homes do not lose out?

Malcolm Wicks: It is obviously important for people throughout the community to have their entitlement, including often frail and elderly people living in care homes. I was not aware of this difficulty; perhaps I could discuss it with the hon. Lady.

Mr. Bob Blizzard (Waveney): Are not those who try to dissuade pensioners from claiming the credit by trying to make out that it is the same as the horrible means tests of decades ago, introduced by the Tories, doing those pensioners a disservice? Although some pensioners in my constituency are finding the performance of the Pension Service in processing their claims a bit patchy, they do not find the questions demeaning, because they are similar to questions that they have often had to answer when signing hire purchase agreements to buy cars and the like.

Malcolm Wicks: We are not complacent. We need to learn from the roll-out of pension credit: that is why we did not introduce it for every pensioner in one week, or one month. My hon. Friend makes an important point, however. Whatever one's views on the important question of selectivity versus universality, this form of income testing is very different from the old weekly means test over which the last Government presided, and a million miles away from what we had in the 1930s. I hope that when people make public comments on the subject they will avoid using absurd terminology such as "stigma" and "demeaning", because that puts off people who are entitled to the money, many of whom live in poverty. We want to ensure that they have that money, as I hope the whole House does.

European Council

3.30 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a statement about the European Council, which the Prime Minister and I attended last Thursday and Friday—16 and 17 October. I saw the Prime Minister earlier this afternoon. I am pleased to tell the House that he is in very good form and fully recovered from yesterday. [HON. MEMBERS: "Hear, hear."]

At the summit in Brussels, European Union Heads of State and Government had their first substantive discussion of the draft constitutional treaty, focusing on the size of the Commission, the role of the chair of the European Council, changes in the rotating presidency and the weighting of votes after enlargement. The Prime Minister set out the United Kingdom's position in the White Paper that was published to the House on 9 September.

The Council discussed the European economy and agreed a number of measures to encourage growth. I have placed a copy of the conclusions in the Library. They stress the European Union's commitment to structural reform, flexibility of capital and labour markets, and innovation and investment in research and development. But between now and the spring Council on the European economy, work needs to begin to reform European competition policy; to make the new system of regulatory assessment work effectively; and to take forward the ideas of the recent report by a leading economist, Professor Andre Sapir, on how the EU budget can better be focused on economic reform priorities. That agenda remains a high priority for the Government. We are working closely with the Irish Government who, as the EU presidency, will chair the economic summit in the spring.

The European Council discussed defence at a Heads of State and Government dinner. The EU has mounted two European security and defence policy military operations this year, both with UK contributions. In March, an EU-led military mission took over from NATO in the stabilisation role in Macedonia and in June the EU deployed troops to the Democratic Republic of the Congo to support UN activity there. Both operations followed the approach agreed by the Prime Minister and President Chirac in launching the European security and defence policy initiative at St. Malo in 1998—that is, that the EU will act militarily only

"where the Alliance as a whole is not engaged".

In Macedonia, NATO has decided to terminate its mission and to support an EU successor force through the Berlin-plus arrangements. In the case of the DRC, the EU decided to deploy a force after consultation with NATO and once it was clear that NATO did not intend to engage militarily in that area.

It obviously makes sense for EU nations to strengthen Europe's contribution to the alliance and to enable Europe to act in circumstances where NATO does not want to. However, it would not make sense, and it is unacceptable to us, for the EU unrealistically to aspire to provide a territorial defence commitment for Europe. That must be a matter for NATO. Three years ago, at Nice, the European Council recognised, in approving the permanent arrangements for ESDP, that

"NATO remains the basis of the collective defence of its members".

The Government believe in a strong Europe and a strong NATO. Our leading role in ESDP has been based on those twin commitments, which are widely shared across the enlarging European Union and the Atlantic alliance and will be at the heart of the development of ESDP in the intergovernmental conference and beyond.

Let me turn now to Iraq. The European Council welcomed the unanimous decision of United Nations Security Council resolution 1511 on Iraq on 16 October. Its successful passage by 15 votes to nil reflects weeks of intensive negotiations, and is a great testament to the tireless work of the US Secretary of State, Colin Powell.

The resolution sets a deadline of 15 December, by when the Iraqi interim governing council should provide a timeline and a programme leading to an Iraqi constitution, and to democratic elections. We want to give control of Iraq back to its people as soon as is possible and practicable. Iraqi Ministers are already heavily involved in much of the country's day-to-day business, and they will be more involved in the weeks and months ahead.

The new resolution, 1511, confirms the United Nations' central role and encourages its member states and international bodies to support the reconstruction of Iraq. The next step will be the Madrid donors' conference, to be held at the end of this week, at which the United Kingdom will pledge a further £300 million in assistance over two years. Together with money already committed, this will bring the UK's assistance for the three years from April 2003 to £550 million. That is on top of the very substantial contribution that we are making through our commitment of British troops.

The security situation, especially in the Baghdad area, is not satisfactory, but since Saddam's downfall the coalition has made huge efforts to rebuild Iraq's infrastructure. Power generation is now exceeding pre-war averages. Last week, oil production reached 2 million barrels per day for the first time since military operations ceased. Nearly all schools and hospitals are open. Iraq has a new currency, banks have reopened and businesses are coming back to life. Security sector reform remains a key focus for the coalition, and the challenge is to put Iraqis in charge. Iraq now has 40,000 police, and this number will rise to 70,000 within a year. The first battalions of the new Iraqi army have graduated. Training for additional Iraqi military continues, and there is now an independent judiciary.

The Prime Minister asked particularly that I emphasise his personal tribute to United Kingdom servicemen and women, to other UK personnel and to other coalition partners, who are working selflessly in difficult and dangerous circumstances for the good of the Iraqi people. Much still needs to be done, but much is now being achieved.

The European Council also discussed Iran, and again urged the Iranian Government to co-operate fully with the International Atomic Energy Agency. Resolving the doubts surrounding Iran's nuclear programme is a matter of grave concern to the European Union and to the wider international community. Immediately after

[Mr. Jack Straw]

making this statement I will travel to Tehran to join my French and German counterparts, Dominique de Villepin and Joschka Fischer, for talks on that issue, at the Iranian Government's invitation. We will press on the Iranians the urgent need for compliance with all of the requirements of the resolution passed last month by the International Atomic Energy Agency's board of governors. This means that we shall seek full co-operation and transparency to enable the IAEA to resolve outstanding questions, and we shall press the Iranians on key issues raised by the resolution. These include early signature, ratification and implementation of an additional protocol to Iran's existing safeguards agreement, and the suspension of all enrichment and reprocessing activities.

The European Council considered the worsening situation in the middle east and condemned the intensification of suicide attacks and other violence, in particular the attack that killed three United States citizens in the Gaza strip on 15 October. The Union again called on the Palestinian Authority to do all that it could to fight against extremist violence. It also expressed particular concern over the route of the so-called "security fence." Apart from the humanitarian and economic hardship that this project is already bringing to many Palestinians, it could also make the two-state solution, which is the Security Council's policy, impossible to implement.

Let me now return to the question of the intergovernmental conference. We shall work hard to achieve a successful outcome under the Italian presidency this year, and we are very grateful to the leadership of the Italian Government in these negotiations. [HON. MEMBERS: "Keep a straight face, Jack."] We had a very happy time in Brussels on Thursday and Friday.

The draft constitutional treaty is designed to improve the way in which the European Union will work after enlargement, by reform, by clarification and by consolidation, as everyone who has bothered to read the document, rather than the transcriptions provided by Conservative central office, knows. The claims made by the Opposition and others that the treaty would undermine Britain's independence are, frankly, absurd. They are, in truth, not arguments against the draft treaty or anything in it, but as the right hon. and learned Member for Rushcliffe (Mr. Clarke) pointed out in an excellent pamphlet earlier this week, they are arguments against British membership of the European Union itself. The logic of those on the Conservative Front Bench, and of some, but by no means all, other Opposition Members, would be to take Britain out of the European Union altogether, and the British people need to know that.

The European constitutional treaty has to be based on independent sovereign nation states co-operating, not on some federal superstate—and so it will be. A constitutional treaty embodying those principles will contribute to a strong and successful European Union. That is essential for our economic prosperity and our security, and for Europe's stability. We believe that this patriotic approach is in the interests of this country, and I strongly recommend it to the House.

Mr. Michael Ancram (Devizes): I thank the Foreign Secretary for his statement, and for giving me advance sight of it. We fully understand why the Prime Minister cannot be here today, and we are delighted to hear that he is fully restored to good health again. I wish the Foreign Secretary well in his trip to Iran; it is an important trip and we hope that he succeeds in making some progress.

The summit was wide ranging, and we have heard the Foreign Secretary's report on many of the important issues, such as the reform of capital and labour markets. I regret, however, that the Lisbon agenda is apparently still regarded as "an abstract idea", and was not substantially advanced at the Council. I very much share the concern that the Foreign Secretary expressed about the situation in the middle east, and I hope that the Government will provide time for us to debate that important issue as soon as possible.

On Iraq, we welcome the new United Nations resolution, and we agree that there should now be a realistic schedule for handing over political responsibility to the Iraqis. Has the Foreign Secretary a date in mind?

As the right hon. Gentleman knows, however, the real interest in this Council was in the more fundamental issues that were discussed by the Prime Minister in the margins. Those issues go to the heart of our relationship with the European Union, which is, I suspect, why the Foreign Secretary spent so little of his statement dealing with those issues, and so much of it dealing with other issues not concerning Europe.

It is time for the Government to start being honest about Europe. On Friday the Prime Minister told the media:

"take it from me, there is nothing we are going to agree here that's going to put at risk any of the key red lines".

Take it from him? Why should we take it from him? We took it from him three years ago when he told us that a constitution was not necessary. Now he tells us that it is. We took it from him when he told us that the charter of fundamental rights would not be legally binding. Now we are told that it will be. So why should we take anything from him, or from his Foreign Secretary, now?

The right hon. Gentleman mentioned European defence. In February 2001, President Bush told the press that the Prime Minister had assured him that

"the European Defence would in no way undermine NATO . . . that there would be a joint command and that planning would take place within NATO".

Yet in Berlin last month it was reported in *Der Spiegel* that the Prime Minister had agreed with his French and German counterparts—*[Interruption.]* That was supposed to be a minute of the meeting that was held; let the Foreign Secretary deny it if it was not. It said that the Prime Minister and his French and German counterparts agreed that

"the EU must be able to plan and conduct operations without the backing of NATO assets and NATO capability".

No wonder that over the weekend the United States has expressed outrage, with its NATO ambassador Burns describing this as

"one of the greatest dangers to the transatlantic relationship".

The United States obviously does not share the view of that policy set out today by the Foreign Secretary.

So what is the Government's current policy? I presume that they are setting it out at the convened emergency meeting of NATO, which the Americans felt was necessary in the circumstances today. Apparently that policy is not what it was two years ago. Does the Foreign Secretary deny that structured co-operation under article 213 of the draft European constitution will undermine any UK veto over EU military planning? Is that not why the Prime Minister supported Chancellor Schroeder and President Chirac in Berlin last month?

What will be the effect of the constitution on our relationship with the EU? The Prime Minister and the Foreign Secretary have told us time and again that it does not involve fundamental change. How does that square with Joschka Fischer's description of it as "historic" and

"the most important treaty since the formation of the EEC"?

Closer to home, the Chancellor of the Exchequer wrote in *The Wall Street Journal* last Thursday that the

"new constitutional debate—is Europe's most significant political change for decades."

Why are the Prime Minister and the Foreign Secretary so apparently out of line with their colleagues? Does the Foreign Secretary agree with his French counterpart, Mr. de Villepin, who said last night that, if Europe wants to hold its own in the world, it must have

"its own foreign policy . . . That is what the draft Constitution provides for. The appointment of a European Foreign Minister, together with the creation of a European defence policy"?

He went on to say:

"Ours must be a political Union".

Is not that, in a nutshell, what the draft constitution is about, and would it not be better if the Government came clean and began to admit it? Why do they alone pretend that this is, to quote an official this week,

"simply a consolidation of existing treaties"?

How stupid do they think the British people are? Why will they not have the courage to let the people decide?

Why will the Foreign Secretary not accept the French Prime Minister's advice that

"it will be necessary to have a referendum to ratify the European Constitution",

or President Chirac's comment that a referendum

"would be the only legitimate way"?

Why will the Government not follow Spain, Portugal, the Netherlands, Denmark and Ireland in trusting their voters? Why are the Government so frightened of the British people? The Foreign Secretary should promise them a referendum today.

Mr. Straw: I thank the right hon. Gentleman for his remarks about the Prime Minister and for his best wishes for my trip to Iran. I shall, of course, make my report to the House as quickly as I can. The right hon. Gentleman asked about the possibility of having a debate in Government time on the middle east. Personally, I accept that case, but he knows that it is a matter of the allocation of time and should be dealt with through the usual channels.

The right hon. Gentleman asked about a date for handing over power in Iraq. Resolution 1511 provides a clear date—15 December—by which the governing council, in consultation with the Secretary-General of the United Nations and the coalition provisional authority, should produce its own time scale for developing a draft constitution and a handover of power. We await those proposals. We felt that it was important that, rather than imposing a time scale on the most representative body in Iraq today, it would be better to encourage that body to come up with its own time scale in two months' time. It is bound to be discussed both with the Secretary-General's representative and with us before being reported to the Security Council.

The right hon. Gentleman made several points about the draft constitution. He dismissed all the other issues that were discussed as somehow "not concerning Europe". However, my statement today properly reflected the balance of discussion in the European Council between economic reform, foreign and security policy and the intergovernmental conference. I know that the right hon. Gentleman and some of his Front-Bench colleagues are absolutely obsessed with the issue of the draft constitution, but I have to say that the rest of us are not, and nor are the British people.

The simple fact remains that, however one analyses the draft constitution, it does not represent any fundamental shift in the balance of the relationship between ourselves and the EU. If anything, as the right hon. Gentleman's colleagues in the House of Lords European Scrutiny Committee pointed out, it shifts the balance back towards member states. Moreover, again on any analysis, as a former distinguished Conservative Home Secretary, Lord Howe, pointed out in a debate in the House of Lords, the treaty of Maastricht and the Single European Act of 1986 involved far more significant changes than does the proposed draft constitution.

The right hon. Gentleman professed shock and horror at the idea of the creation of a European defence policy. *[Interruption.]* He is muttering about the American ambassador, Mr. Nicholas Burns, who is an excellent man. I believe that I probably know more about Mr. Burns' views than does the right hon. Gentleman. I also recall in exquisite detail, as will others who were Members of Parliament in 1992, that the right hon. Gentleman made a terrific speech, banging the drum against a referendum on Maastricht and fully in favour of every last dot and comma of the treaty. The treaty states—*[Interruption.]* He should listen to this, because this is what he supported. It states that the Union shall aim

"to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence".

That is what the right hon. Gentleman signed up to in 1992. I have heard him say nothing in the endless debates that we have had to resile from that. As the right hon. Gentleman knows, that policy was enthused and inspired by none other than Baroness Thatcher, who

[Mr. Straw]

wrote a terrific, ground-breaking pamphlet for presentation to the European Council held at Fontainebleau on 25 and 26 June 1984, in which she said:

"The objective should be the progressive attainment of a common external policy."

The right hon. Gentleman is trying to create a confection about what is in this draft treaty. He claims that it will lead to the creation of a superstate and the end of civilisation as we know it, but that is exactly what the right hon. Member for Richmond, Yorks (Mr. Hague) said, when he was the Leader of the Opposition, about Nice. In statement after statement, he claimed that Nice would lead to a superstate and that we should have a referendum. We did not have a referendum and Nice is now in force. Where is the superstate? The right hon. Member for Devizes did not even mention Nice.

Time and again, we hear confection and invention from the right hon. Gentleman. He dared to quote my right hon. Friend the Chancellor of the Exchequer, but he misquoted him. In his excellent article in the *The Wall Street Journal*, my right hon. Friend did not say that Europe's new constitutional debate is Europe's most significant political change for decades. In fact, he said:

"The enlargement of Europe—ending centuries of European division and the catalyst for Europe's new constitutional debate—is Europe's most significant political change for decades."

That is a completely different statement, and my right hon. Friend was right in what he said. The time to be honest on Europe, to coin a phrase, is the time for the Conservative party to be honest about its policy. If it ever got a chance to lead this country, it would move inexorably towards detaching Britain from Europe and setting this country up as a free trade area—as the hon. Member for Stone (Mr. Cash), the shadow Attorney-General, has suggested. That would not relieve us of any of the obligations of European Union membership or of paying a higher contribution than many other member states pay, but it would relieve us of any influence, thus damaging British industry, British jobs, British prosperity and British security.

Mr. Menzies Campbell (North-East Fife): On behalf of my right hon. and hon. Friends, may I extend our warmest good wishes to the Prime Minister for a complete recovery?

On Iran, I hope that, whatever is said in Washington, the Foreign Secretary will continue with his policy of measured engagement with the Iranian Government, which clearly has support on both sides of the House.

In relation to the middle east, the Foreign Secretary told the House that the meeting of Heads of Government had condemned both the building of the security fence and the continued expansion of settlements, as it has done before. Does he understand, however, that when people throughout the middle east hear of such condemnation, some of them ask what the European Union is prepared to do about either the security fence or the expanding settlements?

No one can take comfort from the crossed wires in recent days over European defence. I was pleased that, in his statement, the Foreign Secretary returned to first principles, but may I suggest for his consideration some other components of such a policy? Surely, it must be right that there should always be complete transparency with NATO if Europe decides to act on its own. Should we not also have a formal right of first refusal for NATO? Should not planning for any European operation be from within NATO by officials with twin responsibilities—double-hatted, in the jargon? Must we not also go to considerable lengths to avoid the duplication and decoupling foreshadowed by Madeleine Albright several years ago? Is not there a risk that, however well intentioned alternative structures may be, once they come into existence they may engender rivalries?

In the course of the happy times that the Foreign Secretary enjoyed in Brussels, did he have discussions with Heads of Government who were intending to hold a referendum in their countries even though they were not constitutionally obliged to do so? If our Government are so confident that they will have a good case, why not put the IGC proposals to a referendum so that the Foreign Secretary and I, and many other Members, can make a reinvigorated case for Europe throughout the whole of the United Kingdom?

Mr. Straw: On the right hon. and learned Gentleman's last point, I detect a certain amount of variation in the Liberals' approach. Sometimes they say that they are wholly in favour of a referendum; sometimes they say that they may or may not have one, depending on whether it would represent a fundamental shift in the balance of power between ourselves and the EU. With respect to the right hon. and learned Gentleman, it is important even for the Liberal Democrats to have a principle, and to follow it, for referendums as for other issues.

It is rather difficult to define that principle at present, given the fact that certainly neither we nor—as far as I can remember—the Liberals called for a referendum on the Single European Act. As the right hon. and learned Gentleman knows, we do not dispute the case for a referendum in certain circumstances; indeed, we have provided for a referendum in certain circumstances, compared with the Conservative party which has always set itself against that. In our judgment, we should provide a referendum where the issue is whether to join or leave a completely new institution, or where a major constitutional issue is at stake, for example, in respect of the euro.

I am grateful for what the right hon. and learned Gentleman said about Iran. On the middle east, there is a fair amount of concern not only about the situation but also about the lack of power that the European Union or any individual actor, including the United States, has over that desperate situation, which will continue as long as the rejectionist terrorist groups continue to try to blow up the peace process. The EU is a major player in the Quartet, along with the United States, the United Nations and the Russian Federation. Back in June, there was great hope, but not at present. There are many reasons for that, but the key reason is the rejectionist terrorist groups which set about killing innocent Israelis and which, in doing so, are blowing up the whole prospect of the road map for the time being.

On defence, I agree with the right hon. and learned Gentleman about the need for transparency. That is why we welcome the debate that is taking place in

NATO this afternoon. There is a hierarchy in military planning. It is not formally established in treaty but it has been followed and we want it to continue to be followed: NATO first, then the Berlin-plus arrangements, which are operated by EU member states or others, making use of NATO assets, and thirdly, wholly autonomous operations. It is not the case that military planning is currently done only in NATO: for some time, EU military staff based in Cortenberg have carried out strategic planning. That should continue—it is fine by us—but the issue for us is that there is no case for having operational planning and the running of operations per se in an EU headquarters, separate either from Supreme Headquarters Allied Powers Europe, SHAPE, or from national headquarters. We are pursuing that point, and nothing that we have done so far, or will do, is in any sense inconsistent with that approach.

Mr. Wayne David (Caerphilly): I thank the Foreign Secretary for his very positive statement, but in his future negotiations with our partners in Europe will he stress the need to uphold the principle of subsidiarity? In particular, will he argue for a stronger role for national Parliaments in the European decision-making structure?

Mr. Straw: Yes. My hon. Friend may be aware that, thanks to the good work of our hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) in chairing the working party on national Parliaments, on page 150 of Command Paper 5897, as every hon. Member will recall, a protocol on the role of national Parliaments provides that any draft legislation—the protocol on subsidiarity and proportionality is on page 152—has to be referred to national Parliaments and that, if more than a third of the parliamentary Chambers take an opposite view to the draft legislation, it will be referred back to the Commission. We should like that provision to be strengthened, but I am very clear that this is the first time that any EU constitution has had a mechanism to deliver on subsidiarity. Again, that is contrary to the protestations of those in the Conservative party. They called for it; we have delivered it. We will try to strengthen it, but it is far, far better than what has gone before.

Sir Teddy Taylor (Rochford and Southend, East): I very much welcome the Secretary of State's willingness to co-operate in the deputation to Iran, where I think he will find great willingness to co-operate, but does he agree that the one encouraging feature of this very worrying Convention is in title IX, where for the first time in any European treaty we have proposals for the right of voluntary withdrawal? However, it seems that that is, in fact, subject to the majority of the Ministers and the majority of the European Parliament agreeing. Is the right hon. Gentleman willing to try to establish the EU as a democratic organisation by saying that, if the majority of the people of any member state and the majority of the democratic Parliament ask to withdraw they should be allowed to do so?

Mr. Straw: One of the good features of all this is that, for the first time, there is provision for member states to withdraw from the EU. The hon. Gentleman is a man whose integrity and honesty has always gone before him, and I assume from what he says that he is tempted to make use of that provision. That is fine; it is his democratic right to propose that we leave the EU. That is a clear position. Costs will follow from it, but he is entitled to his view. However, a credible Opposition—or the current incredible Opposition—are not entitled to say that they want to stay in the EU and to make proposals that are wholly inconsistent with that position.

Mr. Tam Dalyell (Linlithgow): Since the level of ministerial responsibility matters nowhere on the planet more than in Tehran, may I express delight that the Foreign Secretary himself is going to Tehran at this critical moment? But would it not be wise to take with him a couple of scientists from BNFL Sellafield or Risley to consider the matter of the suspension, as he puts it in his statement,

"of all enrichment and reprocessing activities",

which would cause some difficulty, because determining whether there is weapons use or legitimate civil use is a very technical matter? Will he also bear in mind what my right hon. Friend the Member for Chesterfield said on "The World Tonight" last night about the feeling in Tehran about Argentine extradition? Might it not be wise to take some silver-tongued lawyer who could explain the difficulties?

Mr. Straw: I am not sure whether the new Member for Chesterfield is yet on the Privy Council. I assume that my hon. Friend is referring to our close friend the former Member for Chesterfield, Tony Benn.

Mr. Dalyell: No, Eric Illsley.

Mr. Straw: Oh, my hon. Friend the Member for Barnsley, Central (Mr. Illsley)—Barnsley, my father's birthplace, is somewhere different. Members of the Foreign Affairs Committee are out in Tehran at the moment, and I look forward to seeing them tomorrow.

On the last point that my hon. Friend made, which I think was a reference to the Soleimanpour case, he will understand that I cannot get involved in discussing that because it is currently before my right hon. Friend the Home Secretary as an extradition matter.

On the wider issues, I am grateful for my hon. Friend's support for this mission, which will be my fifth trip to Tehran in the last two and a half years. Although I will not have with me nuclear scientists from the United Kingdom, we and the Iranians have access to the great expertise of the International Atomic Energy Agency, and France, Germany and ourselves, in co-operation with our other international partners, have been anxious to complement the IAEA's assessment and not to get in the way of it in any sense. I am pleased to say that as a result of our co-operation with Dr. El-Baradei of the IAEA our trip has his full support.

Dr. Vincent Cable (Twickenham): After statements from the Treasury that the Chancellor of the Exchequer cannot accept article I.14 of the draft treaty relating to the co-ordination of economic and employment policy,

[Dr. Vincent Cable]

will the Foreign Secretary say what success the Prime Minister has had in negotiating its removal or amendment?

Mr. Straw: There is no surprise in the position adopted by the Chancellor of the Exchequer, as it was well laid out in the White Paper that I published on 9 September. That specific issue has not yet been the subject of formal negotiation in the intergovernmental conference, either at Heads of Government level or Foreign Minister level, although the Italian presidency and the Council secretariat are well aware of our views.

Alan Howarth (Newport, East): In the European Council's consideration of how to get better economic growth in Europe, was serious consideration given to reform of the stability and growth pact to get rid of the deflationary bias that has existed in European policy for many years?

Mr. Straw: As I recall, that was not specifically on the agenda at the summit, but it is certainly under active consideration.

Mr. Henry Bellingham (North-West Norfolk): I know that the Foreign Secretary will have seen the British press this morning, but has he seen the French press? Although my translation may not be 100 per cent. accurate, is it true that Dominique de Villepin said that the constitution will lead to fundamental changes in the integrity and sovereignty of the different nation states? Will Her Majesty the Queen now become a citizen of the EU, and will we, as I presume, have a new ultimate Head of State? Surely the British people ought to have the final say on that with a referendum.

Mr. Straw: On this wonderfully wacky story that the European Union is going to take over Her Majesty and the British monarchy, let me reassure the hon. Gentleman and other Opposition Members who are having nightmares about it that it is simply not true. Six other European member states are monarchies, and I have never heard any of them suggest that their monarchies would be affected, and nor will ours.

As for Dominique de Villepin, it is not necessary to read the French press, because he gave the Dimbleby lecture in English. I will provide the hon. Gentleman with a copy, although it was no doubt good for his French homework.

On the issue of Her Majesty being a citizen, it was Maastricht that provided for European Union citizenship for all British citizens, not the draft constitution.

Ms Gisela Stuart (Birmingham, Edgbaston): When the draft constitution was still a draft, it included a provision that would have prevented the same person from being President of the Commission and President of the Council, but that provision disappeared rather belatedly. Have there been any discussions to reinsert such a provision to prevent the merging of those two offices?

Mr. Straw: There have not been any in the formal discussions, but I agree with my hon. Friend that it is extremely important that the two functions are separate, as they reflect the balance of power between the European Council and the European Commission. That separation and balance is one of the reasons why the EU has been as successful as it has been since its formation in 1957.

Mr. Douglas Hogg (Sleaford and North Hykeham): In the course of the Council, the Prime Minister ruled out a British referendum on the EU constitution. Does the Foreign Secretary agree that referendums have legitimacy because they are a free and unconstrained expression of public opinion? If a parliamentary vote is to have similar legitimacy, it should be on the basis of a free and unwhipped vote. In the absence of that, surely only a referendum will do.

Mr. Straw: I welcome the fact that the right hon. and learned Gentleman is shifting the Conservative party's position on this issue. I believe—I thought that this was once the Tory party's view—in the legitimacy of Parliament and the elected House of Commons. I have conceded that there are some cases where referendums are acceptable, but I do not believe—for reasons that we have explained—that one would be appropriate in this case.

As for the whipping of a vote, this is Government business and we should certainly apply a Whip on our side, but I realise that the idea of a seriously whipped vote in the Conservative party is a contradiction in terms.

Jane Griffiths (Reading, East): I thank my right hon. Friend for his statement and, in particular, for highlighting the groundbreaking work being done by EU-led military missions to the former Yugoslav Republic of Macedonia and to the Democratic Republic of the Congo. Does he agree that the carpers and nitpickers on the Conservative Benches damage British interests by endeavouring to sow dissension on the subject of Europe?

Mr. Straw: I strongly agree with my hon. Friend. The fact that the Macedonian operation is taking place in co-operation with NATO and using NATO's assets under Berlin-plus and that the operation in the Democratic Republic of the Congo is taking place very smoothly with British troops working in support of a French-led operation gives the lie to the nonsense and fantasies that we keep hearing from Conservative Members.

Mr. John Bercow (Buckingham): Given that the subsidiarity and proportionality protocol to which the right hon. Gentleman has already and unsatisfactorily referred imposes no obligation whatsoever on the European Commission to withdraw inappropriate legislative proposals and that many of us are concerned that it will prove to be but a thin cover for the EU's continued legislative imperialism, what discussions has he had over the weekend with his EU counterparts about bolstering subsidiarity to give it the real teeth that the Prime Minister promised to the House as long ago as 18 June 1997, but that the Foreign Secretary admitted on 21 May this year simply has not happened?

Mr. Straw: That part of the draft treaty was not discussed formally in the room, but it was a matter for

many individual discussions in the margins of the meetings. I do not accept that the protocol on pages 150 and 152 of the draft treaty lacks real teeth, although I accept that it could do with strengthening. It is true that, if the Commission receives back a proposal because a third of the national parliamentary Chambers have said that it should go back, it could in theory send it straight back. However, it must take account of the fact that, if a third of member states' national parliamentary Chambers say that a matter is unacceptable, it is possible—depending on the size of the member states—that the proposal would fail to win a qualified majority vote, which, under these proposals, requires 50 per cent. of member states and 60 per cent. of them by population to vote for it. In any case, that would raise an amber warning.

I am sorry to disappoint the hon. Gentleman and those on the Opposition Front Bench, but my view is that the concept of federalism in Europe has been and gone. It is very striking that the concept of an ever closer Union has been dropped from this text. *[Interruption.]* That is true. We got it dropped, and we also got federalism dropped. It has gone.

Mr. Ancram: What about your friend Dominique de Villepin's remarks last night?

Mr. Straw: I am making a serious point. The very fact that there are now 25 states in the Union and that eight of them are new, proud sovereign states that have been released from the yoke of Soviet imperialism means that the shift in the balance of power has been away from the small group of federalists and in favour of those who see the Union, as is very clear from this text, as an association of sovereign member states pooling their sovereignty for the benefit of their individual peoples.

Mr. Tom Clarke (Coatbridge and Chryston): Were my right hon. Friends the Foreign Secretary and the Prime Minister able to discuss with their European colleagues their commitment to developing countries? In the light of the huge disappointment after Cancun, does the Foreign Secretary accept that the European Union is in a strong position to offer a strategy for the elimination of global poverty, and that his lead, as well as that of the Department for International Development, means that we in Britain can offer a positive contribution in that regard?

Mr. Straw: We did indeed discuss the failure at Cancun, and the concern of the European Council is highlighted in paragraph 40 of the Council's conclusions from last Friday. We have invited the Commission both to reflect on the European Union's strategy and to explore with key WTO players the possibility of future progress, emphasising that a commitment under the Doha development agenda will be indispensable to any successful resumption of negotiations.

Mr. James Paice (South-East Cambridgeshire): Just as the right hon. Gentleman has learned over the past 20 years that total withdrawal, which he espoused in 1983, is not the right way forward, have we not also learned—if we have learned anything from the subsequent succession of EU treaties and agreements—that the vagueness of the language used in those documents can lead them to be interpreted later to mean something totally different from what we believed them to mean when they were first signed? Will the Foreign Secretary give the House an undertaking that he will ensure that Britain does not agree to a constitution that leaves vagueness within it and allows the possibility of the European Court or Commission deciding at a later stage that any clause of the constitution meant something that countered the red lines that the Foreign Secretary and the Prime Minister are so committed to achieving?

Mr. Straw: I take the hon. Gentleman's main point that the looser the language, the more potentially dangerous it is, but that is true of any legislation. We have been scouring the draft treaty for infelicitous language, as well as language that is clear but with which we disagree, and we shall continue to do so.

Mr. Bercow: May we help?

Mr. Straw: Of course. I have sought to involve Parliament in these matters—as is its right and duty—to a far greater degree than it has been involved in the past. That is why we have had six debates on the issue, and why we have established the Standing Committee on the Intergovernmental Conference, which is meeting this afternoon at 5 o'clock. I should like to present my apologies, through you, Mr. Speaker, for my inattendance, because I shall be on my way to Tehran. We want suggestions on these matters from both sides of the House.

Mr. Ian Davidson (Glasgow, Pollok): During the discussions on the economic reform priorities, did the Minister have the opportunity to hear the German Government's proposals to cut pensions? Was the logical conclusion drawn that membership of the euro has enabled Germany to cut its pension system? Does he also regret the section in the third-last paragraph of his speech, in which he suggests that all those who have reservations about the creation of a European superstate are automatically in favour of withdrawal? Does he accept that that is a dishonest statement to make, and that it will not be made by him or any other Government spokesman in future?

Mr. Speaker: Order. I do not think that the right hon. Gentleman is capable of making any dishonest remark in the House. Perhaps the hon. Gentleman will withdraw that suggestion.

Mr. Davidson: I withdraw it, Mr. Speaker.

Mr. Straw: On my hon. Friend's first point, I do not have reservations about a European superstate, a federal state—I am against one. However, I think that people should follow the consistency of their own position. My complaint about the Conservative party's position is that, on the one hand, it says that it wants to remain committed to the European Union, while, on the other—as the right hon. and learned Member for Rushcliffe (Mr. Clarke) has pointed out in an excellent pamphlet—the detailed policies that it is pursuing would take it straight down the road of associate status. The Conservatives should have the courage to spell that out. Norway is in that position, as are one or two other

[Mr. Straw]

countries. This is not a cost-free approach. I will send my hon. Friend a copy of that pamphlet for his delectation and information.

So far as Germany is concerned, I discussed with Joschka Fischer in the margins why he was not going to be at the European Council. He was going to be in the Bundestag on Friday instead. The matter is for a sovereign nation state to decide. Most German commentators do not blame the euro for the problems facing the German economy, but instead blame far deeper structural and social problems, including a rigidity in their labour market.

Annabelle Ewing (Perth): The Foreign Secretary will be aware of the draconian proposals on cod stocks announced in Brussels today. The proposals threaten the very existence of the Scottish fishing fleet, which the Foreign Secretary will recognise is a vital Scottish national interest. Have the UK Government now intimated to the EU their intention to resist the constitutional entrenchment of fisheries as an exclusive EU competence, or should we in Scotland accept that the UK Government's claim today that they are pursuing a patriotic approach stops short at the border?

Mr. Straw: I know that the hon. Lady's party is trying to make a great issue out of this, but it is wrong and she is wrong. Articles I.12 and III.[illegible] of the treaty do not entrench the division between marine biological resources, which is an exclusive competence, and fisheries excluding the conservation of marine biological resources, which is a shared competence. The treaty simply repeats what has been EU law for ever and a day, and the basis on which we joined the Common Market in 1973.

Mr. Kelvin Hopkins (Luton North): My right hon. Friend will be aware of the serious concerns inside the Treasury about the proposed EU constitution. A recent press report quoted an unnamed Treasury insider as suggesting that

"signing the Constitution in its current state is a non-starter. It's littered with Brussels generalities which would leave us at Brussels' mercy. Once signed it's too late."

It also suggests that the Chancellor's

"view is that it should not be signed in its current form."

My right hon. Friend the Chancellor cannot speak for himself—he has other happy family events on at the moment—but is my right hon. Friend the Foreign Secretary not worried about the Treasury's concerns?

Mr. Straw: Far from being concerned about what my right hon. Friend the Chancellor says, I agree with him, as I agree with all my Cabinet colleagues, all of whom came together to set out the clear policy statement in the White Paper published on 9 September. I reassure my hon. Friend that the draft constitutional treaty is a starting basis for negotiations; it will not be where the negotiations finish. The draft treaty before the IGC will be put to the national Parliaments of member states, not the draft conventional treaty from the Convention.

Mr. Ian Taylor (Esher and Walton): The Foreign Secretary will have picked up from the two acerbic comments that we just heard from two of his Back Benchers that the debate on the constitutional treaty will be lively. Those of us who firmly believe in the primacy of the House of Commons believe that this is where we should discuss it.

I thank the Foreign Secretary for endorsing a pamphlet by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), which I published as chairman of the Tory Europe Network. It is excellent and I agree with it.

On defence, structured co-operation clearly needs to be properly financed. It cannot duplicate NATO resources because, frankly, the European powers by themselves do not have them. Will the Foreign Secretary tell the US ambassador that the US Government's behaviour was one way to undermine NATO when they effectively dismissed triggering article 5 in support of the United States after the events of 9/11? On top of the coalition of the willing, that led to the fragmentation policy pursued by the US against European NATO allies. That simply cannot be allowed to happen if NATO is to hold together and the European powers are to be cohesive with the Americans.

Mr. Straw: I will decline the hon. Gentleman's specific invitation. There has been considerable tension in some aspects of the transatlantic relationship over the past three years, not so much for us as for other EU member states. I think that there is now a sense that both sides of the debate wish to come together, as was reflected in the position on Iraq that was finally adopted in the Security Council.

As for structured co-operation, which is raised by article I.40.6 of the draft constitution, we accept that that needs to be amended, as does article I.40.7, which currently provides for a defence guarantee among the European Union.

Mr. Andrew Miller (Ellesmere Port and Neston): If Europe does not ratify the treaty that emerges from the draft, presumably we will fall back on Nice and the preceding treaties, together with the process of enlargement having taken place. With the greatest respect to my right hon. Friend, it seems to me that that would be a lawyers' paradise. How does he think that that would impact on the cost base of the enlarged European Union?

Mr. Straw: My hon. Friend is right to say that unless and until any draft treaty is ratified by all 25 member states, Nice and the predecessor treaties will apply. They will in any case apply for a period preceding ratification, which will be a long and complex process. That is not the end of the world. This emphasises my point about the treaty, which is that it, too, is not the end of the world. We happen to think that it is an improvement on the existing four overlaying and slightly incoherent treaties.

I cannot give my hon. Friend a precise idea of the cost, but I can say that this area of law will continue to be complicated and will provide an honest living for some of my friends who are still practising law for some time to come.

Mr. John Redwood (Wokingham): On the subject of economic structural reform, when will the Government

introduce the higher taxes on home ownership in Britain that they think are necessary to prepare the way for the euro?

Mr. Straw: The right hon. Gentleman obviously missed an excellent interview on this morning's "Today" programme with one of the Treasury Ministers—

Mr. Bercow: Who?

Mr. Straw: The Financial Secretary to the Treasury, my hon. Friend the Member for Bolton, West (Ruth Kelly), made an emphatic denial on behalf of the Chancellor.

Mr. Chris Bryant (Rhondda): The Foreign Secretary has been instrumental in binding together the European Union around a shared foreign policy on Iran, which is obviously paying significant dividends at this critical point. Does not that show that, often, the only way in which Britain can pursue its national interest on the world stage is by bringing the whole of the EU together around a shared foreign policy? Does my right hon. Friend still hope to see significant changes to article I.40, so that there is less ambiguity about the relationship with NATO?

Mr. Straw: We want changes in article I.40, not least in respect of I.40.7 and I.40.6, and the articles in part III that it triggers, as I have already explained. My response to my hon. Friend's first point is straightforward: of course we can do things by ourselves, but working in alliance with the United States and with our European partners—not seeing those as alternatives, but with the alliance with the United States complementing and strengthening our alliance with our European partners—we can do so much more good in the world and be so much more effective in pursuing our British foreign policy.

Hugh Robertson (Faversham and Mid-Kent): In purely practical terms, what difference would the European security and defence policy, once implemented, have made to operations in Afghanistan or Iraq?

Mr. Straw: In Afghanistan, it might have made a difference, because some of the arrangements might have been operated under ESDP arrangements. As the hon. Gentleman knows, the International Security and Assistance Force is now under NATO command. It is not impossible to foresee circumstances in which part of the NATO command in a large country is made subject to sub-arrangements of an ESDP type.

On Iraq, Europe was split. Europe is an association of sovereign nation states, each of which sets its own foreign policy. Sometimes there is a split, and that will continue even if every last word of the current draft is passed, because it is an intergovernmental matter. However, where we can do so it surely makes sense for Europe to work together on defence, as we are doing in the Balkans and in the Congo and as we may do in future. It is the responsibility of European member states to recognise the phenomenal humiliation of what happened in the Balkans in the mid-1990s, for example. We should have faced up to our responsibilities then and we should do so in future.

Orders of the Day

Courts Bill *[Lords]*

As amended in the Standing Committee, considered.

[Relevant documents: The First Report from the Committee on the Lord Chancellor's Department of Session 2002–03, HC 526, Courts Bill, and the Government response thereto, Cm 5889.]

New Clause 2

JUDICIAL INDEPENDENCE

'The Lord Chancellor is under a general duty to preserve and maintain the independence of the judiciary.'.—*[Mr. Heath.]*

Brought up, and read the First time.

4.30 pm

Mr. David Heath (Somerton and Frome): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

New clause 4—*General duty*—

'The Lord Chancellor and the Department for Constitutional Affairs are under a general duty to preserve and maintain the independence, impartiality and integrity of the judiciary and the lay magistracy.'.

Amendment No. 1, in page 1, line 5 [Clause 1], leave out 'and effective' and insert ', effective and accessible'.

Amendment No. 48, in page 1, line 10, leave out 'and'.

Amendment No. 49, in page 1, line 10, at end insert

', and that there is at least one magistrates' court in every local government area in the United Kingdom (at least one within every borough and district council area in England and Wales)'.

Amendment No. 50, in page 2, line 2, at end insert

'which must include a report on the operation of this legislation and must contain a report by analysts independent of Her Majesty's Government about how the changes brought about by this legislation and other changes since May 1997 have affected the accessibility of courts to court users.'.

Amendment No. 55, in page 44, line 14 [Clause 92], at end insert—

'(3A) The Lord Chancellor may not under this section prescribe fees which seek to recover—

(a) the costs of judicial salaries; or

(b) the notional cost in use of heritage buildings.'.

Mr. Heath: At the first sitting of the Committee that considered the Bill, I said that the first group of amendments that we were debating went to the crux of the Bill and dealt with the key issue for many Committee members—the accessibility to justice that is conferred or denied by the Bill. The present group of amendments goes even wider and deals with three key issues that will be encapsulated in our debates this afternoon. First, there is the issue of judicial independence; secondly, physical accessibility to justice; and thirdly, financial accessibility to justice. I shall deal with each issue in turn.

The issue of judicial independence is encapsulated in new clause 2, as well as new clause 4, which was tabled by the hon. Member for Surrey Heath (Mr. Hawkins). Without wishing to be too pompous about the issue,

[Mr. Heath]

there is a fundamental constitutional arrangement that we would be unwise to dislodge. There are three pillars of democracy—the Executive, the legislature and the judiciary—and our democracy works best when each not only preserves its identity but maintains its independence from the others. Indeed, although it has never been written in our constitution because we have no written constitution, it appears in the constitutions of countries with similar jurisprudence. It was clearly enunciated, for instance, by the founding fathers of the democracy of the United States—John Adams could not have been plainer in what he said on the issue.

When we are talking about the independence of the judiciary, we are not talking about some supposed freedom from criticism that the judiciary ought to enjoy. It is entirely proper that occasionally both the legislature and the Executive have the opportunity to criticise the court process. Indeed, people who say that politicians should have nothing to do with the structures of the judiciary are wrong, as that is essentially a political issue. However, we must be sure that the judiciary is independent in its actions, decision making and the way in which it operates. If those dividing lines begin to be blurred, it is too easy for an Executive to exercise an unhealthy influence on the judiciary. It is probably unfashionable to quote Plato, but he said it all in "The Republic":

"What I say is that 'just' or 'right' means nothing but what is in the interest of the stronger party."

The stronger party will always be the Executive if left to its own devices, which is why we hold the judiciary's independence to be important.

Friction is to be expected—there will always be times when the judiciary takes a different view from the Secretary of State, and the Secretary of State must accept that. Some do so with good grace, and some do so with rather less than good grace. Although I am not the greatest fan of Lord Irvine, I believe he did a good job of preserving that view of the independence of the judiciary, both in Cabinet and elsewhere. In evidence that he gave to a Committee of this House, he said that

"maturity requires that when you get court decisions you favour, you do not clap and when you get a court decision which is against you, you do not boo."

He was right. He did not refer to the Home Secretary by name, so one cannot assume that he had the Home Secretary in mind. Nevertheless, there is a clear dictum there that is worth underlining.

Mr. A. J. Beith (Berwick-upon-Tweed): My hon. Friend may have noted that although we were able to elicit those words from Lord Irvine in Committee, we had difficulty in getting anything quite so strong out of the current Lord Chancellor when we put the same questions to him, hoping that he would be as robust in his response.

Mr. Heath: Not for the first time, my right hon. Friend goes to the heart of the matter. The changes in the Department, not just in personnel—it is unhealthy to personalise the matter too much—the changes in the way that the Department works, and particularly the changes that are envisaged, such as the removal of the position of Lord Chancellor and the moves towards a new Department, mean that there are far fewer protections than there have been up to this point. Up to now, however unsatisfactory it has been, we have had a Cabinet Minister who was also a member of the legislature and the head of the judiciary, and could make that point repeatedly if the judiciary was under attack from other Ministers. In future that will not be the case unless we do something to replace the present situation. There is a lacuna in the make-up of the Cabinet that needs to be filled.

Some may hope that that will be done not in the Cabinet but outside, by the Lord Chief Justice. Lord Woolf is doing a remarkably good job of maintaining that position. So adamant is he that he will protect the position of the judiciary that he has delayed his retirement expressly for that purpose. Having said that he learned at "a very late hour" of the significant constitutional changes that the Government have put in train, he feels it is his duty as Lord Chief Justice to ensure that judicial independence is protected, and that the quality of justice for future generations is protected. I agree with him, but I do not believe that that can be done entirely from the position of the judiciary outside Government. That is why the new clause is so important.

The Government accept that there is a risk of the principle of judicial independence being eroded. They made reference to it in the consultation papers that they issued. They said that there is a question that is properly asked, and I accept that. I want to make clear our reply to that question, which is that there is a need for a statutory basis for judicial independence, and that the Bill is as good a vehicle as any to establish it. I hope that the Minister will respond in kind to that before we consider very important legislation in the next Session dealing with the setting up of the Supreme Court and the process for taking judicial appointments away from the Lord Chancellor.

Mr. John Bercow (Buckingham): I am working on the assumption that new clause 2 is a probing clause, notwithstanding the legitimate and good intentions that underlie it. On the strength of the Government's track record to date, does the hon. Gentleman fear that the likely response will be for Ministers to profess their support for the principle of the independence of the judiciary in general, while in practice failing to observe it in the particular?

Mr. Heath: In the latter point the hon. Gentleman is right, but in the former he is not. I am deadly serious about having something in statute that at least attempts to preserve the independence of the judiciary. Indeed, his colleagues clearly feel the same way in terms of the new clause that they have tabled to the same effect.

I have my worries, because as soon as we move away from the specific position of Lord Chancellor to dealing with a Secretary of State—as we know, in the way that British law is constituted, Secretaries of State are interchangeable and there is no specific Secretary of State to whom a duty may be applied, other than the Lord Chancellor—the duty will become a general duty, which I think will be largely ignored. This may be imperfect phrasing, but the principle must be right and it must be one on which the House has a clear view. I hope that it will be expressed later this evening.

I am happy to see that my amendment No. 1 also carries the names of Conservative Front Benchers, which is hardly surprising as we made common cause on the issue in Committee and elsewhere. The amendment deals with accessibility, which has been at the core of almost all our debates on the subject. We had sapient advice from the Select Committee on the Lord Chancellor's Department as to what ought to be in the Bill. Indeed, the wording I have chosen is exactly that recommended by the Committee, which I believe it took from evidence it received from Professor Bridges of Warwick university. I think that it is right.

The amendment deals with a general duty of ensuring not only that courts are simply "efficient and effective", as the Bill says, but that they are accessible to the people who need access to them. The words "efficient and effective" are good in themselves, but they can disguise a multitude of sins. As I said in Committee, it would be efficient and effective to have a single court, which would run at a low unit cost. It would not, however, be accessible to most of our constituents and it would not be in the interests of justice.

The Government's response throughout has been to point to clause 30, which deals with the accessibility of courthouses, and the amendment that, with whatever degree of reluctance, they accepted from another place. I shall be clear about this: I accept that that is a major advance. The Government tried desperately to prevent it in the Lords, despite the fact that they are now saying that it is the best thing since sliced bread. They did not want it in the Bill because they know, as I do, that throughout the country courthouses have been closing year after year. I have to say, however, that that happened not only under this Administration but under the previous one.

What is the effect of those courthouses closing? First, people feel more and more remote from the criminal justice system. Secondly, particularly in rural areas such as mine and in small towns throughout the country, they feel that neither the police nor any other aspect of the criminal justice system has any interest in them any more. Furthermore, it will make for extra expense and inconvenience for everybody who has to use the courts—whether that be defendants, witnesses, the probation service, the police service or solicitors, who are finding it increasingly difficult to recruit to local criminal practice—other than those who run them. An additional and perverse effect will be that where police officers are required to escort prisoners they will be taken out for long periods from the local areas where we all want to see them policing. That is unfortunate.

The Government's view is that once courthouses have been dealt with, the whole problem has been dealt with. I disagree, because there is a lot more in the Bill where accessibility ought to underlie the position of the Lord Chancellor and the Department. For instance, it would be possible to maintain a courthouse and not hold a single sitting in it. That would be ludicrous, but we have seen similar things happen on the railways, where services are maintained but not advertised so that they can eventually be closed. It is quite likely, however, that major cases will be consistently moved to more and more distant courthouses. I believe not just that the geographical position of courthouses should be maintained, but that courts should hold convenient and regular sittings. Amendment No. 1 provides for that general duty of accessibility.

4.45 pm

Another point made in Committee—a valid point, I think—was that some courthouses might be accessible in geographical terms but not accessible in terms of structure to some people. My amendment would ensure that what is now the Department for Constitutional Affairs had an interest not just in maintaining the existence of courthouses, but in bringing them to a standard appropriate for the administration of justice, particularly in rural areas. I believe that all Opposition parties support the amendment. I shall listen carefully to the Minister's response, because we may well wish to press the amendment to a Division later.

Amendment No. 55 deals with fee structure and with financial barriers to justice. An extraordinary arrangement introduced not by the current Government but by their predecessor, by stealth, has had insidious effects. Under that arrangement, civil court fees should recover the full costs of the proceedings. That has never been publicly announced as a policy, and the House has never been asked to adjudicate on it. At one stage it was axiomatic that the state met the costs of judicial salaries and court accommodation; fees were not a product of the costs incurred in the administration of justice. I am very concerned about the change, which presages a vicious spiral in costs that will eventually deprive many people of fair process.

I am not alone in that view. My amendment is very similar to one suggested by the Law Society, which rightly takes the matter extremely seriously. It says that the policy of full cost recovery has placed considerable pressure on court fees, which have risen by about 12 per cent. in the past three or four years—about double the rate of inflation. Nor does the arrangement provide enough cash for the courts; the civil courts are still experiencing a great deal of difficulty.

Full cost recovery would be fine if—a big "if"—it were held that the court system in civil cases was there purely for the good of those involved in the proceedings, but I do not believe that to be the case. I believe that there is a common good in providing justice and mediation in such cases. That is the traditional view, held by most English-speaking jurisdictions. This policy is clearly Treasury-led: I cannot believe that any Lord Chancellor initiated it. What can be done to ameliorate it? My amendment provides for two major exceptions.

The first exception relates to judicial salaries. It is nonsensical that we should seek to recover the salary costs of the judiciary through court fees. That is a non sequitur—it is inappropriate and we should finish it. Secondly, there is the notional cost of heritage buildings. It will not have escaped hon. Members' notice that many of our court buildings are rather fine and are often in very expensive parts of the cities that they serve. We have only to look at the Royal Courts of Justice to see the apotheosis of high architecture in the court system. It is an enormously expensive listed building with huge maintenance requirements to keep it in the style in which English Heritage believes that it should be accustomed. Those costs are loaded on to the court fees that are applied. That is ridiculous. The average litigant, if asked to give their opinion on the appropriate venue, would say, "The cheapest hut that you can find, m'lud, because that will reduce my court fees." I do not advocate that because some court buildings are fine buildings that are

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well suited to their purpose, but the notional cost of their usage that the Treasury works out should not be recovered from people who are seeking justice. My proposal is a sensible compromise—it is a compromise because I do not believe that there should be any linkage between costs and fees—that would at least take out some of the most unacceptable parts of the calculation of recovery costs.

This group of amendments addresses three basic principles: first, judicial independence, because nothing could be more important in constitutional terms; secondly, the physical accessibility of courts, because nothing could be more important to many of our constituents who find themselves deprived of a courthouse within easy reach of where they live; and thirdly, financial accessibility, because it is a fundamental principle that no one should be deprived of justice simply because they cannot afford to go to court to establish the rightness of their claim. I look forward to the Minister's response.

Mr. Nick Hawkins (Surrey Heath): As the hon. Member for Somerton and Frome (Mr. Heath) said, our parties made common cause on several issues in Committee, and we do so again today. As well as commenting on the Liberal Democrat new clauses and amendments, I shall discuss those that we have tabled.

I join the hon. Gentleman in his appropriate tributes to the continuing work of the Lord Chief Justice in standing up for judicial independence. I agree with the right hon. Member for Berwick-upon-Tweed (Mr. Beith), who is Chairman of the Select Committee on the Lord Chancellor's Department, that the present Lord Chancellor appears to be not as robust a defender of that crucial principle as was his predecessor. I agree with the hon. Member for Somerton and Frome that there is a gap in the Cabinet in terms of fighting for judicial independence.

The issue goes beyond judicial independence. We are concerned, too, about the independence and impartiality with which the Government will treat the lay magistracy. Our new clause 4 therefore goes a little further than the Liberal Democrat new clause by proposing that the Lord Chancellor and the new Department for Constitutional Affairs should be

"under a general duty to preserve and maintain the independence, impartiality and integrity of the judiciary and the lay magistracy".

Are we right to be so suspicious about the Government? We have every ground to be suspicious, not only because of such matters as the hon. Member for Somerton and Frome rightly talked about—the closure of courthouses and other interferences, and the Home Secretary's regular levelling of criticism, in public print, of judges—but because of the way in which this Government have approached other senior appointments in recent times. In particular, I want to draw attention to the recent, rather bizarre, choice of the new Director of Public Prosecutions. It has caused great concern at all levels of the legal profession, particularly among criminal practitioners to whom I have spoken, that a senior barrister—albeit of undoubted ability—whose whole career has been based on criminal defence work has suddenly been appointed as the new DPP. There is also great concern that more than an element of cronyism might be involved in that appointment, given the chambers from which that gentleman came.

It is strongly felt—not only by us, but by practitioners of many political persuasions and of none—that many more highly qualified people with experience of prosecutions should have been considered for the post of DPP, ahead of the person whom the Government chose. Of course, it subsequently being revealed that the new DPP had a serious criminal conviction for drugs offences—albeit from a long time ago in his youth—was also a matter of grave concern. Sufficient question marks exist for that appointment not to have happened. The possibility that such things might happen in future reinforces the need for the Bill to include a protection for the independence, integrity and impartiality of the judiciary and of the lay magistracy. Of course, we do not disagree with the Liberal Democrats' new clause 2, but our new clause 4 is certainly more far-reaching. I hope that the hon. Member for Somerton and Frome agrees that either new clause would be an improvement on the Government's current drafting—*[Interruption.]* I am glad to receive his assent to that proposition.

The Government have closed many courthouses—more than 100, according to the answer to my last parliamentary written question on the matter. The Minister will say that courthouses were closing under the previous Government, which is of course true, but that does not justify yet further closures. As the hon. Member for Somerton and Frome rightly said, as a result justice is becoming less local and less accessible. We debated this matter extensively in Committee, but it is worth ensuring that such important points are made again today in this Chamber. Often, commentators and reporters pay far too little attention to what happens in Committee; more notice is taken of what is said on Report and on Third Reading. We have become too used to Ministers trotting out the same tired cliché: that magistrates courts committees are taking decisions on court closures. As we pointed out in Committee, MCCs have been so boxed in by Government guidance that, in effect, such guidance is forcing court closures. That is happening because the Government do not value the local element of justice sufficiently highly.

During the past few years, we have heard at parliamentary questions many examples of the effects of court closures. In a highly publicised case in rural Wales, a defendant had to walk to court because the courthouse in which his case might have been tried many years ago had been closed, and there was no effective public transport. The case came to prominence when the defendant received a more lenient sentence because the court felt that, in the absence of public transport, he had made valiant attempts to get to court, walking some 30 miles. I agree very much with the forceful words of the hon. Member for Somerton and Frome that we must return to the basis of local magistrates, with knowledge of their local area, making judgments on cases.

Our amendments Nos. 48, 49 and 50 are intended to introduce into the Bill a mechanism to ensure that we have local justice again. There should be a magistrates court in every local authority. My local authority has just lost its last one, and it is wrong that a town the size of Camberley—the main town in my constituency—and a local authority the size of Surrey Heath should no longer have a single magistrates court between them.

5 pm

The hon. Member for Somerton and Frome said that his suggestion that courthouse buildings might stay open but not be used might be far-fetched, and drew a parallel with railway lines that were theoretically open, but the service never publicised. However, with the last remaining courthouse in my constituency, the Government did precisely what he is worried about. Technically, the courthouse at Camberley remained a courthouse, but it was not used for some time—more than a year, I think—before a closure decision was finally announced. What the hon. Gentleman suggested is already happening, so his example was not far-fetched at all. Our three amendments, taken together, will introduce a proper safeguard so that there are no more magistrates court closures than are absolutely necessary.

Amendment No. 50 would also ensure that there was a proper check on how the legislation is working. I have already said that there are good reasons not to trust the Government on such issues, and in the amendment I have sought to ensure that in future a proper analysis is made. This is a Government of constantly fiddled figures in every area, from health to education and from law and order to transport, so we need a completely independent analysis, unconnected with Her Majesty's Government, in the form of a report back to the House—and, undoubtedly, the incoming Conservative Government after the next election will need to correct the errors.

We agree with the Liberal Democrats' amendment No. 55 on judicial salaries, although as it was tabled quite late, as were some of ours, we did not have the chance to add our names to it. I strongly agree with the views of the hon. Member for Somerton and Frome both on judicial salaries and on heritage building costs. As he rightly says, even now, with increases in court costs well above inflation, imposing an enormous strain on practitioners and their clients, the civil courts in particular still have problems, and we are concerned about that.

It is always difficult to predict the future, but unless complete disasters arise as a result of the Bill, it seems unlikely that there will be another major piece of courts legislation for a few years at least, so we ought to take the opportunity offered by the Bill to ensure that issues such as the accessibility of courthouses and the independence of the judiciary and the lay magistracy are dealt with now. Although, as the hon. Gentleman rightly pointed out, in another place the Government were dragged kicking and screaming to agree to an amendment to clause 30, it would be far better for those crucial issues to be dealt with right at the beginning of what will become the Courts Act. Unless that happens, the legislation will be too weak to protect sufficiently the independence of one of the three pillars of our constitution.

There is common cause between the hon. Member for Somerton and Frome and myself on a number of the issues. Our amendments, taken together, go somewhat wider than his and would be even more appropriate. I, like him, will now wait to see whether we hear the same tired old clichés from the Minister, or whether he will address the issues seriously.

Mr. George Howarth (Knowsley, North and Sefton, East): I apologise to the hon. Member for Somerton and Frome (Mr. Heath) because I was not in my place for the early part of his speech. Unfortunately, I was travelling on the west coast main line, which has not been at its most reliable today. I shall be brief and focus on new clause 4 and the speech of the hon. Member for Surrey Heath (Mr. Hawkins).

If one reads new clause 4, it is difficult to oppose—rather like motherhood and apple pie. It talks about maintaining

"the independence, impartiality and integrity of the judiciary and the lay magistracy."

What I find disturbing about the speech made by the hon. Member for Surrey Heath—and, to some extent, disturbing about what I heard of the speech of the hon. Member for Somerton and Frome—is the complacency of it all. It is as though everything is working wonderfully, and all we have to do is maintain the integrity of the judiciary and the lay magistracy so that everything will be okay. I have to say that, if the experience of my constituency is anything to go by, it is not all going very well.

I provide one small example to illustrate my point. Obviously, I shall not mention any names because court cases may still be pending. A young man in my constituency, aged 15, is on an antisocial behaviour order. Strictly speaking, it is an interim ASBO. He is a one-child crime wave, which is the tabloid way of describing it. Frankly, he represents considerable and dangerous aggravation to people living in the area: people are intimidated and afraid. Because of this young man's activities, one block of flats may have to be pulled down.

This young man was put on an interim ASBO, but he breached it on five occasions and was taken back to the magistrates court, which then decided to release him, causing outrage to constituents living in the vicinity of where he lives and carries out his activities. His solicitor then took the case to the Crown Court and had the conditions of the ASBO, which included the stipulation that he should not drive a motorised vehicle, varied, with the result that, for some reason beyond my comprehension, the Crown Court decided to take that condition out altogether. It is in any case an offence for him to drive or take a vehicle without the owner's consent, but why the Crown Court should remove that condition is, as I said, totally beyond me. Subsequently, the young man committed further breaches and was taken to see a judge in chambers to discuss bail conditions. The judge decided that, because they were all public order offences, none of them should carry a custodial sentence. Now that young man is back out on the streets.

The local authority and the police had done much painstaking work in that case, and were utterly shattered by the way in which the courts dealt with it. Such cases are often seen as low-grade street crime and disorder. In fact, whole communities are literally locked into their houses because of such activities, particularly at night. They are not taken sufficiently seriously and I believe that that problem needs to be dealt with.

I have written to the Secretary of State for Constitutional Affairs, not with the intention of interfering in any subsequent court cases, but simply to

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point out that the system is not working. The truth is that communities feel desperately let down by the judiciary in such cases. If ASBOs cannot take into account a series of otherwise unimportant offences, which create a pattern when put together, the whole point of the legislation—I was a junior Minister in the Home Office when the original legislation was passed—has been missed. If the courts are not prepared to use custodial sentences, when the orders attached to an ASBO are breached, ASBOs are virtually unenforceable. When local authorities and the police do their job properly—as they have done in my area for some time—and take cases to court, but the courts fail to deal with them properly, the failure lies with the courts, not with the local authorities and the police. The hon. Member for Surrey Heath should be a little less complacent in speaking about the courts than he was in his speech a few minutes ago.

Mr. Beith: The members of the Committee will be glad that both Conservative and Liberal Democrat Front Benchers have taken seriously several points that the Committee drew to the attention of the House earlier, and that we are continuing to pursue them at this stage in the Bill's progress. The issue of judicial independence, referred to in new clauses 2 and 4, did not arise on Report, but it has occupied us since, especially in the light of the constitutional changes announced by the Government that are starting to take effect. I am persuaded that it would improve the Bill to have the duty to ensure judicial independence listed as one of the Lord Chancellor's duties in statute and the Bill provides the opportunity to do so.

I do not claim that the current occupant of the post of Lord Chancellor, the Secretary of State for Constitutional Affairs, is not, in principle, in favour of judicial independence, but I am not convinced that he regards himself as having a uniquely important role in defending it, as his predecessor did. Indeed, over many years, many of his predecessors saw it as part of their constitutional duty as Lord Chancellor. For many of them, it justified the hybrid nature of the Lord Chancellor's role. They felt that as judge and head of the judiciary they were in a better position to defend judicial independence in Cabinet. I agree with the Government that that hybrid role is unsatisfactory in principle, even though many occupants of the position have made it work well in practice. I do not, therefore, oppose the Government's general line of reform, but we are in danger of losing the Lord Chancellor's unique role in Cabinet of standing up for the principle of judicial independence in certain political circumstances that have led Ministers in various Governments to attack judges or to create a sense of insecurity because they have been unhappy with judges' decisions.

The Lord Chancellor's frantic attempts to divest himself of his role to meet some timetable for abolishing the post altogether militate against ensuring that the important jobs that he now does remain provided for in the system in a way that does not dilute them or make them less significant. My hon. Friend the Member for Somerton and Frome (Mr. Heath) mentioned the fact that duties imposed on a Secretary of State are common to Secretaries of State generally, and can be reallocated at will between them. That is how our system of government works. However, that does not apply to the duties of the Lord Chancellor, especially his duty in relation to judicial independence. Therefore, unless some other mechanism is found, the removal of the post puts that duty at risk. Members of the judiciary fear that it will weaken their independence and deprive them of one of the means of asserting it at Cabinet level.

The Lord Chancellor is in such a desperate hurry to remove his role because he has been given a timetable to do so. The original timetable for abolishing the post of Lord Chancellor was between 6 pm and 10 pm on the Thursday that the changes were announced, until it became clear that that was impossible. By 10 pm, we had a Lord Chancellor in place who had to get his wig ready for the following morning's sitting of the House of Lords. It is not a necessary part of removing his role as a judge or as Speaker of the House of Lords that we should hastily remove his duty to ensure judicial independence. At times, the Lord Chancellor seems to be like a stripper with an early train to catch, removing items of clothing—almost literally—as quickly as possible to meet the timetable.

5.15 pm

The Lord Chancellor's duty is important and it must be safeguarded. If that means that the post of Lord Chancellor, divested of some of its constitutionally hybrid duties, has to remain in Cabinet for some time to come, what harm would there be? The holding of the post of Lord Chancellor alongside that of Secretary of State for Constitutional Affairs has become part of the system. The post of Lord Chancellor and the duties that have accrued to it, as well as any others that we may specify in the measure, would be one way of continuing to safeguard those things until the Government come up with another or better way. So far, they have not done so. I welcome the inclusion of such a provision in the Bill.

My second point is about the general duty on accessibility, which relates to amendment No. 1. The Committee referred to the desirability of that general duty. Paragraph 19 of our report stated that

"the Bill as presently drafted may lead to centralised decision-making on court closures which does not take proper account of local circumstances. Accessibility includes ensuring that courts sit in places which are geographically convenient to victims, witnesses and other court users and are accessible by public transport".

The Committee felt that those factors should be part of the general duty.

Some attempt has been made to meet the requirement in other ways, but Ministers must be aware from the representations that they receive that Members on both sides of the House are deeply concerned about closures, either those that have happened or those that they fear may happen in future, and about other aspects of accessibility. Sometimes, as my hon. Friend the Member for Somerton and Frome pointed out, those aspects may conflict; for example, ensuring that courts are accessible to the disabled can give rise to questions about some courthouses. However, the difficulty and delay in ensuring that a courthouse is fit for the disabled should be attended to; it should not lead to closure, thus making the courthouse inaccessible for many other

people. It is highly desirable that the general duty of accessibility should be placed on the Lord Chancellor, which is why we want it to be included in the Bill.

My final point relates to amendment No. 55 and was raised by my hon. Friend the Member for Somerton and Frome: full cost recovery. In its evidence to the Select Committee, the Law Society summed up the case rather well. It stated that the concept of full cost recovery

"fails to recognise that the courts have a public as well as a private role".

We said:

"The judicial process serves important public functions by clarifying and developing the law and setting precedents for litigants to settle their cases or run their affairs, which is of wider benefit."

The decisions that a particular court makes and the process whereby it makes them are important to people who will never see the inside of that courtroom and who are not paying the costs of that case. The case may settle issues that will enable them to know what the law is and to reach sensible decisions on matters affected by the law. That wider public benefit makes nonsense of any attempt to move towards a system of full cost recovery. In representing the concerns of the Select Committee, I should be happier if the legislation could be worded so that that point was much clearer.

The Department has serious budgetary problems and is under constant Treasury pressure to achieve full cost recovery—a notion that is present in so many other parts of the public service but when applied to the courts is plain wrong. A balance must be struck. The contribution from fines and fees is the means neither to fund our courts system nor to decide what the total budget of the system should be. When considering the case sometimes put by the Treasury—that the litigants in a case should always meet the entire cost—Ministers must have regard to the much wider public service that courts provide. Of course, there are circumstances in which it is entirely appropriate that substantial costs should be met by litigants, but there are others in which it is not and the wider public benefit must be recognised.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Clearly, in Committee, we touched on a number of those matters, and it is not surprising therefore that both Opposition parties have posed questions about accessibility, independence and so on in this group of amendments. I will try my best to respond to each amendment and new clause in turn.

New clause 2, which was tabled by the Liberal Democrats, and new clause 4, which is very similar and was tabled by the official Opposition, are both about trying to ensure that the Lord Chancellor has a duty to preserve and maintain judicial independence. It is clear that the Lord Chancellor's existing role and duty is to uphold and maintain the independence of the judiciary and magistracy. That has been a cornerstone of the Lord Chancellor's role for a very long time indeed, so a general duty and responsibility already exists. Of course, the Lord Chancellor's duty is not statutory, but it is no less real for that fact. It is a duty of very real constitutional significance, as the consultation paper on judicial appointments already makes clear.

Successive Lord Chancellors have regarded the maintenance of judicial independence as one of their most serious and important responsibilities. I can assure the right hon. Member for Berwick-upon-Tweed (Mr. Beith) that the current Lord Chancellor also continues to observe that responsibility with the highest regard. I am not quite sure about the right hon. Gentleman's analogy with a stripper trying to catch a train, but I will ensure that I pass on his observations in great detail.

Of course the judges have always recognised that the Lord Chancellor has such a duty, which is a well-established and widely acknowledged characteristic of the Lord Chancellor's role. So there is an accepted duty that does not rely in itself on legislation to strengthen it. Nevertheless, new changes are clearly afoot: the move to abolish the office of Lord Chancellor and developing a new focus as the new office of Secretary of State for Constitutional Affairs has been created.

Those serious issues merit consideration, and the consultation paper on judicial appointments asks in paragraph 21 whether the Lord Chancellor's responsibilities to defend judicial independence should be embodied in statute, but it would be wrong to reach a conclusion now, as that would pre-empt the ongoing consultation exercise, which runs until 7 November. We need to consider the responses to that consultation very carefully before reaching a conclusion on whether it would be appropriate to legislate in such a way.

Some respondents might prefer to follow the example of the Justice (Northern Ireland) Act 2002, by which a statutory duty to protect judicial independence was placed on all those concerned in the administration of justice, not just on the Secretary of State alone. Again, we should be open-minded—the consultation has not finished—so the time to decide has not yet been reached, and in any case I do not believe that the Bill is the appropriate vehicle. The Government believe that the question will be addressed again during the process of abolishing the post of Lord Chancellor, and we will return to the issue at that point, when we are fully in possession of the consultation responses.

My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) made a number of comments. He is clearly keen to see radical improvements in the justice system to serve the public. Of course we are talking about judicial independence when we refer to new clauses 2 and 4, but that does not preclude hon. Members on both sides of the House from voicing their views and concerns about the operation of the criminal justice service. He made powerful points, and he is absolutely right to suggest that we must all strive to have a more effective justice system.

Under amendment No. 1—originally a Liberal Democrat amendment, to which Conservative Members have subsequently added their names—the Lord Chancellor would have a duty to ensure that the courts system is accessible. Of course, accessibility is extremely important, but the Bill already covers that matter quite amply. First, the Government have already accepted amendments about accessibility. Clause 30(2), which relates to the places, dates and sittings, now states:

"In exercising his powers . . . the Lord Chancellor shall have regard to the need to ensure that court-houses are accessible to persons resident in each local justice area."

I am glad that the hon. Member for Somerton and Frome (Mr. Heath) says that that is a major advance;

[Mr. Christopher Leslie]

indeed, it is. Furthermore, on the issue of fees, clause 92 says that the Lord Chancellor

"must have regard to the principle that access to the courts must not be denied."

Accessibility is therefore already included in the Bill. The duty to run an effective justice system already encompasses the concept of accessibility, and clause 1 places on the Lord Chancellor the duty to run an efficient and effective court system. Surely the word "effective" encompasses notions of accessibility. There are of course many different, laudable descriptives that could be added to the Bill, and we could have a long debate about which objectives should be inserted with the key concepts of "efficient" and "effective". Should we have a "responsive" court system, a "high-quality" court system, an "open and transparent" system, or a "user-friendly" system? All those are, of course, important, and all are encompassed by the sense, as we framed it in the Bill, of an effective court system.

Accessibility will be enhanced by the Bill, but it will also be enhanced by the unification of courts administration, which is a central tenet mentioned and provided for in this Bill. It will enable a more flexible use of the court estate, with the possibility of shared courtroom accommodation, which could prevent courts from closing as new opportunities to use their space productively are opened up. Courts boards, too, will be a new, additional safeguard to accessibility, and will be community-focused, contributing to the development of local plans and local priorities, and much more tailored to local needs. No courthouse will be closed without the involvement of a courts board in the decision.

Accessibility is also about the facilities available to court users, on which the hon. Member for Somerton and Frome touched earlier. Location is not the only consideration for accessibility, and facilities such as video links allowing vulnerable witnesses easier and less traumatic opportunities to give evidence all help to facilitate accessibility. Using the internet, such as the money claims online site that has been developed for issuing claims and checking on case progress, also aids accessibility. As several hon. Members have observed, improving disabled access to court buildings and the court estate is also crucial. I therefore believe that the issue of accessibility is amply dealt with in the Bill, and that amendment No. 1 is not required.

Under amendments Nos. 48 and 49, the Opposition suggest that the Lord Chancellor should have a duty to ensure that at least one magistrates court is provided per district council or per local authority borough area. It is a crude attempt to raise the issue, but I accept that Opposition Members are seeking to highlight what they perceive as an insufficiency of supply of magistrates courts at a local level. I have to say to hon. Members that decisions on where courts should be located are based on much more than simply local authority council areas. Local authorities vary greatly in size and geography: some metropolitan councils are enormous and some local councils are very small. It is not fair or equitable to base a strategic decision on court location simply on the basis of where a local authority boundary lies. The clauses on the unification of courts administration will help, and better use of the courts estate and of non-court buildings will allow more appropriate and flexible approaches to be taken, potentially allowing magistrates courts to be located in future where none exist at present. There are a number of other reasons why these amendments should not be accepted, not least because they refer to the United Kingdom whereas the clause extends only to England and Wales, but I do not want to fall back on the old issue of deficiencies in drafting. Suffice it to say that at present we have 388 magistrates courts in England and Wales and 352 unitary authorities, district councils and boroughs. Although I am sure that not every council area has a magistrates court within it, it is most likely that the vast majority of them do.

5.30 pm

Amendment No. 50, tabled by the Opposition, rather oddly suggests that the annual report that the Lord Chancellor must produce should include a report on the whole of the legislation and on other changes since May 1997. The scope of the proposed annual report is already wide. It will be an annual report into the efficiency and effectiveness of the court system. It is quite odd to suggest that the focus should be on this Bill when it is not just about the court system or unification of the courts administration, but contains provisions about the Northern Ireland Official Solicitor and the process for making periodical payments for civil damages. The legislative vehicle is not the best vessel to mirror if we are aiming to produce a well-written, well-structured annual report.

It is also interesting that Opposition Members have picked May 1997 as the start for the court system report. It is tempting to consider what activities took place before that date, but perhaps comment on those adverse circumstances is best left to another occasion.

The amendment also calls for an independent analysis of the effect that the Bill and other pieces of legislation since 1997 have had. We already have a robust process for audit and scrutiny. The Government are not against independent scrutiny. The new Constitutional Affairs Committee was established earlier this year under the august chairmanship of the right hon. Member for Berwick-upon-Tweed—I say that because I have not yet appeared before the Committee; who knows I might change my view. With the publication of the reports of the magistrates courts service inspectorate and the National Audit Office, there are already ample opportunities for independent scrutiny. Amendment No. 50 does not stand the test of what is required.

Amendment No. 55 is significant in that it suggests that fees prescribed in civil courts cannot be used to recover the cost of judicial salaries or the notional cost of using heritage buildings, which are presumably listed buildings. Although it is a slightly separate matter, it is important to consider the context. Fees are prescribed in the civil court justice system because, unlike in the criminal courts, cases are brought by private individuals or bodies seeking damages and redress, rather than on the basis of public interest. The Government have a long-standing policy of seeking to recover the full cost of the civil court services provided, including judicial salaries—something that was decided in 1992—and the notional cost of using buildings in the court estate, as decided in 1982.

That policy is based on the general principle that parties to cases are expected to pay the full cost of that part of the civil justice system that they use to resolve their private disputes. Recovering those court costs through fees ensures the protection of taxpayer resources, which can best be targeted at priority areas for the public benefit. To exclude the elements in question would understate the true cost of the service by about £130 million a year for the cost of civil judicial salaries alone. No doubt that would all be paid for by the top rate of tax to be imposed by the Liberal Democrats. It is worth totting that up as a spending commitment for future reference.

The amendment would institute a subsidy of that sum—and more besides—for all types of civil cases, including business cases brought by large corporations. A far better system than that crude subsidy is one in which exemptions and remissions are based on need, as they are in the case of the family proceedings subsidy or the 5 million people who are eligible for automatic exemptions from fees because they are receiving working family tax credit, pension credit, income support and so forth. That is a better approach than excluding whole categories of costs from the fees that should be paid by litigants. It is perfectly reasonable for fees to include a recovery element, and to look for full recovery of costs to cover those matters. I hope that the amendment is rejected and that the House will not accept this group of amendments.

Mr. Heath: With the leave of the House, I should like to say that we have had an interesting little debate. I am most grateful to the hon. Member for Surrey Heath (Mr. Hawkins) for his support, and that of his colleagues, and to my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), whose analogy of the Lord Chancellor as a stripper with a train to catch will live long in my memory. The next time I see the noble Lord Falconer, I shall try hard not to let that image form in my mind as I am speaking to him.

I understand the frustrations of the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) with the legal system; I often share them. He is not the only one to have experienced cases such as these, as he knows. I have no difficulty accepting that there is a proper place for criticism of the system as a whole and, sometimes, of individual decisions. Indeed, the judiciary is sometimes guilty of the charge of a degree of unwarranted complacency. I recall that Lord Hewart told the Lord Mayor's banquet in 1936 that

> "His Majesty's Judges are satisfied with the almost universal admiration in which they are held."

I would not suggest that that is necessarily a statement of the current position; nor would I suggest that many present-day judges would be quite so complacent about the esteem in which they may or may not be held by the public. There is, however, a clear division between criticism and pressure from a person in a position of authority—that is, a Cabinet Minister, or the Government as a whole. That was the distinction that I was trying to draw.

Mr. George Howarth: I would not want the hon. Gentleman to think that I believe that the Secretary of State should be able to bring pressure to bear in any particular case. I was using the case that I mentioned to illustrate a general principle, namely that the courts do not seem willing to deal with these serious matters in a serious manner.

Mr. Heath: I am grateful to the hon. Gentleman for that intervention, and I do not think that there is much between us on this issue. When we return to the question of sentencing guidelines councils in the context of the Criminal Justice Bill, on which there has been broad agreement between the Front Benches and Back Benches of all parties, we shall see that there is a case for not only the Executive, but the House having some sort of handle on what happens in our courts—as long as it does not go further and compromise the independence of the judiciary in coming to their legal decisions.

Amendment No. 55 deals with the full recovery of costs. The Minister does not seem to accept the idea, which I think is self-evident, that there is a common good in having disputes settled through the legal process. A moment's thought will surely tell us that we are better off living in a country in which these issues are arranged through the courts rather than through fisticuffs, which is often the alternative. There is, therefore, a proper role for the Government in supporting that function. That was always accepted without question until relatively recently—full cost recovery was introduced only relatively recently—and the justification for refusing any support to the system is a flimsy one indeed.

On the second and perhaps more substantial point of accessibility, this is a matter that we debated long and hard in Committee. Opposition Members are absolutely clear that, whatever the Minister's protestations, a general duty of accessibility needs to be written into the Bill. Judging by what the Minister has said, he does not seem to have a problem with that, because he believes that that is being achieved in any case. The only thing that he does not like is the word that we want to insert into the Bill. He said that we could have a long debate on the words that could be added, but we do not need to do that. We just want one word: "accessibility". I also believe that the House wants that word to be added, and should I have the opportunity later, I should like to test the opinion of the House on that matter.

I think I have said enough on independence. The Minister asks that we do not pre-empt the consultation process on his White Paper. I believe that constitutional principle pre-empts administrative arrangements. The Lord Chancellor has had a specific role in maintaining judicial independence. Given that that will inevitably be lost in the process of reform, we must ensure that it is stated in some form in statute. We have the support of the Select Committee and the judiciary, which acutely feels under threat. In the light of that, the House should express an opinion.

Question put, That the clause be read a Second time:—

The House divided: Ayes 122, Noes 284.

Division No. 327] **[5:40 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Bercow, John
Allan, Richard	Blunt, Crispin
Atkinson, Peter *(Hexham)*	Boswell, Tim
Bacon, Richard	Bottomley, Peter *(Worthing W)*
Barrett, John	Brady, Graham
Beith, rh A. J.	Breed, Colin

Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, rh Kenneth *(Rushcliffe)*
Cormack, Sir Patrick
Cotter, Brian
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Goodman, Paul
Gray, James *(N Wilts)*
Greenway, John
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Moss, Malcolm
Oaten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Pugh, Dr. John
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Tom Brake and
Mrs. Annette L. Brooke

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas

McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Maliaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes: Margaret Moran and Mr. John Heppell

Question accordingly negatived.

New Clause 3

CIRCUITS

'( ) The courts boards within an individual Circuit may from time to time meet together to consider matters relating to the courts in that Circuit area.

( ) Before altering any Circuit area, the Lord Chancellor must consult with the courts boards affected.'.—*[Mr. Heath.]*

Brought up, and read the First time.

Mr. Heath: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 56, in page 3, line 35 [Clause 4], leave out from 'specifying' to first 'the' in line 38 and insert—

'(a) in respect of areas except London, areas which are the same as, or fall entirely within, the police areas listed in Schedule 1 to the Police Act 1996 (c. 16) (division of England and Wales, except London, into police areas), and

(b) in respect of London, at least five separate areas falling entirely within'.

No 2, in page 3, line 35 [Clause 4], leave out from 'which' to first 'the' in line 38 and insert—

'(a) in respect of areas except London, are the same as, or fall entirely within, the police areas listed in Schedule 1 to the Police Act 1996 (c. 16) (division of England and Wales, except London, into police areas), and

(b) in respect of London, fall entirely within'.

No. 51, in page 3, line 35 [Clause 4], after 'as', insert

'(or in any event no larger than)'.

No. 3, in page 4, line 6 [Clause 5], after 'concerned', insert—

'( ) in particular, to scrutinise, review and make recommendations about the way in which the Lord Chancellor is discharging his duty under section 21 in relation to the courts with which the board is concerned;'.

No. 57, in page 61, line 7 [Schedule 1], after 'board', insert

', except the courts board for London,'.

No. 58, in page 61, line 18 [Schedule 1], at end insert—

'2A The courts board for London must have—

(a) at least three members who are judges,

(b) at least six members who are lay justices, each of whom is assigned to a local justice area the whole or part of which is included in the board's area,

(c) at least six other members who are persons appearing to the Lord Chancellor to have appropriate knowledge or experience of the work of the courts in the area for which the board acts, and

(d) at least six more members who are persons appearing to the Lord Chancellor to be representative of people living in the area,

and may have other such members of a description mentioned in subparagraphs (a) to (d) as the Lord Chancellor considers appropriate.'.

No. 59, in page 62, line 10 [Schedule 1], at end insert—

'(c) the establishment of consultation arrangements with local authorities in the area for which the board acts.'.

Mr. Heath: New clause 3 was tabled by Liberal Democrat and Conservative spokesmen, and is a bit of an anomaly, as it deals with circuits. Originally, I had no intention of bringing up the matter, as generally circuits are not a thing of statute—they are an administrative convenience, albeit one whose foundation goes back to the mists of time. I did not think that we needed clear legislation on court circuits in the Bill. However, my view was entirely changed by my hon. Friend the

[Mr. Heath]

Member for Mid-Dorset and North Poole (Mrs. Brooke), who passed on to me some disturbing correspondence that she had received from the resident judge at Dorchester, his honour Judge John Beashel, who objected strongly to the way in which the Government have behaved in seeking to amend the western circuit by arbitrarily removing Winchester Crown court from Hampshire and adding it to the south-east circuit. He feels strongly about that, but more importantly, there is unity in the judicial profession on the subject. Indeed, Judge Beashel said in his letter to my hon. Friend:

"The judiciary are as one in opining that such a move would be very damaging to the administration of justice."

Judge Beashel includes in his correspondence, of which I have copies, a letter to *The Times* from the chancellor of the dioceses of Winchester and Portsmouth, Mr. Clark QC, and another letter published in a newspaper that could not have been signed by a more distinguished group of lawyers, including Lord Bridge of Harwich, Lord Ackner, Lord Nolan and others.

Mr. Mark Oaten (Winchester) *rose—*

Mr. Heath: I shall give way to my hon. Friend the Member for Winchester (Mr. Oaten), who has no doubt received representations on the matter.

Mr. Oaten: May I supplement my hon. Friend's list by adding that that is the view of many judges in Winchester. Indeed, so concerned are they that they have even attended my surgeries to make representations. The general view is: "If it ain't broke, don't fix it."

Mr. Heath: I fully agree with my hon. Friend's observation. Having had to countenance the view of the Lord Chancellor as a stripper with a train to catch, the thought of circuit judges queuing up at my hon. Friend's constituency surgery, presumably appropriately robed, to make their representations, is one that will remain with me for some time.

To corroborate my hon. Friend's point, however, Judge Brodrick, the resident judge at Winchester—I am sure that he has approached my hon. Friend—and the president of the Council of Her Majesty's Circuit Judges was good enough to produce a briefing paper on the implications of the change. The Government's only argument for changing the western circuit, which has been in existence since time immemorial, although perhaps not in legal terms, is one of bureaucratic tidiness. They want the legal circuits to correspond with the Government office regions.

6 pm

I cannot for the life of me see any logic to that. Even in the broadest terms, I do not see how the administration of justice is improved by it, but I do see the cogent arguments adduced by the judges against the proposals. Taking away Winchester produces a great imbalance between the south-eastern and the western circuit in terms of courthouses and the number of judges, especially judges experienced in particular specialties, and will affect the travel patterns of people who require access to the law courts, especially in Dorset and areas near Winchester but not near the other courts of the western circuit. I see such strong arguments against that that I cannot believe that the Lord Chancellor is serious in his proposals.

I understand that the final decision has not yet been taken, but will be made shortly. If such arbitrary decisions are to be made, we need a mechanism to interact with the Lord Chancellor. The courts boards for a whole circuit area seem the most appropriate means of establishing that mechanism.

It is interesting that the circumstances of Winchester do not seem to apply in Wales and Chester, where the Government are content to allow the anomaly to continue because they say that the legal administrative arrangements are too difficult to disentangle. Exactly the same arguments seem to me as a lay person to apply in Winchester, and my view is supported by members of the judiciary, who have to make the system work. I hope the Minister will give us a simple explanation of such an apparently arbitrary and highhanded decision by the Lord Chancellor, of why there was not prior consultation with those affected, and of what he believes to be the advantages of the proposed arrangement that outweigh the patent disadvantages that have been identified.

There are six other amendments in the group. I shall say very little about amendment No. 56, as my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) hopes to catch your eye, Madam Deputy Speaker. The arguments are principally to do with London, and as a London Member, my hon. Friend has a particular interest.

The amendment revisits the argument that we had in Committee about the size of the courts boards areas. It appears to be the Government's view that the courts boards areas will be coterminous with the present police authority areas for the greater part of the country, and in the case of London will be coterminous with the Metropolitan police area, including the area of the City of London police. I argued in Committee and I argue again today through amendment No. 2 that that is a false reconciliation of the relevant areas.

I am glad that the courts boards areas are not to be bigger than the police authority areas, as was feared in the initial stages of the Bill, but many joint board areas go well beyond the county area for police authorities. I think of my own in Avon and Somerset, as well as the Thames Valley police area and the Greater Manchester area covering a substantial metropolitan area, and similarly in the west midlands. It seems anomalous that simply because there is a single police authority area, there should be a single courts board area for those, whereas for the smaller county constabularies, there should be a discrete courts board area for each—for example, a separate area for Gwent, and another for Bedfordshire.

It makes sense for courts boards areas not to extend over more than one police authority, and thus more than one probation service or other judicial organisation area. I accept that. However, we have reached a point where the areas are too big to properly represent local citizens. It would be far better were we to resile a little from such amalgamations and consider

constituent parts of police authority areas. The best example is London, where the situation is rather silly, but the problem exists elsewhere in the country as well.

On amendment No. 3, we are supported by the hon. Member for Surrey Heath (Mr. Hawkins) and his hon. Friends. It would allow for scrutiny of the way in which the Lord Chancellor carries out his duty under clause 21 to consult the lay justices, as we must now call them. That is crucial to the successful implementation of the Bill. It is essential that the Lord Chancellor properly consult the lay magistracy to ensure that what he is proposing through the relevant mechanisms will work in local areas.

The basic level of scrutiny that we suggest in the amendment would provide some sort of check and balance to ensure that the Lord Chancellor keeps to the commitments that he made in the course of discussion of the Bill and in the Bill itself, and that the lay magistracy have a clear avenue through which to raise their concerns if, as I suspect we may find some time in the future, their views are not being taken sufficiently into account.

New clause 3 on circuits is largely a probing clause to help us better understand the Government's thinking. The proposals on the courts boards encapsulated in amendments Nos. 56, 2 and 57 to 59 are more substantive. The important role of scrutiny is dealt with in amendment No. 3.

Mr. Hawkins: Once again, as was often the case in Committee, we make common cause with the hon. Member for Somerton and Frome (Mr. Heath) and his hon. Friends. On new clause 3, dealing with circuits, like those hon. Members, especially the hon. Member for Winchester (Mr. Oaten), I have had approaches about the matter. I know the strength of feeling among members of the judiciary and members of the Bar. I am delighted to hear that members of the judiciary have even been attending the surgery of the hon. Member for Winchester. The strength of feeling was reinforced for me when the matter was raised with me by a member of the Bar last weekend while I was at a family wedding. In addition to the views expressed by members of the judiciary and senior members of the Bar, the fact that matters are raised at surgeries and even with Members at social events shows the strength of feeling.

I know Winchester well from my own time in practice. More recently, I had the privilege of sitting with some of the judges there while doing my training for consideration for possible appointment to a recordership, so in relatively recent times I have met some of the judges, just before the proposal was published. Knowing the exceptionally high quality of the judges who sit at Winchester, I understand their concern.

I very much share the extremely strong views expressed by the hon. Member for Somerton and Frome on the lack of logic of making this change simply to fit into what in any event Conservative Members would regard as a rather artificial grouping of areas in a Government office area. I could not agree with him more strongly that there is no logic in saying that a circuit area must match the area of operation of a Government office. Often in Committee, on this Bill and on other legislation, I have attacked the Government's mania for change for change's sake and the belief that modernisation is somehow a god that they must aim at in every possible way. This proposal would simply cause damage where there is no positive benefit to be gained whatever.

As the hon. Gentleman rightly said, "If it ain't broke, don't fix it." I would say, "If it is not necessary to change, it is necessary not to change." This is one of those occasions on which it is necessary not to change. It would be far better for the administration of justice in Winchester and the surrounding area if the Government backed off from this ill considered proposal. The hon. Gentleman says he hopes that the die is not yet cast and that the final decision has not yet been made. I devoutly hope that too.

I remember the angst on my old circuit, the historic Midlands and Oxford, when similarly, not all that long ago, Oxford was removed. There was great concern and sadness about that, but this would be an even worse decision. I am therefore pleased to add the views of Conservative Members to the strong views expressed by the hon. Gentleman. I suspect from the presence in the Chamber of the hon. Member for Winchester that we may hear more about this from him in a while.

Liberal Democrat amendment No. 56 is, in effect, a replacement for the more modest Liberal Democrat amendment No. 2—we will hear about that in due course from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—and we have tabled amendment No. 51 to similar effect, which seeks further security that the court areas should not expand. We debated that at length in Committee, but we and the Liberal Democrats are trying to back up the same concept here.

As the hon. Member for Somerton and Frome rightly said, our names appear with those of Liberal Democrat Members on their amendment No. 3 because we agree that clause 5 must provide for a review of what the Lord Chancellor is really up to. We think that it should be clear in the legislation that he must consult lay justices properly under clause 21. For the same reasons as we do not have a great deal of faith in the Government's agenda and their reliability on these matters, we think that this part of the Bill would be a great deal stronger if that provision were written into it.

Liberal Democrat amendments Nos. 57 and 58 are specific London-based amendments to schedule 1. I am rather cynical about the Liberal Democrats' last-minute replacement of their original amendments with some of these London-based proposals. I suspect that it might be to do with the demotion of the hon. Member for Southwark, North and Bermondsey to being only the future failed Lib Dem mayoral candidate. It must be so depressing to know that he is going into something in which he can only ever come a poor third. Nevertheless, Liberal Democrat amendment No. 59 is a sensible measure on consultation with local authorities. That is well worth while.

There is a general theme to these proposals—backing up the concept of putting in the Bill safeguards to ensure that the Government do their consultation with the lay magistracy properly and that they do not

[Mr. Hawkins]

tinker with circuit areas for no good reason. I hope very much that the Minister can respond positively to some of the serious concerns expressed by the Liberal Democrats and me.

6.15 pm

Simon Hughes (Southwark, North and Bermondsey): I am happy to speak in particular to amendments Nos. 56 to 59 and I am grateful for the Minister's courteous response outside the Chamber to the proposal in principle. I look forward to what he will say in response to the amendments standing in my name and that of my hon. Friend the Member for Somerton and Frome (Mr. Heath).

These proposals would have been on the amendment paper whether I had continued with the full panoply of responsibility for home affairs, whether I was responsible for London matters for my party in this Chamber or whether I was responsible for neither. The issue came to my attention earlier in the year from people in my constituency and elsewhere in London as important for London. In a moment, I will turn to why the amendments have been tabled and why I hope that they find support among Labour Members.

May I add a word in the context of the wider debate, which my hon. Friend the Member for Somerton and Frome introduced? For the record, in my practising years I, too, was a member of the midlands and Oxford circuit. The traditional circuits are not, of course, theologically based or divinely inspired. They were a practical development of a grouping that was convenient for people in terms of carrying out legal work. If people in Hampshire, and in particular in Winchester, feel that they are more naturally linked to their colleagues in the western circuit, it seems to me that they must know best. They do the job day in, day out, week in, week out and year in, year out.

I hope that the Minister will be positive about the joint pleas from my hon. Friends the Members for Somerton and Frome, for Winchester (Mr. Oaten) and for Mid-Dorset and North Poole (Mrs. Brooke) and Conservative Front Benchers. I hope also that we do not go down the road whereby everything always has to follow exactly the same boundaries simply because somebody once decided that they were administratively convenient for something else.

On the London proposals, may I make remarks to the Minister by way of introduction and to explain where they come from? I share with the Government the view that if the criminal justice system is to be accountable, the ordinary people of England and Wales need to be able to have access to it not only when they are defendants, witnesses, called to sit on the jury or as magistrates or, sadly, are victims, but when they want to know whether the system is working.

From the Liberal Democrat Benches, my hon. Friends and I have argued that just as we are coming to a consensus in Parliament that the police should be accountable locally in the boroughs, districts, counties and council areas that we all live in, so it is only right that the other bits of the criminal justice system—the probation service and the Court Service—should also be accountable locally. The courts understand that.

The other day, I went to a very good open day at the Southwark Crown court building by HMS Belfast on the edge of the River Thames. It was a Saturday and there was a very large turnout of people who were seeking to ensure in part that the Court Service is more accessible in that way. I also mean that the public often want to know why certain decisions were made. For example, when the police catch someone who has stolen a car for the fourth time, why do the magistrates or the Crown court pass a sentence that might release that person back into the community perhaps to commit the same offence for a fifth time? It seems to me that such accountability has to be achieved when the accountability of the police and the probation service, as well as that of custodial institutions such as prisons or young offenders' institutions, is being addressed.

One way in which we need to think of the structures is in terms of how the Court Service can be seen to be growing in confidence in respect of the community. The second is how the people who run it relate to those who are their customers day in, day out. The proposition behind our original proposal—amendment No. 2—also stands in amendments Nos. 56 to 59, which were tabled by me and my hon. Friend the Member for Somerton and Frome. It is simply that London, which has three times the population of the next biggest police area in England and Wales, will not be served appropriately by a courts board with the same limited number of representatives—12—as can be found in the smallest police area and all those in between.

I am not making special pleading because London is the capital city, although that might be relevant, nor am I saying that there might be a special case because we have the central criminal court and the law courts in the Strand as well as the Judicial Committee here and the future supreme court, but I am saying that we have far more courts at all levels in our 33 local authorities. It is just not possible for them to be represented by 12 people. With the best will in the world, it is just not possible. That is not only my view; it is the view of those who share my local bench at Camberwell Green and Tower Bridge.

I have given the Government two options, amplifying the original proposals of my hon. Friend the Member for Somerton and Frome. Amendment No. 56 asks for five areas; in fact, it states that there shall be five areas. My hon. Friend originally proposed that London should not be required to be a single area, but I want to ensure that we have five areas. The alternative contained in amendments Nos. 57 to 59 would make the courts board for London much bigger and therefore more representative. I have simply allowed for three times as many members as the Government, because London is three times as big as anywhere else.

Amendment No. 58 says that there must be at least three members who are judges, at least six members who are lay justices, at least six with relevant experience and six who are representative of the community. That at least gives the huge diversity of communities in the north, south and east, and in central London—people with all sorts of backgrounds and faiths, of all ages and from all walks of life—a chance to begin to be represented. The system will not be perfect, but there will be that chance. Specifying 12 members gives people out on the Hertfordshire and Buckinghamshire borders,

down on the Kent and Surrey borders, and on the Essex borders, as well as those from inner-London boroughs and the City, no chance of representation.

At the time of the last census, the population of outer London was 4.4 million and that of inner London was 2.766 million. Next came the West Midlands police area with 2.5 million, followed by Greater Manchester with just under that, West Yorkshire with just over 2 million and Merseyside with 1.3 million. Obviously, I did not pluck those figures out of the air; I talked to people about the best possible number of areas for London.

I understand that both the Crown Prosecution Service and the Greater London Magistrates Courts Authority currently divide London into five regions. The London organisation of the CPS has a central criminal court section, and sections for the south, west, centre and north and east combined. Confusingly—this is why we need to rationalise and co-ordinate the arrangements—the Greater London Magistrates Courts Authority has five different regions owing to its historical genesis: the north-east, north-west, south-west, south-east and central regions. Both bodies, however, have concluded that five is the right number.

I think that this should be the subject of the consultation that will follow the paper produced in September. January is the deadline for responses. I hope that we can then secure some agreement. It may be considered logical to have north, south, east, west and central areas for the courts, reflecting the way in which people move. The central area could involve the central criminal court and the law courts in the Strand, for instance.

Amendment No. 59 proposes consultation with local authorities in London—the 32 boroughs and the City. They are proper stakeholders, and I feel that they should be able to understand and be comfortable with the operation of the courts—they are, after all, responsible for increasing amounts of criminal justice under legislation relating to crime and the police that was enacted in the late 1990s. Liaison between police and local government is much better than it was, and I think the same should apply to local government and the courts.

There is one last way out for the Government if they resist the idea of five areas, or the idea of a board three times as big to reflect the population—of the two, I prefer the five-area model—which is the introduction of an overarching board, a sort of supreme court of courts boards, with five subsidiary areas acting as sub-committees. I hope it is deemed helpful rather than confrontational of me to tell the Minister that people I have talked to who are in the know and doing the job think that such a model could work. They would prefer five separate areas, but there is logic in the notion of five sub-committees, as it were, feeding into a central courts board.

This may sound dry in relation to the exciting political issues of our day, but the administration of the courts is all about what we read in the newspapers, once a week if not more often—about people taken to court, people found guilty, people being sentenced. It is all about access to justice locally. It is all about people feeling that they can go to the civil courts easily, and obtain expeditious justice. It is all about whether people feel that justice is delivered on their doorsteps. In a great metropolitan area such as London, the doorsteps of those living in Sutton, Croydon and Bromley are not in Barnet, Hillingdon or Havering. They need to feel that the justice system is working for them, and that the courts they read about in their local paper that are imposing sentences are administered by people whom they know, can choose and can influence.

I ask the Minister to accept that this is about making the Court Service properly accountable in the metropolitan area, just as it will be—I hope—in the rest of the country. People need to feel that they can influence the running of the service, and can tell those in charge if the courts are in the wrong place or open at the wrong times, if there is not the right public transport, or if the provision of probation officers, facilities for the public, magistrates or the right mix of magistrates is not adequate. All that matters hugely to the functioning of the service.

I hope the Minister will assure us that London will be treated differently because of its large size. Above all, I hope we shall have a structure reflecting the diversity of London and allowing it to be reflected in one of the most important parts of the criminal justice system.

Mr. Leslie: I am grateful to the Opposition Members who tabled this string of amendments relating, in particular, to the courts boards that we hope to set up. They give us an opportunity to look at how they will operate within the overall agency structure of the new unified courts administration. The hon. Member for Southwark, North and Bermondsey (Simon Hughes) was right to say that while these matters may seem dry, in many ways they go to the core of issues picked up regularly by the media: the operation of the courts and how they serve the public, and the criminal justice system in particular.

New clause 3 seeks to allow courts boards to meet one another, and also to be consulted on changes to circuit or regional boundaries. Of course we want courts boards to meet from time to time. Our aim in establishing them is not to create exclusive "silos" that never communicate with each other. Guidance will be issued to boards on how they should operate, and the ability to work across boundaries will be a key part of the new system. Boards will need to be aware of that in practice, and will need to consult each other in the same way as neighbouring managers.

Secondly, on the proposal that courts boards should be consulted about any proposals to alter circuit boundaries, I can assure the hon. Member for Southwark, North and Bermondsey that the relevant courts boards would be consulted if we were to change regional boundaries in future. A change to regional boundaries might well have consequences for courts board areas; that is why consultation is already required under clause 4(6). At present, the only statutory requirement is for the Lord Chancellor to consult the Lord Chief Justice.

6.30 pm

Changes to the regional boundaries would necessitate consultation with all the parties who would be affected. If the Lord Chancellor decides to make future alterations to the boundaries, a similar level of consultation will be required, and the views of affected

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courts boards, as part of the new administration, would be part of that. There is no need to single out courts boards for special consideration in that process, as the new clause proposes; indeed, that would ignore the important views of other groups with a fundamental interest in circuit and regional boundary issues.

Having considered the views expressed by stakeholders on the options for the unified courts administration, we concluded that there should be 42 local areas and that the courts boards should match those. We also decided that there should be a regional tier of management to ensure that the agency can best support civil and family work, as well as the criminal jurisdiction, in dealing with cross-boundary issues and the deployment of the judiciary.

Simon Hughes: The Minister will have spotted the obvious anomaly that there is to be a London region, but, uniquely, only one board within it. Every other region in England and Wales will have several courts boards. Is not that a strong argument for the amendments?

Mr. Leslie: The hon. Gentleman is champing at the bit for me to turn to my comments on London. I assure him that there are good grounds for the conclusions that we have reached; I shall deal with that in a moment.

The Government's policy is that regional boundaries should match those of the nine Government regions and Wales unless there is a compelling reason to the contrary. The 42 criminal justice areas fit within those boundaries. Having accepted that nine regions and Wales are too many given the size of the organisation, we decided that there should be seven regions.It is clear from the comments of the hon. Members for Somerton and Frome (Mr. Heath), for Winchester (Mr. Oaten) and for Surrey Heath (Mr. Hawkins), among others, that much attention is focusing on which region will include Hampshire. A decision on whether it will be in the south-east or the south-west region will be made no later than 31 October. We have held meetings with the senior judiciary, representatives of the Bar Council and judges and barristers from the western circuit to assess the potential impact of a move away from the western circuit. We are listening to the views of all interested parties before reaching a conclusion. I do not want to pre-empt that decision, but I have no doubt that whatever the outcome hon. Members will find ingenious ways of raising the issue and cross-examining Ministers to hold us to account for our decision.

Amendments Nos. 2 and 56 propose that courts boards areas should be the same as, or fall within, police authority areas. The hon. Member for Southwark, North and Bermondsey suggests that London should have five courts boards. A balance must be struck between ensuring effective management and addressing community needs in as local and responsive a way as possible. It is our intention that courts boards will provide members of local communities with much more input and influence over the administration of all the courts in their area—not only criminal courts—than they have ever had before. It cannot be denied that there are wide contrasts between communities in all areas, not just London. We must strike a balance between meeting community needs and ensuring a workable management structure. In particular, a courts board area must have a certain core of workload volume, court business and courthouses. Police authority areas strike the right balance in London and elsewhere. They match those used by the probation service and the Crown Prosecution Service, while fitting in with local authorities.

Turning to London, we decided that there should be a courts board at the Greater London level because that is the level at which decisions are taken in the capital. In particular, the Criminal Justice Board brings together the criminal justice agencies, including the Crown Prosecution Service, the police, the probation service and the courts. It is also the basis for the seat of the Mayor of London. If the London area were to be fragmented into freestanding sub-areas, where would the line be drawn? The hon. Member for Southwark, North and Bermondsey argues that there should be five courts boards in London on the basis of the administrative regions that are employed by the Greater London Magistrates Courts Authority. However, those five will not necessarily automatically be more representative of London's diverse community or include a full range of boroughs. However, I see the sense of the hon. Gentleman's point in the broader sense, and I am happy to assure him that if the London courts board thinks that it needs a further sub-structure in order properly to drill down into local community needs, we will give that close consideration.

As an alternative proposal, the hon. Gentleman suggests that the London courts board needs to be an exception and that it should have at least three times more members than those in other regions. I do not believe that the figure of 21 would be particularly workable. We must strike a balance: a courts board must be not only workable and capable of taking a strategic view, but able to make decisions without having the "large committee" feeling that could result from an excessive number of members. I congratulate the hon. Gentleman on his ingenuity in arguing for three times the membership for the London courts board, but even that figure would not necessarily include everyone he would want to have a seat. Having seven members on each courts board is a realistic and workable starting point, but the Bill offers a great deal of scope for adding more members if that is deemed appropriate. In practice, therefore, if the London courts board, in common with those in the rest of the country, thinks that it needs more members, the Lord Chancellor and the Secretary of State will be happy to consider it.

Simon Hughes: Can the Minister put on the record the balance of the representations that he has received on the London issue? If not, will he do so in writing? Will he further undertake that in the course of the consultation he will not only read, but have his opinion influenced by, the balance of views that are expressed? He knows as well as I do that there is a strong feeling that we need a structure that works for the whole community across London.

Mr. Leslie: The hon. Gentleman is right to say that we need to pay close attention to the particular circumstances facing a London courts board, but it is important that it is able to match the boundaries of the

Crown Prosecution Service, the probation service and the Greater London Authority. I will ensure that we have further opportunities to consider the matter.

Mr. Heath: Will the Minister turn his attention for a moment to the royal courts of justice? The Lord Chief Justice believes that he has an agreement with the Lord Chancellor that there will be a special arrangement for the royal courts of justice. Can the Minister confirm whether that is the case?

Mr. Leslie: I am afraid that I do not have the minutes of any meeting between the Lord Chief Justice and the Lord Chancellor regarding the situation of the royal courts of justice in respect of a London courts board. It is an interesting point. I shall discuss it with my noble Friend and write to the hon. Gentleman.

Amendment No. 59 seeks to establish that regulations will be made in terms of how courts boards should liase with local councils. To single out local authorities for special legislative treatment is questionable. Many other agencies and groups, including the police and the Crown Prosecution Service, have a key role to play in the administration of justice in a local area. It would be better management practice to establish good links with all of those groups. The Lord Chancellor will require agency managers and the courts boards to consult and to take account of their wider stakeholder base, and they must make sure that arrangements are put in place to ensure that that happens. That will of course include local authorities, as a good partnership will be vital in policy areas such as children, housing and tackling antisocial behaviour, to name but three. As the guidance that we issue will make clear, that will be critical in the case of London as well, but we do not need to allow the boards the freedom to consider just local authorities. However, they should have the freedom to reflect the need to consult a much wider area. I therefore hope that hon. Members agree that this amendment is not necessary.

Amendment No. 51—under the terms of which, courts boards would not exceed the size of police authority areas—is too restrictive. We have announced that from the start of the new agency, courts board areas and agency managerial units will match the 42 police authority areas. However, it is theoretically possible that when matters have bedded down—I am not prejudging the issue—it might make sense to join up some areas, given that work moves across their boundaries frequently. It would be wrong to close off that option simply because of the legislative obstacle that this amendment would constitute. It is also important to remember that courts boards will not be concerned with criminal business alone; they will have a wider remit, including civil courts, family courts and so forth, so simply to restrict them to police authority areas is not the right approach. The consensus may well be reached that merging areas is the right way to proceed, and it would be wrong if courts boards were to discover a legislative obstacle that prevented them from doing so. As I said, we intend at this stage that the courts boards match the 42 police authority areas, but at the moment it would be wrong to include such a fettering amendment.

Under amendment No. 3, courts boards would have a particular duty to monitor how well the Lord Chancellor consults magistrates. Courts boards already have a statutory duty to scrutinise, review and make recommendations on the way in which the Lord Chancellor is discharging his general duty. An essential component of that duty will be to scrutinise the way in which the new agencies work with all of their stakeholders: magistrates and judges, lay and professional court users, and members of the local community. There is no need, therefore, to create a link between clauses 5 and 21. It would be wrong to single out magistrates and only partially to reflect courts boards' wider role; to do so would imply a narrower role for courts boards than we currently envisage. They will be concerned not just with local magistrates courts, but with the needs of local areas in their entirety, and of the entire courts system. For that reason, amendment No. 3 would be an incorrect route to take.

Clause 21, which was included in the Bill with the backing of the Magistrates Association, already includes a duty to build effective lines of communication with all stakeholders. It guarantees magistrates that, in terms of what affects them in the performance of their judicial duties, proper lines of communication will be established between them and courts' administration. It is unnecessary to go further by giving special prominence to magistrates in respect of the duties of courts boards. We are discussing with the Magistrates Association what clause 21 means in practice, with a view to identifying the key issues and some guiding principles for magistrates and managers. The balance that the Bill strikes is therefore the right one, so I ask hon. Members to withdraw the new clause and related amendments.

6.45 pm

Mr. Heath: I am grateful to the Minister for his courteous and detailed reply; to the hon. Member for Surrey Heath (Mr. Hawkins); and to my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) in particular for his comments in support of the amendments. I accept that we are not going to agree on the need for the courts boards to monitor the Lord Chancellor's performance in respect of clause 21, but I still feel that it is desperately important that they do so. Irrespective of whether we pursue the matter through legislation, I hope that the clear understanding exists that one of the courts boards' functions will be to express concerns that feed through the system to them, from magistrates and lay justices, about what is happening in a particular courts board area, and that that will include the degree to which the Lord Chancellor, or his successor in title, is working with—or against—the interests of local justice in that area.

I hear what the Minister says about the arrangements for the western circuit, but he will not have satisfied those who feel strongly about this issue, particularly the judicial interests involved. He said that there is no need for the courts boards—either en bloc or individually—to have a specific remit to look at this issue because they will be consulted as a matter of course. He also said that at the moment, the only statutory consultee is the Lord Chief Justice. It is interesting to note that the Lord Chief Justice was the one correspondent whom I did not mention in my introductory remarks, so let us correct

[Mr. Heath]

that omission. His letter to the Lord Chancellor makes his opinion very clear:

"While writing to you, I should make it clear that I personally have the greatest concerns about the possibility of Hampshire not remaining part of the Western Circuit. I, of course, accept you have concerns as to the importance of regional Government, however, regional justice is also important. To include Hampshire as part of the South Eastern Circuit would make that circuit, which is already very large, excessive to manage from a judicial point of view. More seriously, if Hampshire were to be moved from the Western Circuit, the delivery of justice on that circuit could be seriously undermined."

The Lord Chief Justice could not have expressed his concerns in a more open and considered way. I hope that when reaching a decision, account is taken of those concerns. One thing that the Minister said was absolutely right—if such account is not taken, Members of this House will find ways to raise the issue with him and to make his life hell. The danger is that bureaucracy will triumph over common sense and the interests of the judicial system.

On the size of courts boards, the Minister seemed to be edging towards the position set out so well by my hon. Friend the Member for Southwark, North and Bermondsey. He recognises that there is a desperate problem with London. It makes no sense to have a single authority area for London, so he is edging towards a solution that involves a single courts board for the entire metropolitan area, and an airy-fairy, rather nebulous arrangement below it that will have no clear remit or structure, and which will not achieve what we want it to achieve. Such a structure would be better than nothing, so let me not argue against what the Minister may, or may not, be edging towards. However, my hon. Friend's proposal is a much more sensible suggestion, dealing as it does with London's different localities by giving them a proper voice. Indeed, such an approach is normal for those areas that, by happenstance of history, have small shire constabulary areas.

I was somewhat concerned that the Minister appeared not to know about the correspondence on the royal courts of justice. However, he said that he will write to me on that specific issue, and I am grateful to him. Nevertheless, this House should be able to express a view on the courts boards for London, with which amendment No. 56 deals. On that basis, I beg to ask leave to withdraw new clause 3, but I shall ask the House to divide on amendment No. 56.

Motion and clause, by leave, withdrawn.

Clause 1

The General Duty

Amendment proposed: No. 1, in page 1, line 5, leave out 'and effective' and insert ', effective and accessible'.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 107, Noes 275.

Division No. 328] **[6:50 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barrett, John
Beith, rh A. J.
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Breed, Colin
Burnett, John
Burnside, David
Burt, Alistair
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Moore, Michael
Moss, Malcolm
Oaten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Young, rh Sir George

Tellers for the Ayes:
Tom Brake and
Mrs. Annette L. Brooke

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor

Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Gillian Merron and
Jim Fitzpatrick

Question accordingly negatived.

Clause 4

Establishment of Courts Boards

Amendment proposed: No. 56, in page 3, line 35, leave out from 'specifying' to first 'the' in line 38 and insert—

'(a) in respect of areas except London, areas which are the same as, or fall entirely within, the police areas listed in Schedule 1 to the Police Act 1996 (c. 16) (division of England and Wales, except London, into police areas), and

(b) in respect of London, at least five separate areas falling entirely within'.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 98, Noes 278.

Division No. 329] **[7:03 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Atkinson, Peter *(Hexham)*
Barrett, John
Beith, rh A. J.
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Breed, Colin
Burnett, John
Burnside, David
Burt, Alistair
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Davis, rh David *(Haltemprice & Howden)*
Donaldson, Jeffrey M.
Doughty, Sue
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Goodman, Paul
Gray, James *(N Wilts)*
Hawkins, Nick
Hayes, John *(S Holland)*
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lansley, Andrew
Laws, David *(Yeovil)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
McLoughlin, Patrick
Moore, Michael
Moss, Malcolm
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Shephard, rh Mrs Gillian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Young, rh Sir George

Tellers for the Ayes:
Tom Brake and
Mrs. Annette L. Brooke

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony

Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Gillian Merron and Jim Fitzpatrick

Question accordingly negatived.

Clause 8

Local Justice Areas

7.15 pm

Mr. Heath: I beg to move amendment No. 4, in page 5, line 13, at end insert—

'( ) No local justice area may include areas which form part of more than one area specified under section 4.'.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss the following amendments:

No. 5, in page 5, line 13, at end insert—

'( ) No local justice area may include areas which form part of more than one area established under Schedule 11 to the Police Act 1996 (c. 16).'.

No. 52, in page 5, line 14, at end insert

'but only with the prior consent of the lay justices for that area and in any event not in a way which removes the coterminosity of a local justice area with a police authority area'.

Mr. Heath: This group of amendments deals not with courts boards but with local justice areas, which will be more familiar to most Members as the petty sessions areas that they effectively replace under the Bill. Amendments Nos. 4 and 5 are simple. They propose that a local justice area should not straddle the borders of courts boards areas or of police authorities under the Police Act 1996. However, I cannot believe that it is anyone's intention to make them do so, and it could be argued that if one requirement is satisfied, so is the other, by virtue of what we have already said about coterminosity.

It cannot be in the interests of good administration if the local justice area—which is, as the smallest unit, the building block of the revised structure of the justice system—were to come under the jurisdiction of more than one courts board area. Conflicting advice could be given to the Secretary of State or Lord Chancellor on the interests of a specific local justice area. Magistrates might not know to which courts board they should address any views on the administration of courts in their bench areas. In short, we would have completely unnecessary confusion.

When we discussed the matter in Committee, the Minister covered his tracks by saying that the courts boards deal with more than just the magistrates courts in their area, and that is true. However, if we are agreed that the local justice areas are, as the Minister put it, the essential building blocks on which the whole structure is based, they should not teeter between two different areas. Even though the courts board has an interest in the family courts, the civil courts and the youth court structure, it does not alter the fact that a single local justice area should fall within a single courts board area; otherwise, unnecessary and easily avoidable confusion would arise.

Amendment No. 5 makes the same argument in terms of police authorities. Such authorities can be very large, and the whole thrust of Government policy, for some years, has been to achieve a degree of coterminosity between police authority areas and all the other agencies that are relevant to the work of the police. Indeed, that argument was made strongly in the debate that we have just had. It was argued that the courts boards should be—wherever possible and with the exception of London—identical to the police authority areas. If that is the case, where is the logic in having a local justice area, dealing with one or more magistrates courts, which straddles police authority areas? It flies in the face of what we are led to believe is the Government's policy, which cannot be what they intend.

The only argument for not clearly stating that in statute, thereby making it the basis of the structure, would be that there was a need for transitional

[Mr. Heath]

arrangements when petty sessions areas straddled police authority areas and needed special treatment. I have two arguments against that suggestion: first, it would not be impossible to devise transitional arrangements and, secondly and more cogently, it should not happen. If we are to set up a new, unified court structure whose building blocks are to be the local justice areas, those areas should be so constructed as not to go from one police authority area to another, from one probation service area to another or from one CPS area to another—all the arguments prayed in aid in our earlier debate for not having more than one courts board in a police authority area.

When I put all those points together it is difficult to find a reasonable argument against our amendments. My only suggestion for the Minister would be that they do not apply because as the justice areas are already encompassed within the measure, no adjustment will be necessary, and that it is not necessary to include the proposals in the statutes because some future Secretary of State might choose, willy-nilly, to create new justice areas that straddle police authority or courts board boundaries. I do not think that is a sensible argument, however, and I hope that the Minister will not make it.

If we are to set up a unified courts structure, with an integrated system, it should be based on common building blocks making up several local justice areas, courts areas and police authority areas so that there is an organised and regimented structure for the whole country. Both the Minister and I want to see that pyramid. My amendments would make that happen; in their absence, it may not happen.

Mr. Hawkins: Once again, as we did on this issue in Committee, the hon. Member for Somerton and Frome (Mr. Heath) and I are arguing from a similar perspective. The Opposition take the view that the Bill would give the Lord Chancellor too wide and unfettered a discretion. Currently, clause 8(4) states baldly:

"The Lord Chancellor may make orders altering local justice areas."

There are no restrictions and, under subsection (5), the powers are widened further.

The Opposition want to set up some control on what the Lord Chancellor is or is not allowed to do, but in a slightly different way to that proposed by the hon. Member for Somerton and Frome. We want to include the rather ugly word "coterminosity" that was used in Committee. Under our amendment No. 52, the Lord Chancellor would not be able to alter the local justice area

"in a way which removes the coterminosity of a local justice area with a police authority area".

We want to achieve the same kind of restrictions as those proposed in the Liberal Democrat amendments, but we want a specific requirement that the lay justices be involved in any decision to change. We think that if the Bill required that the lay justices were consulted they would try to ensure that logic and coterminosity remained. No future Lord Chancellor should be able to change things without the prior consent of the lay justices for that area.

We are pressing the Government in the same way as the hon. Member for Somerton and Frome and I did in Committee. The Bill should include restrictions. The Lord Chancellor should not have unfettered discretion to do things that would be illogical and could be damaging, as the hon. Gentleman pointed out. That is the basis for our amendment and I very much endorse his views on the importance of the building blocks. We shall, of course, listen to what the Minister has to say, but I was not persuaded by the Government in Committee and I am not persuaded now. The Bill would be much better if it included the safeguards either of the Liberal Democrat amendments or, more specifically, of our amendment No. 52.

Mr. Leslie: As we have just heard, the effect of amendment No. 4 would be to ensure that no local justice area may include areas that form part of more than one courts board. Amendment No. 5 would ensure that no local justice area may include areas that form part of more than one police authority area. The second part of amendment No. 52 largely covers the same issue. As I said earlier, the Government have made a commitment that courts board areas will be coterminous with criminal justice areas—police authority areas—so I shall deal with all the amendments together.

The amendments are unnecessary and undesirable. The hon. Member for Somerton and Frome (Mr. Heath) tried to pre-empt my justification for resisting his amendments and made very good arguments against them, which I hope to supplement in some small way. In fact, the amendments try to put the cart before the horse, which is the fundamental point of my argument. Currently, the first building block is the petty sessions area, which is more or less what we envisage as the local justice area, and it is the fundamental aspect of the magistrates courts system, whereas courts board areas are an administrative structure whereby the administration of the courts, and not only magistrates courts, is enhanced.

Clearly, in determining a courts board area, consideration should be given to ensuring that petty sessions area and local justice area boundaries are not compromised. That is common sense. However, I am not convinced that we need to erect the concrete walls that the hon. Member for Somerton and Frome suggests. In fact, subsection (6) of clause 8 already provides for consultation with the relevant courts board if boundary changes are under consideration. The powers are not entirely unfettered, but we need to realise that if the local justice area—the petty sessions area—is to be the main building block we need to ensure that there is some provision for latitude without the need for an Act of Parliament.

Amendment No. 5 would require that no local justice area would straddle more than one police authority area—sometimes known nowadays as a criminal justice system area—apart from the City-Metropolitan boundary in London. That is the current position with petty sessions area boundaries and it will also, initially, be the case for local justice area boundaries.

The second part of amendment No. 52 again refers to coterminosity with police areas. I am sorry that the hon. Member for Surrey Heath (Mr. Hawkins) does not like the word "coterminosity", as it neatly describes what we are talking about. We expect a local justice area to have boundaries that will in future remain within those of a criminal justice system area but we would not want to

fetter our future discretion by making that a requirement of the Bill. It is important to remember that magistrates courts hear civil and family cases as well as criminal cases, so the organisation of a local justice area should not relate solely to the needs of the police and the CPS. We must allow some latitude to recognise those aspects that could affect the shape of a local justice area, but I do not envisage that this will be a significant issue in the initial establishment that we currently plan.

7.30 pm

Amendment No. 52 is slightly different, as the Opposition seek, in effect, to require the consent of only magistrates for any reorganisation of a local justice area. That would be both unworkable and unfair, especially to local authorities and local courts boards, to which equal consideration should perhaps be given on proposed reorganisations. In fact, that amendment would give a magistrate the power to exercise a veto on the proposed shape of local justice areas, and it might even allow for such reorganisation to be prevented by a single opposing magistrate, despite any view that may have been provided by either the local authority or the local courts board. Clearly, that would be undesirable.

Nevertheless, it is, of course, entirely right that local magistrates should be involved in such decisions, which is why we have provided in clause 8(6)(a) for consultation with justices of the peace, as well as the local authorities and local courts boards, before any reorganisation. Amendment No. 52 is quite unacceptable. It cannot be right to give magistrates the power of veto over proposed reorganisations when the local courts board, which is a more representative body, might be consulted only in passing.

I hope that those amendments are now seen in that light—they are unnecessary and undesirable—and I invite the hon. Member for Somerton and Frome to withdraw the amendment.

Mr. Heath: While listening to the hon. Gentleman, I was trying to remember the laws of thermodynamics, although not as digression from what he was saying. Is it the third law of thermodynamics that states that entropy increases in any system? It seems a bizarre legislative stroke of genius to legislate right from the start of proceedings for an increase in entropy in the system that is to be set up. That seemed to be the tenor of what the hon. Gentleman said. He said that he had a nice, neat system, but someone at some stage in the future might want to make it very untidy, by creating local justice areas that cross police authority areas or criminal justice areas, as the hon. Gentleman called them. I do not know anyone who calls them criminal justice areas, but I am sure that there is a Government consultative paper somewhere that refers to them as such.

The Minister thinks that a future Secretary of State may want to create local justice areas where they do not exist at the moment, so he believes that he ought to include that possibility in the Bill, or allow for that possible eventuality by leaving arrangements open, because it would be nice to have a bit of untidiness if someone wanted it at some future stage. Well, that is a strange way to create a system.

I listened hard to the hon. Gentleman's argument on amendment No. 4, as well. He reiterated a point that he made in Committee, where I was happy to accept it, that the building blocks—we have all learned to call them that—of the new system are the local justice areas, but he then said that including my amendment, which seeks to ensure that they do not cross boundaries, would somehow give primacy to the courts board, rather than the local justice area. Well, of course, it would not.

If there were a sensible way to frame an amendment saying that courts areas must consist of an integer of local justice areas, I suppose that we could have done such things that way—it would come to exactly the same thing—and that would have presumably passed the Minister's test about which comes first, the chicken or the egg. However, that would not make a jot of difference to the outcome, which is to try to ensure that we have an orderly system that builds on those blocks, so that, if the boundaries of a local justice area spilled over in future, there would be the corollary amendment to the courts board area to maintain the integrity and sensible nature of the system, without, as the hon. Gentleman put it, compromising the effectiveness of the arrangements.

Why should I bother? Those arrangements will be dealt with administratively; they do not have to be stated in the Bill. I simply think that, with a Bill that is essentially intended to unify the courts system, it is preferable to say what we mean, rather than not to say what we mean, and to start from a basis of hard structures, rather than fuzzy structures, which is what the Minister apparently prefers when dealing with an eventuality that he cannot identify.

If we were in Committee, I should be very tempted to press the amendment to a Division. Given that we are now debating the Bill on Report, that I have done my best to persuade the Minister of the correctness of my point of view and that he has failed dismally to respond to what I have said, there would be very little point in pressing the amendment to a Division. So, with some regret and some sadness at the lack of precision that the Minister has evidenced in his response to this group of amendments, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 17

CHAIRMAN AND DEPUTY CHAIRMEN: SELECTION

Mr. Leslie: I beg to move amendment No. 37, in page 9, line 8, leave out paragraph (c).

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 39 and 40.

Government new schedule—*Transitional provisions and savings.*

Government amendments Nos. 44 and 45.

Mr. Leslie: This group of miscellaneous Government amendments essentially covers four different policy areas, but the amendments are significant none the less and I shall briefly run through the reasons why we have tabled them.

[Mr. Leslie]

Government amendment No. 37 deals with rules to make provision for the election of the chairman and deputy chairmen of a bench of magistrates in a local justice area. As a bit of background, I wish to say that clause 17 provides for the magistrates of a local justice area to elect from their number a chairman and one or more deputy chairmen and gives the Lord Chancellor a rule-making power to designate how that will operate. Clause 17 would simply re-enact those parts of section 22 of the Justices of the Peace Act 1997 that relate to those elections. However, the framework for the current rules would disfranchise magistrates who have been appointed only recently to a local justice area, restricting participation to those who have experience in that local justice area.

Opposition Members certainly highlighted such issues in Committee. Having heard the debate in Committee and considered such issues, I thought that those arrangements seemed rather odd, so I then agreed to reconsider the provision. It is not the Government's intention to prevent any justices from taking part in the full range of their duties and therefore, to make that clear, we wish to delete clause 17(5)(c), so that there will be no suggestion that only those with more experience should take part in or contest those chairmen or deputy chairmen elections.

We do not have a tradition in this country of limiting any franchise to people who have lived within the borders of a constituency for a certain time. People can vote as soon as they are on the electoral roll. We believe therefore that the same principle should apply to lay justices when choosing the chairman for their area. The current rules to do not exploit such a bias against newer local magistrates, but that change will make it clear that we have no intention of taking such a discriminatory approach.

Government amendment No. 39 relates to the appointment of the Official Solicitor for Northern Ireland. The Official Solicitor is the person responsible for acting in the interests of children and others people where no one else is suitable, willing or able to act on their behalf. Such cases are typically referred to the Official Solicitor by the courts. In England and Wales, the post of Official Solicitor can be filled by either a solicitor or a barrister. However, there is a question mark over whether a barrister would be entitled to appointment to the Northern Ireland post.

Following discussions in Committee—I am grateful to the hon. Member for Surrey Heath (Mr. Hawkins) for pointing this out—I have taken the opportunity to consult the professions in Northern Ireland about a proposed change. Not surprisingly, the Bar considers the current position to be indefensible. However, the Law Society considers that a full consultation exercise might be required before it could take a view one way or the other. While noting the Law Society's requests, I have decided that the opportunity should now be taken to open that post to barristers, so under Government amendment No. 39, the Government seek to end the apparent anomaly and to remove the different eligibility criteria for the posts, allowing barristers the chance to be appointed as the Official Solicitor for Northern Ireland. I trust that the House will agree that that makes good sense.

Government amendment No. 40 and new schedule 1 are transitional, smoothing measures to ensure, among other things, that the provisions for new local justice areas will initially be the same as the petty sessions areas at the date of commencement. The new schedule includes several transitional provisions designed to aid the smooth passage from the current arrangements to the new ones. We believe that users of the court system will find it more helpful to have those included in the Bill, and I hope that the House will accept that that is to be welcomed. Continuity is the main purpose of the new schedule, so that, for example, justices' clerks will be treated as having been appointed and designated as clerks under the Bill and as having been assigned to the areas in which they have been working prior to the commencement of the Act. It will also safeguard their compensation entitlements, about which many Members are concerned. Lay justices who are currently on panels for family proceedings courts will be treated as having been authorised to sit in those courts under the Bill. Those entered on the supplemental list will automatically go on the new list. Entries on the current register of judgments will be treated as included in the new register.

Furthermore, the schedule allows for what are known as savings provisions, which were new to me. The function of a savings provision in legislation is to preserve or "save" a law, a right, a privilege or an obligation that would otherwise be repealed or cease to have effect. We therefore intend the Bill to permit a saving of the contracting-out orders already made under the previous legislation and the saving of provisions to ensure that the positions of Keeper of the Rolls, chairmen of benches, senior district judges and courts inspectors can continue. Often. that kind of transitional and saving provision is made by order, after legislation is enacted, but we felt that it was important to bring those forward so that they can go into the Bill proper, although other transitional provisions may need to be made by order under clause 109(3)(b) later. Again, I hope that the House will agree that that is a positive step.

Finally, Government amendments Nos. 44 and 45 allow the continuing presence of lay magistrates sitting on local police authorities as currently provided for in the Police Act 1996. Although the Bill has the effect of abolishing magistrates courts committees, it is clear that we still need to make provision for a mechanism whereby magistrates are selected to sit on police authorities as under the 1996 Act. Lay justices make a full and professional contribution to the work of police authorities, and that should be continued. The amendments therefore allow for a continuity of input from a key section of the criminal justice system. We propose to adapt the current system used in the appointment of independent members of police authorities, whereby a selection panel provides a shortlist from which other police authority members may make a final selection. The procedure with independent members is one whereby the selection panel produces a long list, which the Secretary of State reduces by half, and the designated members of the local police authority make the final selection. In the case of lay justices, it is sufficient to remove the role of the Secretary of State, and we feel that it is right to have localised rather than Whitehall-based selection.

7.45 pm

Mr. Hawkins: As the Minister has said, this is a group of miscellaneous amendments. First, however, I thank him for his response on behalf of the Government both to the hon. Member for Somerton and Frome (Mr. Heath) in relation to Government amendment No. 37, and to me in relation to Government amendment No. 39. As the Minister has explained, those were matters that we raised in Committee, and it is helpful that the Government have been able to respond positively to our concerns. The hon. Member for Somerton and Frome seized on an important point that the provision should not be restricted to just experienced justices, and, in relation to what I said in Committee, at column 189 of the *Official Report* of the Committee proceedings on 8 July, I am delighted that the Minister has been able to agree with my view that there was no reason why a barrister in Northern Ireland should not be appointed as the Official Solicitor. I am also not at all surprised—neither was the Minister—that the Bar of Northern Ireland agreed with me on that. I am pleased that the Minister has responded positively. I thanked him in Committee when he signalled that he might be prepared to think about it again. I am pleased that he has not opted for a full consultation and yet further delay, as was suggested by his other consultee, the Law Society, in the Province.

On Government amendment No. 40, which introduces new schedule 1 on transitional provisions and savings, I had one concern. When the Minister responds to my comments and those of the hon. Member for Somerton and Frome I wonder whether he can say a little more about the heading to paragraph 2 in relation to contracting-out. While I understand entirely what the Minister says about smoothing provisions and making sure that there is continuity, it strikes me that a little more detail might need to be given about existing contracting-out provisions and how those are being dealt with. Paragraph 2 of new schedule 1 does not give us a lot of detail. If the Minister is not able to respond today—I appreciate that he might not be able to do so—I wonder whether he would kindly write to me and other hon. Members interested in that matter, to give us a little more detail about how the contracting-out provisions will work in that new schedule.

Government amendment No. 44, the changes to schedule 8 and the introduction of schedule 3A on the selection of lay justice members for police authorities may change with the incoming Conservative Government after the next election because, as my right hon. Friend the Member for West Dorset (Mr. Letwin) has set out, there will be greater local democratic control of policing. I therefore hope that the Minister realises that what he is talking about, in terms of changes to police authorities, may not survive in law for long. Can he say a little more about how sub-paragraph (6) of proposed new schedule 3A will operate in relation to designated members? The term "designated members" is used in various ways both in the new schedule that he is putting forward and elsewhere in this legislation. It seemed to me that it was not entirely clear which were the designated members to whom he referred who have a casting vote when too few people are on the shortlist. I was slightly puzzled with that, and if he is not able to give me a detailed reply today about why only designated members will decide in the unusual situation in which too few candidates are on the shortlist, I hope that he will write to me and to other interested Members.

In a letter that the Minister helpfully sent to me about this group, the Government claim that they are simply introducing an effective procedure. If it is to be an effective procedure, we must all be entirely clear about how it will operate. I am sure that the Minister will agree about that. Government amendment No. 45 seems purely technical, so I have no concerns about it.

I thank the Minister once again for the way in which he has responded to concerns raised in Committee and particularly for agreeing with me about Government amendment No. 39. I hope that when the first barrister in Northern Ireland is appointed as Official Solicitor he will reflect back on the Hawkins amendment to this legislation.

Mr. Heath: And when the first magistrate who would otherwise have been deprived votes in an election, I hope that it will be recalled equally that it was my amendment that prompted the Government's helpful response. I am grateful to the Minister for listening to what I thought was a fairly unanswerable argument. He clearly felt the same because this evening he repeated the argument that I put in Committee. I am glad that we have sorted out what seemed to be a glaring anomaly, which proves an old adage: we should not just lift bits of old legislation and put them into new legislation without applying the test of whether they work. I am afraid that, because of the volume of legislation with which we deal in this place, we are too prone simply to lifting bits of previous legislation, and assuming that, because no one has complained, they are all right. I have never taken that view. We must look at each and every previous enactment and apply the following tests: first, whether it works satisfactorily; secondly, whether it is right; and thirdly, whether it is open to challenge in the future.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy) *indicated assent.*

Mr. Heath: I see the Minister nodding, so he obviously agrees with me on that point.

I thank the Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie) for Government amendment No. 37 and for Government amendment No. 39, for which the hon. Member for Surrey Heath (Mr. Hawkins) rightly takes the credit. It is a minor but important change that I am sure somebody in Northern Ireland will have reason to complain about at some stage. However, let us assume that his amendment is helpful.

I have very little to say about Government amendment No. 40 and new schedule 1. I have examined the transitional arrangements and they look broadly sensible. I have a slight quibble about them being introduced so late in our consideration. In a well ordered Bill, they might have appeared before us in Committee or earlier during the Bill's consideration in this House. The Bill started in another place and has had a long passage through the House. The transitional arrangements are fundamental to the operation of the new system.

[Mr. Heath]

Government amendments Nos. 44 and 45 deal with the constitution of police authorities. I pinched myself when I listened to the hon. Member for Surrey Heath. Apart from his absurd pretension that the Conservatives might form the next Government, it seems that those on the Conservative Front Bench now wish to rubbish the very arrangements that were introduced by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who still plays a part on the Opposition Front Bench and may play a greater part in the future.

We are dealing with the right hon. and learned Gentleman's proposals—they were not dreamt up by the present Government or a Liberal Democrat policy group. They were pushed through when I had the misfortune to be the chairman of a police authority and had to make them work. I remember thinking that, if anyone ever wanted to bring the whole system of appointment into disrepute, they would create the byzantine structure that he introduced. It is an absurd structure that defies any understanding of how it might sensibly have been put together. It is like that because the right hon. and learned Gentleman originally wanted to appoint the lot. He made no bones about that. His original proposal was that the members of a police authority should not be appointed by local people—the hon. Member for Surrey Heath now says he is very much in favour of that—but that they should be appointed by the Secretary of State.

When that proposition caused uproar across the country, the right hon. and learned Gentleman had to row back and produced a system that was so complicated that nobody could understand it. That was how we ended with the police authority structures that we have today. When I hear the right hon. Member for West Dorset (Mr. Letwin) say that we now have an appalling system for police authorities, I want everyone to remember who set it up—the right hon. and learned Member for Folkestone and Hythe, who is the right hon. Gentleman's colleague on the Front Bench and is in charge of the Conservative Opposition's financial policy. Some interesting discussions must be going on behind the scenes on this and a great many other subjects.

To return to the amendments, I had hoped that the Government might have been even more radical in their response to the present arrangements. However, they have moved a little way in removing one of the absurd stages in the process of the Secretary of State's involvement, and I am grateful for that. On the basis that this is not a police authority reform Bill, I suspect that that is as much as could reasonably be expected. Let us welcome the small progress that has been made while recognising that police authorities still have an odd structure that would repay closer examination in the near future.

Mr. Leslie: I am glad that hon. Members have welcomed some of the Government amendments. Those hon. Members were instrumental in highlighting some of the peculiar aspects that were carried over from previous legislation, and that proves that scrutiny in Committee is of value. I do not know whether they will be termed the Hawkins and Heath amendments or whether Leslie will get a look in, but I am glad that they will appear on the statute book and that small numbers of people will benefit from them.

I cannot immediately help the hon. Member for Surrey Heath (Mr. Hawkins) with the details of what would happen should the shortlist for the selection of magistrates be too small and with which designated members would oversee the process. I shall endeavour to write to him to clarify the issue, but I shall not be drawn into the Conservative party's proposals for elected sheriffs in its desperate last-gasp attempt to curry favour with the wider world. I suspect that that debate is for another day.

I will answer the hon. Gentleman's specific question about contracting out. Orders already allow for the contracting out of certain functions in the courts under the provisions of the Courts Act 1971. Nothing in this Bill calls into question the legitimacy of those orders, which are proper and effective. The provisions merely confirm that the existing contracts will continue. In a sense, it is another way of underlining the fact by having transitional and smoothing provisions to ensure that there is no room for dispute about the facts.

The hon. Member for Somerton and Frome (Mr. Heath) referred to police authorities and the magistrates membership on them. I do not think that this is the right place or time to go into that matter. As he said, this is not a police authority reform Bill, but I hope that the House will recognise that there is much sense in the Government amendments.

Amendment agreed to.

Clause 30

PLACES, DATES AND TIMES OF SITTINGS

Mr. Heath: I beg to move amendment No. 8, in page 14, line 14, after 'courts', insert

'(including family proceedings courts and youth courts)'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 6, in page 14, line 33, after 'place', insert

'in the local justice area'.

No. 7, in page 14, line 33, at end insert—

'(e) a place where specific facilities are available which are necessary in the interests of justice'.

Mr. Heath: These amendments are in my name, but I am grateful to the hon. Member for Surrey Heath (Mr. Hawkins) and his hon. Friends for attaching their names to them.

We return to the issue of accessibility. The clause is headed, "Places, dates and times of sittings", and that might be considered to be at the crux of whether a court is likely to be accessible to the people who use it. Amendment No. 8 expressly extends the clause's remit to include family proceedings and youth courts, and amendment No. 6 would amend clause 30(5)(d) by inserting the words

"in the local justice area",

which appear in the previous four paragraphs. Amendment No. 7 would introduce a new category of

"a place where specific facilities are available which are necessary in the interests of justice".

I shall expand on what I intend by the amendments. My prime reason for amendment No. 8 takes us back to the position in London and to proposals that were suggested by the Greater London Magistrates Court Authority for a change in the structure of the family courts in the metropolis. The issue has caused a great deal of controversy. I fear that I have included the whole family of the Lord Chief Justice in today's debates, because one of the leading protagonists on this matter is Lady Woolf, the wife of the Lord Chief Justice and a magistrate of 27 years standing. She is the chairman of the Richmond family proceedings court and has a clear understanding of the issues involved.

The proposals would have put an end to the present system for family courts across most of London, particularly south London, and they would have concentrated proceedings in three specialist family centres. Those family centres were to be situated in central and north London.

8 pm

There is an argument for having specialist family court centres. I understand that argument and I do not intend to ridicule it in any way. The real fear that was expressed by Lady Woolf, as well as by other chairmen of family proceedings Benches and a great many other people across London, was that the consequence of the proposal would be that some of the most vulnerable people to be dealt with by the court system at the most vulnerable time of their lives would be placed in the almost impossible situation of having to travel across London to attend a specialist family centre, rather than having access to family proceedings courts in their own locality.

That proposal quite properly set a lot of alarm bells ringing. We often deal with children at risk, with battered wives, and with people in all manner of appalling circumstances. These people are probably the least able to afford to travel long distances, and the least able to do so in physical terms if they have young children in tow, because that is often what the family proceedings courts are about. Yet they are the people who are being asked to travel from the extremities of the metropolis—down in south-west London, over in Hillingdon, or down in Bexley, for example—to central London to be dealt with by a specialist centre. That is not a sensible suggestion, and it is unlikely to command the agreement of the people of London. Indeed, I have spoken to my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) about this, and he entirely concurs with my views in this respect. He has more experience than most from his own constituency of the difficulties involved.

I know that these plans have now been rethought in the face of the opposition that was expressed in the consultation exercise. I do not, therefore, want to prolong this argument, because I know that we shall be seeing different proposals that will take account of the underlying principles of the scheme and of the realities of life in London and the needs of the customers.

This matter seems, however, to underline the principle that the Government have accepted the Lords amendment, to which I shall draw attention when we talk later about matters of accessibility. Clause 30(2) states:

"In exercising his powers under subsection (1), the Lord Chancellor shall have regard to the need to ensure that court-houses are accessible to persons resident in each local justice area."

Well, hallelujah to that, but let us be absolutely clear that that should apply to family proceedings courts and to youth courts as well. In fact, it should almost do so more than is the case with magistrates courts, because of the nature of the people involved in the proceedings. The arguments that hold true for magistrates courts should hold doubly true for family proceedings courts and youth courts. If my amendment is passed today, as I hope it will be, it will explicitly incorporate family proceedings courts and youth courts in the province governed by clause 30(2), and will therefore ensure that the Lord Chancellor will have regard to accessibility when making the decisions that he will inevitably have to make.

Amendment No. 6 is equally important, and we had a debate on this issue in Committee. The hon. Member for Surrey Heath and I held very similar views on it. There is only one way in which I can interpret clause 30(5)(d). Subsection (5) identifies the places where courts are to be held. The first is

"a place in the local justice area in which the offence is alleged to have been committed".

The second is

"a place in the local justice area in which the person charged with the offence resides".

The third is

"a place in the local justice area in which the witnesses, or the majority of the witnesses, reside".

Fine; I have no problem with any of those. Each of them specifically refers to "the local justice area". When we get to the fourth provision, in clause 30(5)(d), however, it simply refers to

"a place where other cases raising similar issues are being dealt with."

It makes no reference to the local justice area, or to the locality, at all. It could mean anywhere in the country where other cases raising similar issues are being dealt with.

In replying to the debate on this matter in Committee, the Minister laid a red herring across the trail. He said that specific facilities might be required for a particular type of case which might not be available in the local justice area, and that it might therefore be better to hear the case elsewhere. I have made allowance for that eventuality in amendment No. 7, which adds a new paragraph to deal specifically with that issue. I accept that, on very rare occasions, facilities such as video transmission systems might be needed, for example, or some other specific facility that is not available in the local courthouse.

The mischief that we are trying to remedy by tabling amendment No. 6 is the batch-processing of cases. It alarms the magistracy and many others that the Government might deem it convenient, efficient and effective to deal with many hundreds of cases of the same kind in one magistrates court in one central

[Mr. Heath]

location—however inconvenient that might be for the defendant, the witnesses and everyone else involved—because that would enable the swift prosecution and resolution of those cases. We already see this happening to a certain extent with traffic offences.

The provision in the Bill would allow for an escalation of batch-processing. That is undesirable in all sorts of ways. It is undesirable in terms of accessibility to justice, as I have already suggested, and in terms of the convenience of those involved in the case. It is also undesirable in terms of the interests of justice. When a batch-processing system deals with a great number of similar cases, it is unlikely that the same care and consideration will be given to each individual case, because the similarities of the cases will disguise the differences between them and the individual circumstances of each person before the bench. Lastly, it is undesirable from the point of view of members of the bench. It is unsatisfactory for a magistrate to deal with one kind of case, day in and day out, in that kind of process. Nor is it satisfactory for the remaining members of the bench, who would effectively have had a whole category of offences taken out of their jurisdiction by this process, to be left with the remnants.

The facility in the clause to allow batch-processing must be rigorously resisted. A combination of amendments Nos. 6 and 7 would answer the case that the Minister put in Committee, restore the basic premise that justice should be locally administered in the local justice area—as stated in the remainder of clause 30(5)—and ensure that the Bill was a better one.

My proposals contain two basic premises: the first deals with family and youth courts; the second deals with batch-processing. It is very important that we receive a satisfactory response from the Minister tonight.

Mr. Hawkins: Once again, our perspective is similar to that of the hon. Member for Somerton and Frome (Mr. Heath). As he rightly said, we raised these matters in Committee. Batch-processing provoked an interesting discussion on 1 July this year, at columns 104 onwards. It was noteworthy that Back Benchers on both sides of the Committee were worried. My hon. Friend the Member for Henley (Mr. Johnson) raised the problem of making journalists aware of when cases were being heard. It is not satisfactory for press coverage if cases relating to one area are dealt with in courts miles away. The Labour Back Bencher, the hon. Member for Ellesmere Port and Neston (Mr. Miller), raised his concerns about batch-processing and gave the example of a constituent who was denied the chance of mitigation.

I am especially aware of the problem because some of the courts in which I practised, such as Northampton, have used batch-processing for fixed-penalty notices for the whole country. As the hon. Member for Somerton and Frome said, it can be an efficient system for the purposes of administrative convenience of the state, but that is not a good reason to allow it to happen.

I also share the hon. Gentleman's concern about family proceedings and youth courts. Although, as he rightly says, some of the issues raised by Lady Woolf have been taken on board so that some of the problems with family proceedings in the London area have been reconsidered, it is fair to say that because there was a threat to introduce the system that worried Lady Woolf and many others, including those who wrote to me, the fear exists that that mentality will continue to operate. Although we have beaten off that risk this time and forced further consultation, it does not mean that those who prefer administrative convenience to the interests of justice will not be tempted to return to the same batch-processing mentality. As the hon. Member for Somerton and Frome said, there is only one way in which the qualifying phrase in clause 30(5)(d) can be read. It is all about administrative convenience.

The House will realise that we have added our names to amendments Nos. 6 and 8 but not to amendment No. 7. That is not because we do not understand what the hon. Gentleman is trying to do, but because we are a bit worried that he is being too generous to the Government by giving them a way to reintroduce their red herring. I thought it better to stick simply to amendments Nos. 6 and 8. There is a judgment call to be made on whether we should give the Government any flexibility by introducing amendment No. 7.

I hope that even at this late stage the Government will be more flexible and recognise that we have a serious concern, which hon. Members on both sides of the Committee recognised. The concern is widely shared by senior magistrates, such as Lady Woolf and others. I hope that the Minister is prepared to accept that the amendments will not damage the Bill but will simply introduce extra safeguards.

Mr. Leslie: Amendment No. 8 would make it clear that the Lord Chancellor's powers to give direction on the places where magistrates courts may sit should include family proceedings courts and youth courts. I assure Opposition Members that the term "magistrates court" already includes those courts unless an Act states otherwise. Section 67 of the Magistrates' Courts Act 1980 and section 45 of the Children and Young Persons Act 1933 describe that more fully. I am more than happy to provide hon. Members with copies of the relevant sections. In short, I assure hon. Members that the issue dealt with in amendment No. 8 is already covered, so it is redundant.

I do, however, appreciate what the hon. Member for Somerton and Frome (Mr. Heath) said about the London specialist family proceeding centres. Clearly, Lady Woolf's involvement has helped to raise that issue in the public arena. The Greater London Magistrates Courts Authority is reconsidering its position, in particular to take account of accessibility. At the moment, location issues are entirely a matter for the authority. The best I can do now is to note the hon. Gentleman's representations.

8.15 pm

Amendments Nos. 6 and 7 would allow cases to be heard outside the local justice area only if specific facilities are not available and are needed in the interests of justice. Let me set clause 30 in context. It is necessary to make courts more accessible by removing restrictions on where magistrates courts may sit and by allowing the use of non-court buildings where appropriate. The new

unified administration of the entire court estate will allow more opportunities for the co-location of county courts with magistrates courts, especially in rural areas that have no criminal court nearby.

It is true that clause 30(5)(d) allows a case to leave a local justice area if it raises similar issues that are being dealt with elsewhere. That is not simply for reasons of batch-processing the mass of standard cases, as the hon. Member for Somerton and Frome implied. The Government intend to strike the right balance between running an efficient and effective court system. Amendments Nos. 6 and 7 would fetter the flexibility necessary to run such a system by restricting the transfer of cases outside a locality to circumstances related solely to court facilities rather than to the nature of the case itself. Serious criminal cases that cross a wide area of the country, as organised crime and drugs cases often do, might require specific magistrate training or prosecuting or defending needs. In such similar but numerous cases, why should court administrators be inhibited from co-locating them in a place best suited to the circumstances? Why should facilities be the only determining factor, allowing cases to cross a local justice area boundary?

Mr. Heath: The Minister's rhetorical question goes to the heart of the amendments. There may be a case if facilities are the issue, but the mere similarity of cases, with no crossover of people, is not an argument for reducing the accessibility to the case for local people who are interested in seeing justice done in their area. A crossover of people is, of course, allowed for in other subsections of clause 30.

Mr. Leslie: I am afraid that the hon. Gentleman's amendment is framed in such a way as to allow cases to go outside the local justice area only because of the facilities provided. They do not relate to the services for victims and witnesses that might need to be tailored to particular cases and are not classed as facilities. We need to retain flexibility to allow the courts better to serve the needs of court users. Let me give examples of cases other than terrorism that may need to cross boundaries: serial cases might sometimes need committing across local justice area boundaries to ensure that defendants are tried in a single location for a string of offences; it might not be possible for a local court to cater for vulnerable witnesses or victims with special needs if the problem is not simply one of physical facilities; and consistency of sentencing is sometimes needed when violent demonstrations take place in different locations and could be tried in a single court.

Some Opposition Members seem to dislike the notion of processing certain cases in specialist magistrates courts. Many magistrates courts deal with a lot of cases and are, to be frank, overburdened with important but relatively routine minor offences, such as television licence cases and minor traffic violations. In my view, it would be wrong to force all such cases to be dispersed across the whole country, potentially clogging up some courts and delaying more important cases or preventing them from being heard more swiftly locally, where it matters most. We need flexibility in the system to allocate cases sensibly, with the vast majority of offences heard locally, but keeping open options for specialist courts to hear cases that raise similar issues. I believe that the Bill as framed strikes the correct balance, and I trust that the hon. Member for Somerton and Frome will think again and withdraw his amendment.

Mr. Heath: First, let me deal with the lead amendment. I am grateful to the Minister for stating explicitly that family proceedings courts and youth courts are included within the definition of magistrates courts for the purposes of this part of the Bill. That is a clear undertaking that the provisions of clause 30(2) about accessibility apply just as much to family proceedings courts and youth courts as to magistrates courts. We will hold him to that undertaking in future. The opportunity to have that put explicitly on the record was a useful end in itself, and I do not intend to take the matter further.

I am also grateful to the Minister for his comments on the position in London. I hope that that will be resolved, but many of us will watch carefully to see what the end result will be and hope that it is acceptable to the very large number of people who reside in London but not in central London. Their needs must be catered for just as much as the needs of residents of the City, Soho or any other part of central London. Many hon. Members will carefully scrutinise any proposals that emerge.

On amendments Nos. 6 and 7, the Minister has entirely failed to persuade me of his case—in fact, he has made matters worse by his comments. Having suspected that what is proposed is batch-processing, we now know that what is proposed is batch-processing of those minor cases that are apparently such an administrative bore for local justices that they have to be put into a central receiving centre and dealt with there. Never mind the interests of defendants, witnesses, or anyone else involved—that is how such cases will be dealt with.

I listened carefully to the examples the Minister gave of what he has in mind. First, he mentioned serial offences. They already come within the provisions of subsection (5), because the offences will have been committed elsewhere, so it entirely proper that they be dealt with on that basis. Secondly, he spoke about cases involving terrorist offences, wherein the main requirement is facilities to house the proceedings properly. Clearly, such facilities are covered by amendment No. 7. Then, quite extraordinarily, the Minister posited that if there were demonstrations in several parts of the country, it would obviously be for everyone's convenience if a single court were to deal with them. That is so far from local justice administered locally that it is laughable.

It is surely not the Government's intention or the intention behind the Bill that, for administrative convenience, cases involving different offences—or allegations of offences—committed in different parts of the country should be heard by a single court that is not aware of local circumstances or the context in which the offences took place, which would cause great inconvenience to all concerned, whether defendants, witnesses, victims or representatives of those involved. Yet that is what the Minister says he is legislating for through the provisions of clause 30. That may be what the Minister wants, but it is not what I want, nor, I suspect, what many hon. Members want.

Mr. Leslie: I realise that the Liberal Democrats do not always have to consider issues of efficiency and

[Mr. Leslie]

effectiveness, but can the hon. Gentleman envisage circumstances in which, for example, training for specialist magistrates or specific prosecution or defence needs might require cases to be heard outside local justice areas, the issue being not facilities, but particular services that might be needed? Is he really arguing that we should never, in any circumstances, consider such cases outside local justice areas?

Mr. Heath: In the first instance, the matter should be for magistrates for the local area to determine. We are not discussing proceedings in Crown court or the higher courts; we are talking about magistrates courts—the local bench hearing cases involving local offences and applying local justice to their considerations. If the Minister does not understand that, all our debates on the Bill have been a complete waste of time.

Now, stripped of rhetoric and pretence, we see the reality of the Government's proposals. I am not sure that it will profit the House to continue to debate this matter, but I am glad that we now have clarity about the Government's purpose, which gives us a clear objective to vote against. I have listened to the Minister's comments on amendment No. 8 and, in the circumstances, I am prepared to seek leave to withdraw it, but my views on amendment No. 6 have been strongly reinforced by his remarks and I am now determined to press it to a Division.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 6, in page 14, line 33, after 'place', insert

'in the local justice area'.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 86, Noes 278.

Division No. 330] **[8.27 pm**

AYES

Allan, Richard
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Barrett, John
Beith, rh A. J.
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Breed, Colin
Burnett, John
Burnside, David
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Flook, Adrian
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Jack, rh Michael
Jones, Nigel *(Cheltenham)*
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Moore, Michael
Moss, Malcolm
Öpik, Lembit
Osborne, George *(Tatton)*
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Trend, Michael
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Webb, Steve *(Northavon)*
Whittingdale, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Tom Brake and
Mrs. Annette L. Brooke

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Cabom, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*

Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Fraser Kemp and Jim Fitzpatrick

Question accordingly negatived.

Clause 93

Award of Costs Against Third Parties

Mr. Hawkins: I beg to move amendment No. 53, in page 45, line 6, leave out 'and'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss amendment No. 54, in page 45, line 8, at end insert

', and

(c) the proceedings have been instigated by or with the consent of the Attorney General.'.

Mr. Hawkins: This matter was debated in detail in Committee at column 171 and the following columns on 8 July. Concern was expressed by a number of organisations, including the Fleet Street Lawyers Society and the Newspaper Society, about the provisions for the award of costs against third parties. I, together with my hon. Friends and the hon. Member for North Norfolk (Norman Lamb) for the Liberal Democrats, presented those views in the debate in Committee.

The Minister gave us some helpful indications, which enabled us to reassure those outside this place on the issues related to clause 93 and the award of costs. In particular, the Minister made it clear that regulations would deal with some of the points that we raised. Nevertheless, there is still the question whether such proceedings ought to take place without the Attorney-General's consent. In relation to matters of contempt of court, as the Minister and the Government well know, it has always been the practice for the Attorney-General to be involved in the decision making. Contempt of court cases on behalf of the Government are usually brought by the Attorney-General. I have not only a great respect for the historic role of the Attorney-General, but a personal respect for the present Attorney-General, because he was chairman of the Bar Council for one of the years that I served on the general management committee—the inner cabinet of the Bar Council—when I chaired the corporate Bar. It would be a helpful safeguard for the Attorney-General, who has

[Mr. Hawkins]

always had a role in such matters, to be able to play a part in the decision to make an application for the award of costs against a third party.

It is fair to say that the Newspaper Society and the Fleet Street Lawyers Society suggested further amendments, but I did not entirely accept every part of the case that they made to me. I felt, however, that amendments introducing the requirement that the Attorney-General's consent must be obtained for the instigation of proceedings or the making of any order, such as an application for an award of costs against a third party, would provide an independent safeguard against any arbitrary court action.

We have always been very proud in this country of the freedom of the press. If the Government were to accept our amendments, the Bill's provisions would mirror the statutory consent requirements that already exist in relation to contempt of court proceedings and breaches of reporting restrictions in the court. Guidance that might be drafted by the Attorney-General or regulations are not as good as having something in the Bill. Prior consent of the Attorney-General would avoid injustice, the costs that would result from unmerited proceedings for orders for costs and the making of unmerited orders, even if those were followed by successful appeals.

I hope very much that, on this small point, which does not go as far as some of those representing the press would wish to go, the Government will understand that we have been moderate in our suggestion, which is simply that the Attorney-General's prior consent should be obtained, as in contempt proceedings and proceedings for breaches of reporting restrictions in relation to court proceedings. I hope also that the Minister is prepared to accept our amendments.

Mr. Leslie: I understand why the hon. Member for Surrey Heath (Mr. Hawkins) has raised this point. May I briefly give a little of the background? Clause 93 will introduce provisions that are designed to fill a lacuna in the criminal costs provisions in section 19 of the Prosecution of Offences Act 1985. Section 19 already allows for the court to order one party to pay the costs incurred by the other as a result of the first party's unnecessary or improper act or omission.

Section 19A allows the court to make a wasted costs order against a party's legal representative where costs are wasted as a result of that representative's improper, unreasonable or negligent act or omission. Proposed new section 19B will simply extend liability for wasted costs to third parties. A power for courts to order third parties to pay costs is not novel. A broader power already exists in the civil courts. However, the power introduced by this measure will be limited to instances of serious misconduct by a third party.

I am afraid that I believe that the amendments cannot be accepted, and I shall explain why. We believe that the new provision that we propose contains sufficient safeguards to ensure the protection of third parties. In the first instance, the courts will have to establish that the impropriety constitutes serious misconduct.

As we have explained in earlier debates, we have not tried to set out in legislation what constitutes serious misconduct. Instead, our policy intention is to allow the courts to decide, given the circumstances surrounding each impropriety, whether the third party's actions constitute serious misconduct. The court will have to determine whether the serious misconduct caused a party or parties to proceedings to incur costs and, if so, whether it is appropriate for the third party to pay some or all of them. I say some or all, because the court should also consider the third party's ability to pay. As we have explained in earlier debates, the intention is not to put third parties such as small publishers out of business, but to ensure that if their serious misconduct causes parties to incur costs they should be liable for them, or for an appropriate portion of them.

8.45 pm

Before bringing third party costs proceedings, the court will have to give notice to the third party. The third party will have the right of representation at the third party costs hearing, and there will also be an automatic right of appeal. We therefore do not see why it should be necessary or helpful to engage the Attorney-General in criminal third party costs issues when he is not engaged with other costs matters. We rightly trust the courts to deal with the existing costs regimes, both civil and criminal, without the Attorney-General's intervention; and, as I said earlier, the criminal courts can already order costs against legal representatives when their improper, unreasonable or negligent act or omission causes wasted costs. In those instances it is not deemed necessary to bring in the Bar Council or the Law Society, because costs orders are a matter for the court rather than the professions' governing bodies.

The Attorney-General is of course involved in bringing proceedings for contempt of court, but the outcome of a costs order is very different from the possible outcome of being found to be in contempt, when there is a real possibility of being sent to prison. Even in contempt proceedings, it is only necessary to involve the Attorney-General when bringing proceedings under the strict liability rule, when publications appear to have interfered with the course of justice. In other contempt proceedings, we are content to allow the courts to deal with matters themselves.

The courts, both civil and criminal, have been dealing with costs orders for a very long time without the intervention of the Attorney-General. Clause 93 does no more than extend the criminal courts' costs powers to include third parties. We should trust the courts to operate the new legislation as well as they use their existing powers.

I invite the hon. Gentleman to withdraw the amendment.

Mr. Hawkins: I am not entirely satisfied by what the Minister has said. As I am sure he recognises, there is a legitimate fear among the press that the third party costs provisions could be used oppressively. That is why we thought it would be sensible, when a third party costs order was being sought—against a newspaper, for example—for the Attorney-General to be able to look into the matter before the application for the order was made. As the Minister was helpful in Committee when

we raised other concerns on behalf of the Newspaper Society and the Fleet Street Lawyers Society, however, I shall not press the matter.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 97

COLLECTION OF FINES AND DISCHARGE OF FINES BY UNPAID WORK

Mr. Leslie: I beg to move amendment No. 38, in page 47, line 27, leave out

'a local justice area, or particular local justice areas'

and insert

'the local justice area or areas specified in the order'.

Mr. Deputy Speaker: With this we may take Government amendments Nos. 41 to 43 and Government amendments Nos. 11 to 36.

Mr. Leslie: I shall try to be brief, as these are relatively minor technical and drafting changes, none of which affects the substance of policy in schedules 5 and 6. If Members indicate that they would be interested, I can speak at length and in fascinating and minute detail about all or at least some of the amendments; otherwise, I shall speak about them generally.

Broadly, the amendments allow nationwide piloting to be within the scope of the piloting undertaken in respect of the fines enforcement arrangements that we envisage. We want to broaden the term "fines officer" to "fines office", so that if a fines officer is off ill we are not caught out by semantics. We want to clarify slightly the definition of "fine", and to tighten provisions in respect of the unpaid work scheme to discharge fines.

Mr. Hawkins: I am afraid that I must ask the Minister to speak at a little more length on certain points. I hope that he can answer my questions this evening or in writing to me and other interested Members.

The Minister says that some of the amendments are technical. Certainly, amendment No. 38 makes a technical change to insert a reference to

"the local justice area . . . specified in the order".

Will he provide more detail on the reason for that change?

Amendment No. 41 replaces the words "a pecuniary penalty" with the word "any", thus widening the scope of schedule 5. Will he clarify the thinking behind that?

Amendments Nos. 42 and 43 replace "fines officer" with "fines office". That is a sensible and helpful change that makes the provision clearer and more flexible, because the court will not get caught out if a named fines officer is unavailable through illness or absence.

As the Minister said, amendments Nos. 11 to 36 make technical changes to schedule 6 in relation to work orders and the like. However, I wonder whether amendments Nos. 26 to 32 might have a sting in the tail. I sense something sinister in the proposal to refer not to magistrates, but to any court. Is that part of the Government agenda, which we have seen in one or two other contexts, to downgrade the role of the lay magistracy by trying to use stipendiaries—or district judges, as they are now called—rather more? The Minister shakes his head, but I would be grateful for reassurance on the record.

Amendment No. 36 inserts a reference to the national minimum wage. When I first saw the Bill as originally drafted, it struck me that only in the peculiar culture that this Government have brought about since 1997 could anybody think that someone doing work in relation to a compensation order qualifies for the national minimum wage. I hope that the Minister will say that the Government inserted it for the avoidance of doubt, but Conservative Members would think it common sense that such a person could not possibly be so regarded.

I do not want to detain the House any longer, but I should be grateful for the Minister's further clarification on those points.

Mr. Heath: I do not want to spend a long time on the amendments: they are fairly self-explanatory and I have no argument with them. The hon. Member for Surrey Heath (Mr. Hawkins) mentioned amendment No. 36, which relates to the National Minimum Wage Act 1998, and which he took to mean that a person doing unpaid work in mitigation of a penalty would additionally be entitled to the national minimum wage.

Mr. Hawkins: No, that is not right.

Mr. Heath: In that case, I misunderstood him; I shall not impute any further meaning to his remarks.

There is a slightly more complex issue that the Minister needs to explain. My understanding is that a notional wage would be attached to any work carried out by a convicted person in mitigation of their penalty, which would count against the total pecuniary penalty incurred as a result of their offence. Here, the 1998 Act probably ought to apply. Given that the notional wage indicates work being done instead of paying a penalty, such work ought surely to be valued, at minimum, at the level of the national minimum wage, to be consistent with the Government's policies. Otherwise, it is being devalued and the offender is, in effect, paying more than they would be subject to paying if they were fined instead. Perhaps I have grievously misunderstood the Minister's intentions—I probably have—but amendment No. 36 seems to introduce an internal inconsistency to the Government's policies. I would expect such work to attract a notional value at least equal to, not less than, the national minimum wage. However, it is hard to understand what other construction can be applied to the amendment.

I think that I take a different view from the hon. Member for Surrey Heath on this issue, although it is clear that I misunderstood what he had to say on it. That said, nor do I entirely understand what the Government had to say on it. They seem to be saying that some form of reduced value work will be offset against a pecuniary fine. If that is the intention, will the Minister publish a tariff, so that we know what value the courts are expected to place on such work in part-payment of a fine? What is the minimum at which they will set the value of that work, or is it open to magistrates courts simply to say that a person who has no means can work

[Mr. Heath]

for ever and a day in discharging a fairly modest fine? That surely cannot be the intention—there must be some arbitration as to the value of work in such circumstances—but it is not clear what the level will be once the amendment is passed. Perhaps it is set down in guidance, but if so we have not seen it yet.

Mr. Leslie: I knew that I should not have tried to be brief in speaking to these amendments—perhaps I was encouraged by others to ensure that I take a strategic approach to the Bill—but I am happy to provide detail on some of the specific issues raised.

The hon. Member for Surrey Heath (Mr. Hawkins) mentioned amendment No. 38, the purpose of which is to make a small change to clause 97 to allow national piloting of attachment of earnings orders and deductions from benefits applications. Currently, clause 97(5) allows only local pilots to take place before national implementation of the measures contained in schedule 5. National pilots were not envisaged when the clause was originally drafted. However, the courts already have access to attachments and deductions, and in conjunction with the Treasury I have decided that the wider use of attachment of earnings orders and deductions from benefits applications justifies national piloting, given the greater benefits that they will provide across the country. The measures will therefore be piloted nationwide, together with national roll-out of the new offences on provision of means information. I hope that that answers the hon. Gentleman's question.

The hon. Gentleman also asked about amendment No. 41, which seeks to clarify what we mean by a "fine". It is a technical amendment, the intention of which is to reduce the confusion generated by the term "pecuniary penalty" by removing it from the schedule altogether. A "pecuniary penalty" means any financial penalty, and includes, for example, fixed penalty notices before they are registered as fines. The use of the words "pecuniary penalty" in the definition of the word "fine" therefore widens the meaning of that word beyond what was intended—I hope I have taken the House with me so far.

Both the word "fine" and the word "penalty" can mean different things in different enactments. For example, it can be convenient for the term "fine" to cover money ordered to be paid on conviction to someone other than the state. Although it is reasonable to talk about a fine as a pecuniary penalty, not every pecuniary penalty is a fine. We are satisfied that deleting the reference to pecuniary penalties will bring into the scheme pecuniary penalties that are classed as fines.

The hon. Member for Surrey Heath asked about amendment No. 21, and suggested that because we are changing the term "magistrates' court" to the term "relevant court" we intend, in a sinister way, to move discreetly towards a greater use of stipendiary magistrates or district judges in their place. That is not the case. This is simply about providing flexibility and making sure that all the courts, should they be involved with these provisions, have the same powers.

9 pm

The hon. Member for Surrey Heath says that amendment No. 36 is something to do with the peculiar culture that has existed since 1997. Well, I am glad that our "peculiar culture" includes a national minimum wage, but for the avoidance of doubt, when we are talking about punishing offenders we need to make it clear that when those who cannot afford to pay fines carry out unpaid work to discharge those fines, we shall not actually pay them the national minimum wage for doing so. They do not qualify for it.

As the hon. Member for Somerton and Frome suggested, we may want to introduce an equivalent work rate, and the Bill gives us a regulation-making power to do so, but I must make it clear that we do not intend to pay offenders for the work that they do.

Mr. Heath: I certainly did not expect the Minister to say that the offender would be paid for the work; the phrase "unpaid work" makes that clear. However, it would be helpful if he said whether he intends to say in regulation that the tariff for unpaid work in place of a fine will be set at the level of the national minimum wage. I think that it should be, and I am asking for the Minister's confirmation that it will be.

Mr. Leslie: I cannot give the hon. Gentleman that confirmation, because I have not decided yet—but the most important thing is to make it clear that the offender will not get a payment, whether the national minimum wage or anything else: the work to discharge a fine will be unpaid. Offenders need to pay the price for their offences, and unpaid work is one mechanism by which they can do so. We need to ensure that the exclusion from the National Minimum Wage Act is in place.

Amendment agreed to.

Clause 100

PERIODICAL PAYMENTS

Mr. Andrew Dismore (Hendon): I beg to move amendment No. 9, in page 49, line 17, after 'may', insert ', if the claimant consents,'.

Mr. Deputy Speaker: With this we may take amendment No. 10, in page 50, leave out lines 27 to 34.

Mr. Dismore: I should declare an interest, Mr. Deputy Speaker, because I remain a partner in a firm of solicitors that specialises in personal injury cases, although I have not dealt with any since I entered the House. I also remain a member of the Association of Personal Injury Lawyers; I was formerly a member of its executive committee and I chaired its damages specialist interest group. In that capacity I was closely involved in the original development of what were then known as structured settlements and are now called periodic payments. That was in the late 1980s.

I am a great believer in that system of compensation for the right cases in the right circumstances. There is a risk of overdoing things, but I am pleased that progress in the development of the law in that area, for that important remedy, has been so successful. Nevertheless, problems remain, and the Bill addresses some of them—

but unfortunately, new ones are created, especially in relation to consent. I also think that an opportunity was missed when we considered how inflation should be dealt with.

My amendment No. 9 deals with consent. It is important to point out that periodical payments have both advantages and disadvantages. Claimants would not have to fear running out of compensation, as they would if damages were ordered as a lump sum, but periodical payments create a lifetime relationship between the claimant and the defendant which the claimant may find extremely difficult. For that reason, the merits of imposing periodical payments must be assessed on an individual case-by-case basis, and I am concerned that, under clause 100, awards for future pecuniary loss—the lion's share of any award—can be made irrespective of whether the claimant consents. That is particularly important if periodical payments are being linked to the retail prices index in respect of inflation because it would prevent the claimant from looking for a better rate of return. Under clause 100, it is possible for a court to order a periodical payment without the consent of either party, let alone just that of the claimant. That puts the claimant completely at the mercy of the court's discretion and the defendant's arguments. I believe that that is unfair because only the claimant is able to say how an award can best be used to place him in the position that he was in before the injury.

In 1991 I wrote a paper for the Law Commission on that very issue. I summarised my views then and they have not changed at all on this particular issue. I wrote:

"It is the Plaintiff who has been injured by the Defendant, and it should be for the Plaintiff to decide whether he or she wishes to have the damages by lump sum or structured periodic payments. The Court should not have power to compel a Plaintiff to accept a structured settlement if the Plaintiff prefers a lump sum award . . . The only exception . . . should be where the Plaintiff is under a legal disability, when the Court has a role in approving any terms of settlement, and in those circumstances, it may be appropriate for the Court to have the power".

In response to my submission and others, the Law Commission produced a report in 1994. Paragraph 3.38 on page 38 summarises the position:

"The corollary of this liberal principle"—

the question of how the plaintiff should be able to spend the damages—

"is that plaintiffs should be able to insist on receiving their reward in the form of an immediate lump sum payment. Imposition of a different form of award has been seen as interference with freedom of contract. It is also argued by some that it is wrong to introduce paternalism into personal injury awards when awards of damages in other areas of the law continue to leave plaintiffs in receipt of lump sums which they are free to spend as they wish."

Baroness Scotland said in another place:

"We agree with the noble Lord, Lord Goodhart, that the views of the claimant in relation to periodical payments is the important issue."

She continued later:

"The weight to be given to the claimant's wishes, for example, might depend on the reasons for them and the quality of advice on which they are based."—[*Official Report, House of Lords*, 27 March 2003; Vol. 646, c. 937.]

That is to adopt a nanny state approach to this important issue. Elsewhere it has been suggested that if the claimant wanted to set up a business, the court should start to examine the claimant's business case to see whether it was sensible, but that is putting the cart before the horse.

My experience of claimants over more than 20 years in active practice before I became a Member of Parliament is that they are sensible and cautious people, concerned to ensure that their money will not run out. Whether through a lump sum or a structured settlement, they are concerned to ensure that their money is invested and spent wisely. It is the claimant's right to say how he or she should receive their compensation. In taking that right away from claimants, the Bill creates more problems than it will resolve. It is wrong for the courts to impose an award against the wishes of the claimant, let alone those of the defendant.

However, my main concerns about clause 100 are expressed primarily in amendment No. 10, which deals with the question of how to operate a periodic payment in respect of inflation. The clause provides that such operation should, except at the court's discretion, be by reference to the retail prices index. The current position in common law was restated in the Court of Appeal in three cases only last week. The lead case was Sheppard *v.* Stibbe. The appeal was brought on behalf of a young boy aged nine, Ben Sheppard, who suffered serious spinal injuries—his five-year-old sister was killed— in a car accident in June 2001. Ben is now in a wheelchair; the driver of the other vehicle was convicted of dangerous driving.

Another case was that of Mr. Page, who suffered brain injuries when a motorcycle struck him when he was 13; and another was a 12-year-old from Bristol, Sonni Cooke, who suffered permanently disabling injuries during birth. The cases were appealed against the refusal by judges in the lower courts to admit accountancy evidence to the effect that the future cost of care in each case would be grossly underestimated if the conventional method—the discount rate or, for our argument, the retail prices index, which is the mirror image of the same argument— were applied, thus grossly underestimating the damages. The Court of Appeal ruled that the substance of the appeals constituted an assault on the rate set by the Lord Chancellor— the discount rate of 2.5 per cent., which was applied to compensation for future losses, such as we are discussing in clause 100.

Lord Justice Laws ruled that if a

"single discount rate is taken across the board, as has been done by the Lord Chancellor's order, the full compensation principle will only be achieved in a rough and ready way. Counsel for the appellants would, of course, roundly insist that that is scant comfort to their clients, who it is said stand to suffer very substantial shortfalls. Be it so on the facts of these cases: still, it cannot in my judgment amount to a proper basis for allowing these appeals to prosper. The court is obliged by ordinary constitutional principles to act in its decisions case by case conformably with the discount rate set by the Lord Chancellor . . . He may be persuaded at the political level to set a different rate. He may (I encourage nothing) be amenable to judicial review. But so long as the rate he has set is extant, the courts cannot in the adjudication of personal injury claims subvert or undermine it."

The effect of the current position—including clause 100— can be seen by using the Ben Shepherd case as an example. Future care costs would be assessed on the conventional basis of the RPI, so he would receive about £900,000 under that head. Between 1963 and 2000, the costs of care increased 2.5 per cent annually above the

[Mr. Dismore]

rate of inflation. If that higher rate were taken into account, the damages would be increased by 149 per cent. to more than £2.2 million. Similarly, compensation for future loss of earnings would go up from about £500,000 to almost £900,000, and damages for medical treatment would be increased from under £700,000 to more than £1 million.

If, as expected, Ben lives into his late 70s, the money will run out and there will be nothing left to pay for his care for the last 30 years of his life. He will be thrown back into dependency on the state. In the past, the practice has been that general damages for pain, suffering and loss of amenity have been used to cross-subsidise the cost of care, but that is effectively subsidising the insurance company and is not the answer.

The Government's position was stated in the other place by Baroness Scotland, who said:

"It is important that the real value of periodical payments can be preserved over the whole period for which they are payable. The indexation of payments is already a matter for the court's discretion and the Bill does not affect that."

However, as I have just illustrated, the courts are not using that discretion in practice. She continued:

"At present, it is common practice to link payments to the retail prices index. However, it would not be appropriate to prescribe this as a blanket index to which all payments must be linked. In some cases it may be appropriate to link different heads of damage to different indices. The court currently has that flexibility."

However—as I have suggested—it is not used in practice. She continued further:

"We believe that it is important to retain the current flexibility and for indexation to be left to the discretion of the court."—[*Official Report, House of Lords*, 27 March 2003; Vol. 646, c. 934.]

In practice, that discretion is fettered by, for example, the rate set by the Lord Chancellor under the Damages Act 1996 at 2.5 per cent. Now the Government have put the RPI in the Bill, theoretically to reflect the current position, but in practice it would have the effect of further fettering the discretion of the court when awarding damages for future loss by way of periodic payment.

The draft rule amendments to part 40 of the civil procedure rules, which are supposed to bring into effect clause 100, should it be passed by the House, set out the criteria that should be considered when deciding whether to uprate. It says that

"the amount of the payments shall vary annually by reference to the retail prices index, unless the court orders otherwise under section 2(9) of the 1996 Act."

In other words, we are back to where we started. It is a circular argument. The draft practice direction amendments contain nothing to specify how the discretion to depart from RPI should be exercised. I should have thought that if the intention was for that discretion to be used properly, there would at least be something in the draft practice direction to set out guidance to judges on the use of that discretion. In fact, the explanatory notes to the Bill make the position even worse. They emphasise RPI as the appropriate approach. Explanatory note 275 states:

"To ensure that the real value of periodical payments is preserved over the whole period for which they are payable, new section 2 provides that periodical payments orders will be treated as linking the payments to the . . . RPI"—

subject to discretion. Again, that emphasises the RPI as the norm.

9.15 pm

Why is that important? Usually, periodic payments are only of use in high-value cases involving serious injury, usually with substantial care costs. The current position, reproduced in clause 100, is inadequate. The greatest proportion of such awards relates to the cost of future care for the claimant and to the claimant's loss of earnings. The costs of both over a long period will increase by considerably more than the RPI, which means that the compensation that is intended to provide for those needs will be insufficient; in particular, the money paid periodically to cover the cost of care will quickly become inadequate to pay for a care regime that the court has said is necessary.

As the explanatory notes show, it is expected that periodical payments will be linked to the RPI in the great majority of cases, so it can be anticipated that the RPI will indeed be applied in that way by the courts, which will be disastrous for the claimants who are in most need of help. Surely, the whole point of periodical payments is to improve on the old lump-sum position. In the original consultation paper on the issue, "Damages for Future Loss: Giving the Courts the Power to Order Periodical Payments for Future Loss and Care Costs in Personal Injury Cases", the then Lord Chancellor's Department noted:

"We consider that periodical payments can provide a fairer and more certain way of ensuring that claimants awarded damages for future losses and care costs, often for the remainder of their lives, receive the compensation to which they are entitled."

The paper stated that periodical payments

"place the risks associated with life expectancy and investment on defendants rather than claimants. This ensures that claimants who live longer than expected enjoy the quality of life they are entitled to, and do not have to fall back on social security when the money runs out."

However, that is exactly what will happen if clause 100 is accepted. If the current position is to be improved, periodical payments should be linked to more relevant indices, such as the average earnings index and the Department of Health's care cost index.

There is wide recognition in the higher courts that there may be a need to index awards by reference to indices other than the RPI. The Department of Health recognises that hospital and community health service inflation is likely to outstrip the RPI for the foreseeable future and concern has been expressed in the Judicial Committee of another place about the ability of awards to keep pace with expense. There is real concern that the cost of future care for the claimant and the claimant's loss of earnings will, over a long period, increase by considerably more than the RPI, which will mean that the compensation that was intended to provide for those needs will be insufficient. In particular, the money paid periodically to cover the cost of care will quickly become inadequate to pay for a care regime that the court has awarded.

The key argument is that while the RPI may be a sound basis for calculating damages for non-pecuniary loss, other more appropriate indices should be used to

calculate pecuniary losses accurately, to ensure that the claimant is neither undercompensated nor overcompensated. I understand that the Civil Justice Council's serious injury and clinical negligence committee has also expressed extreme concern about the proposed RPI link.

In Standing Committee, my hon. Friend the Minister said of a not dissimilar amendment that it made no provision for indexation, in which case the claimant would be worse off. Moreover, the suggestion that there should be links to another index raises the worry that insurers would be unable to provide a product, as financial regulations limit the index-linked products that they can supply.

If there were no provision, claimants would be no worse off at common law than they are at present. My main concern is that the common law position needs to be improved and the Bill would not achieve that. My hon. Friend the Minister prays in aid the insurance difficulties, but the insurer stands in the place of the tortfeasor and the purpose of compensation, as was recognised by Baroness Scotland, is to put the victim in the position in which he or she would have been had the accident not occurred. The effect of the clause would be unjustly to enrich the guilty tortfeasor or his insurers at the expense of the innocent claimant victim, contrary to all principles of common law.

Surely, it is the responsibility of the insurance industry to develop new products if periodical payments are to achieve the objectives laid out in the original consultation. While the Bill requires only the majority of cases to be linked to RPI, the insurance industry has no incentive to bring in alternative products.

The Financial Services Authority says that periodical payments have to be linked to the RPI under the close-matching regulations, but back in the late 1980s, we had all sorts of problems with the Treasury, the taxation system, the various controls over the financial industry and how to structure settlements. In practice, all those problems were overcome by various amendments and concessions made by the Treasury. There is no reason why similar amendments could not be made now to provide just and fair compensation to victims. Victims should not lose out. In any event, the argument about insurance products does not apply to claims against the state for clinical negligence, as it is unlikely that the state would purchase annuity products anyway but would proceed on the basis of self-insurance.

What can be done at this late stage? I am realistic: I recognise that the prospect of my being able to put the amendment to the vote and carry it are somewhat slim, but I put it to my hon. Friend the Minister that, even at this late stage, he could issue a clear indication in responding to the debate that discretion should be used to ensure that victims do not lose out, especially on care costs, and to depart from the RPI where it can be shown that claimants would substantially lose out if the RPI applied in respect of care costs. If my hon. Friend were to do that, those who bring such cases could use the Pepper *v.* Hart principle to ensure that his remarks were brought before the court and claimants would then have a reasonable chance of getting fair and adequate compensation.

The second thing that my hon. Friend could do is to say that he would try to bring before the rules committee his view that the draft practice direction amendments should themselves be amended to set out the circumstances in which discretion is appropriate, for example, in relation to substantial care costs or future earnings. If we were able to do that, it would at least bring to the attention of the courts the circumstances in which claimants would otherwise be undercompensated if the RPI were to seen simply as the norm.

I urge my hon. Friend to say that he will at least consider those two very simple and straightforward things that would ensure that victims do not lose out, that they get fair compensation and that insurers do not get a windfall at the expense of the taxpayer, who will have to pick up the tab through the social security system when the money runs out.

Mr. Hawkins: The hon. Member for Hendon (Mr. Dismore), from his expertise as an active member of the Association of Personal Injury Lawyers, has obviously considered the detail of what we debated in Committee, when Liberal Democrat Members moved an amendment not dissimilar to that which the hon. Gentleman moved tonight. He is also aware that I have some familiarity with medical negligence cases, although perhaps not his depth of detailed experience. I dealt with such cases at the Bar and in my subsequent work as a corporate lawyer, working in insurance.

As I said in Committee, I am indebted to, among others, my noble Friend Lord Hunt of Wirral and Dr. Gerard Panting and Shelley McNicol from the Medial Protection Society for some of the detailed briefing that I have received in relation to the indexation and RPI issues that the hon. Gentleman has raised.

We in the House are always concerned when any change is proposed that could lead to what has become known in America as defensive medicine—any situation in which surgeons or other medical consultants or doctors would perhaps feel unable to take steps in surgery or other medical procedures that might be vital to the patient's needs but contain an element of risk. If medical specialists were unwilling to use their skills fully because they were looking over their shoulder, worrying about possible negligence claims and the possible insurance position, there would be great concern in the House, and not only among Conservative Members.

Although the Medical Protection Society, which has more than 114,000 members in the United Kingdom alone and more than 200,000 members throughout the world, generally welcomes a move away from lump-sum settlements to providing periodical payments in clinical negligence cases, it has serious concerns about the way in which indexation would operate.

The hon. Member for Hendon has already referred to the debate in another place on 19 May this year, at columns 536 to 538 of House of Lords *Hansard*. An exchange took place between the noble Lord Goodhart, of the Liberal Democrats and the Minister, Baroness Scotland. In response to clarification by Baroness Scotland of the reference to RPI in this context, my noble Friend Lord Hunt was able to withdraw his amendment, which had sought to limit the operation of an opt-out clause to exceptional circumstances. The hon. Member for Hendon is having another go at getting rid of all reference to the RPI. In Committee, the Liberal Democrats were working on the basis of advice from Mr. David Kemp, QC, who is probably acknowledged as the greatest expert in the field of damages for personal injury and medical negligence.

[Mr. Hawkins]

What we said about the Liberal Democrat amendment in Committee, which is similar to the proposal of the hon. Member for Hendon, is that any taking out of the RPI would virtually stop structured settlements in their tracks. It is difficult enough already to find any kind of insurance-based product that would enable provision to be made for periodical payments, even one that is increasing in accordance with the RPI. In the week before we debated the matter in Committee on 8 July, one insurance company had closed its doors to any new business of that kind, and another company was talking about limiting the range of products that it offers. Continuing attempts are being made in the courts to persuade judges to allow future care costs at a much higher level. To date, those attempts have not succeeded, but great concern was expressed not only by the chief medical officer, Sir Liam Donaldson, that courts may not take into account treatment being available under the NHS, but by the NHS Litigation Authority, which raised the matter with my noble Friend Lord Hunt of Wirral.

What the hon. Member for Hendon has provided is a re-run of the amendment tabled in Committee by the Liberal Democrats. The Government's position then—and now, I suspect—was that the RPI index was the right approach in the great majority of cases. That has been the view not only of the Government but of the insurance industry. What the Opposition do not want is any change to these proposals that would make it more difficult for a responsible body such as the Medical Protection Society to represent its members, that would lead to defensive medicine, and that would make it more difficult for the insurance industry to provide any sort of cover for medical professionals. I suspect that when the Minister comes to respond, he will make similar comments.

On the hon. Member for Hendon's other amendment, what the Opposition say is that the court has to consider the claimant's needs. We expect that rules of court will concentrate on such matters as are in the claimant's best interests. It seems to us that rules of court are the right place for these matters to be dealt with, and that experienced judges can be trusted to use their powers in accordance with rules of court to ensure that the claimant's needs are met. It would not be sensible to make further changes—even though I recognise that the Association of Personal Injury Lawyers holds strong views on the matter—which we believe would lead to the kind of problems of defensive medicine that have been so prevalent in recent years in the United States.

Mr. Leslie: First, I commend my hon. Friend the Member for Hendon (Mr. Dismore) on raising this issue. He discussed the question in Committee, and we talked about it then.

Amendment No. 9 would allow the court to make a periodical payments order for civil court damages only with the claimant's consent. I am afraid to tell my hon. Friend that the Government cannot accept the amendment because it would go against the whole purpose of the provisions on periodical payments. In previous debates on this issue, Members of both Houses recognised the significant benefits of periodical payments. They help to ensure that people receive the compensation to which they are entitled for as long as it is needed; they transfer investment responsibility from claimants to defendants, who are better able to bear it; and they can even benefit defendants, including the NHS, by allowing awards to be managed more cost effectively. The Government believe that a power for the court to order periodical payments is needed to realise those benefits.

9.30 pm

The court must be allowed to take into account all the individual circumstances of the case and weigh all the relevant factors against one another in making the order that it considers best meets the needs of the claimant. The Bill provides for rules of court to specify matters that the court must take into account when considering whether it needs to order periodical payments. We fully accept that the claimant's wishes are an important factor in this decision and they will certainly therefore be one of the factors that the court must consider. However, allowing the claimant effectively to veto an order for periodical payments will undermine the whole purpose of this clause, and we cannot allow that.

We do not consider that claimants have an automatic entitlement to receive a lump sum. A central legal principle in awarding damages is to restore claimants, as far as is possible, to the financial position that they would have been in but for the accident. Before the accident, they would have received their future earnings and pension not in a single lifetime lump-sum payment, but in the form of a stream of income against which they could spend, save or borrow as they chose. Periodical payments reflect that position much more accurately than lump sums.

Amendment No. 10 would remove any provision for the indexation of periodical payments from the Bill. Although I recognise concerns about indexation, I do not believe that amending the Bill in this way is appropriate.

Clause 100 deals with how payments of personal injury compensation are made. It does not attempt to go into detail about how such claims are to be valued. The provisions in the Bill merely seek to reflect the current position in which the great majority of orders—whether for structural settlement purposes or for lump sums—are linked to the retail prices index. Moving away from the current indexation position would raise much wider issues of how care and medical costs are calculated, an issue on which the chief medical officer has recently made recommendations relating to clinical negligence. As the hon. Member for Surrey Heath (Mr. Hawkins) suggested, the amendment would raise regulatory issues for the insurance industry, which is restricted in the index-linked products that it can provide. Any change would result in substantial increased costs for the NHS and insurers. It would therefore not be appropriate to consider any change without full and wide-ranging consultation. All the issues and potential impacts of change would need to be taken into account, along with the chief medical officer's recommendations.

The Bill therefore suggests that the retail prices index should be, as it is now, the norm. However, under clause 100 and proposed new section 2(9) of the Damages Act 1996, the court will remain able to take a different approach to indexation when it considers that the

particular circumstances of the case make it appropriate. That is a very important provision in the Bill.

I hear what my hon. Friend says about the extent to which procedure rules give guidance on circumstances when the court may depart from the retail prices index, and I shall certainly undertake to consider the matter in more detail. Nevertheless, I remain of the view that the Bill is drafted flexibly and gives latitude and discretion to the court. I therefore invite him to withdraw his amendment.

Mr. Dismore: I have listened to my hon. Friend and I am rather disappointed by what he said. Nevertheless, I take a crumb of comfort from the fact that he will consider the draft rules and guidance through the code. I urge him to reflect on the fact that the effect of his comments will be to ensure that accident victims will, yet again and as usual, lose out and that the insurance industry will, yet again and as usual, end up through its powerful lobby being quids in.

I will not press the amendment to a vote even though I regard the Government's position as disappointing. I beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Clause 103

OFFICIAL SOLICITOR OF NORTHERN IRELAND

Amendment made: No. 39, in page 56, line 13, leave out subsection (3) and insert—

'(3) For subsection (1) substitute—

"(1) The Lord Chancellor, after consultation with the Lord Chief Justice, may appoint as Official Solicitor to the Supreme Court a person who is—

(a) a solicitor of the Supreme Court of at least 7 years' standing, or

(b) a member of the Bar of Northern Ireland of at least 7 years' standing."'—*[Mr. Leslie.]*

Clause 109

MINOR AND CONSEQUENTIAL AMENDMENTS, REPEALS, ETC.

Amendment made: No. 40, in page 59, line 30, at end insert—

'( ) Schedule (Transitional provisions and savings) contains transitional provisions and savings.'.—*[Mr. Leslie.]*

New Schedule 1

'TRANSITIONAL PROVISIONS AND SAVINGS

Interpretation

1 In this Schedule "the JPA 1997" means the Justices of the Peace Act 1997 (c. 25).

Orders contracting out the provision of officers and staff

2 Any order which, immediately before section 2 comes into force, was in force under section 27(3) of the Courts Act 1971 (c. 23), including, in particular, any order made under section 27(3) by virtue of —

(a) section 4(7) of the Taxes Management Act 1970 (c. 9), or

(b) section 82(3) of the Value Added Tax Act 1994 (c. 23),

shall have effect as if made under section 2 for the purpose of discharging the Lord Chancellor's general duty in relation to the courts (and may be amended or revoked accordingly).

Local justice areas

3 The first order under section 8 must specify as a local justice area each area which was a petty sessions area immediately before the time when that section comes into force.

Appointment and assignment of lay justices

4 A person who, immediately before section 10 comes into force, was a justice of the peace for a commission area under section 5 of the JPA 1997 shall be treated as having been—

(a) appointed under section 10(1) as a lay justice for England and Wales, and

(b) assigned under section 10(2)(a) to the local justice area which—

(i) is specified as such in the first order under section 8, and

(ii) immediately before section 10 comes into force, was the petty sessions area in and for which he ordinarily acted.

The supplemental list

5 (1) The existing supplemental list shall have effect as the supplemental list required to be kept by section 12; and any name which, immediately before that section comes into force, was included in that list under a provision listed in column 1 of the table shall be treated as having been entered in the list under the provision listed in column 2—

Provision of the JPA 1997	*Provision of this Act*
Section 7(2)	Section 13(1)
Section 7(4)	Section 13(5)
Section 7(6)	Section 13(4)

(2) "The existing supplemental list" means the supplemental list having effect under the JPA 1997 immediately before section 12 comes into force.

Keepers of the rolls

6 A person who, immediately before section 16 comes into force, was under section 25 of the JPA 1997 keeper of the rolls for a commission area shall be treated as having been appointed under section 16 as keeper of the rolls for each local justice area which—

(a) is specified as such in the first order under section 8, and

(b) immediately before section 16 comes into force, formed part of, or consisted of, that commission area .

Chairman and deputy chairmen of the bench

7 A person who, immediately before section 17 comes into force, was under section 22 of the JPA 1997 the chairman (or a deputy chairman) of the justices for a petty sessions area shall be treated as having been chosen under section 17 as the chairman (or a deputy chairman) of the lay justices assigned to the corresponding local justice area specified in the first order under section 8.

Senior District Judge (Chief Magistrate)

8 (1) The person who, immediately before section 23 comes into force, was under section 10A of the JPA 1997 the Senior District Judge (Chief Magistrate) shall be treated as having been designated as such under section 23(a).

[Mr. Dismore]

(2) A person who, immediately before section 23 comes into force, was under section 10A of the JPA 1997 the deputy of the Senior District Judge (Chief Magistrate) shall be treated as having been designated as such under section 23(b).

Justices' clerks and assistant clerks

9 A person who—

(a) immediately before section 27 comes into force, was a justices' clerk for a petty sessions area (or areas), and

(b) is transferred to the Lord Chancellor's employment by virtue of paragraph 11 of Schedule 2,

shall be treated as having been designated as a justices' clerk under section 27(1)(b) and assigned under section 27(3)(a) to the corresponding local justice area (or areas) specified in the first order under section 8.

10 A person who—

(a) immediately before section 27 comes into force, was employed to assist a justices' clerk by acting as a clerk in court in proceedings before a justice or justices, and

(b) is transferred to the Lord Chancellor's employment by virtue of paragraph 11 of Schedule 2,

shall be treated as having been designated as an assistant to a justices' clerk under section 27(5)(b).

11 (1) Any regulations made under—

(a) section 42 of the Justices of the Peace Act 1949 (c. 101) (compensation in connection with Parts 2 and 3 of the 1949 Act), or

(b) paragraph 16 of Schedule 3 to the Justices of the Peace Act 1968 (c. 69) (compensation in connection with section 1 of the 1968 Act),

and in force immediately before paragraph 20 of Schedule 4 to the JPA 1997 is repealed by this Act shall continue to have effect and may be revoked or amended despite the repeal by the Justices of the Peace Act 1979 (c. 55) of the provisions under which they were made.

(2) The power to make amendments by virtue of subparagraph (1) of regulations falling within paragraph (a) of that subparagraph shall extend to making provision—

(a) for compensation to or in respect of persons falling within subparagraph (3) to be payable if such persons suffer loss of employment, or loss or diminution of emoluments, attributable to anything done under Part 2;

(b) for the determination by persons other than magistrates' courts committees of claims for compensation to be made;

(c) for the payment by the Lord Chancellor of compensation payable under the regulations.

(3) A person falls within this subparagraph if—

(a) on 2nd February 1995 he held the office of justices' clerk or was employed to assist a justices' clerk, and

(b) is transferred to the Lord Chancellor's employment by virtue of paragraph 11 of Schedule 2.

(4) A person who under regulations made by virtue of subparagraph (2)(a) is entitled to compensation in respect of anything done under Part 2 is not entitled to compensation in respect of that thing under a scheme made under section 1 of the Superannuation Act 1972 by virtue of section 2(2)(a) of that Act.

Family proceedings courts

12 Any justice of the peace who, immediately before section 49 comes into force, was qualified to sit as a member of a family proceedings court shall be treated as having been authorised to do so by the Lord Chancellor under section 67 of the 1980 Act (as substituted by section 49).

Youth courts

13 Any justice of the peace who, immediately before section 50 comes into force, was qualified to sit as a member of a youth court shall be treated as having been authorised to do so by the Lord Chancellor under section 45 of the 1933 Act (as substituted by section 50).

Inspectors of court administration

14 Any person who, immediately before section 58 comes into force, was an inspector of the magistrates' courts service under section 62 of the JPA 1997 shall be treated as having been appointed as an inspector of court administration under section 58(1).

Collection of fines and discharge of fines by unpaid work

15 (1) This paragraph applies if section 97 and Schedule 5 are brought into force before section 8.

(2) Section 97 and Schedule 5 have effect in relation to the period ending with the date on which section 8 comes into force as if any reference to a local justice area were a reference to a petty sessions area.

Register of judgments and orders

16 The register having effect under section 73 of the County Courts Act 1984 (c.28) immediately before section 98 comes into force shall be treated as part of the register required to be kept under section 98.'.—*[Mr. Leslie.]*

Brought up, read the First and Second time, and added to the Bill.

Remaining Government amendments agreed to.

Order for Third Reading read.

9.35 pm

Mr. Leslie: I beg to move, That the Bill be now read the Third time.

I would like to take this opportunity to thank all hon. Members for their participation in the debate, particularly the members of Standing Committee D, some of whom are still in the Chamber. I would like to put on record how grateful I am for their help in the passage of the Bill through the Committee. The Select Committee on Constitutional Affairs also gave the Bill close consideration in its first report, for which I am grateful.

The Courts Bill is a key part of the Government's overall aim to improve and modernise the criminal justice system. This Bill in particular contains a wide range of significant improvements to the entire justice system, to the work of the civil and family courts, and to the operation of the criminal courts. Courts are an institution central to the operation of our constitution, and are also integral to a fair and decent society. They need to be focused on good, just decision making, serving the interests of the public, of victims and of witnesses. We rely on the courts to deliver fair outcomes. We therefore have a duty to keep the courts efficient and effective in what they do. The new framework for the administration of the courts provided for in this Bill is a major reform that will create a more modern, more flexible institution, able to respond to local needs and changing circumstances, creating a unified courts administration that brings together in a new executive

agency the magistrates courts, county courts and Crown courts. This will mean improved management and better use of resources.

The creation of courts boards will mean more reflective arrangements to replicate those within the community concerned with the input of the courts management, who will be able to look across the bigger picture. These arrangements will be better conceived than those for the magistrates courts committees. There will be new powers to improve safety and security in courthouses, with new court security officer posts being created. Proper arrangements for court inspection are also included in the Bill, as is a more appropriate structure for making court procedure rules and practice directions, along with new powers for the courts to impose costs on third parties for serious misconduct, and new powers for the civil courts to award damages as periodical payments, rather than simply in a lump sum.

Importantly, the Bill also contains new fine enforcement powers. Fine enforcement is a critical issue right now; we need to ensure that the courts have the power to enforce against those who are defaulting on their fines. The Bill also contains new collection order powers for the courts, powers to deduct from earnings and benefits, an ability to allow fines to be discharged by unpaid work, and new powers to pilot innovative collection measures.

All in all, the Bill signals important changes for the administration of justice, and I commend it to the House.

9.38 pm

Mr. Hawkins: I echo the Minister's thanks to the many people who have participated in the debates on the Bill—not only the members of the Standing Committee in this House but those who were involved in another place. I shall turn to what happened to the Bill in another place in a moment. I should also like to pay particular tribute to the Clerks who helped us on the Bill in Committee. Members of the Opposition parties are always particularly indebted to the Clerks for all their help with the tabling of amendments and discussions, and this Bill is no exception. I am sure that the hon. Member for Somerton and Frome (Mr. Heath) would agree that we have been particularly well served by the Clerk who helped this Bill's Committee.

The Bill had a long early stage in another place. Many of my noble friends played a big part in discussions there, including Baroness Anelay of St. Johns and Lord Hunt of Wirral to name but two. The battle was long. More than five months were spent on the Bill. The good news from the Conservative Benches was that during that time we persuaded the Government to accept a wide range of amendments and to make concessions. The combined Opposition forces inflicted defeats on the Government, who accepted some of those defeats with good grace—I see the Minister smiling at that—and accepted that we were right. Further welcome concessions have been made this evening on the Heath and Hawkins amendments, as we have called them. I shall certainly think back to tonight with pleasure when the first member of the Northern Ireland Bar becomes the Official Solicitor for Northern Ireland.

The Opposition led the campaign and won concessions from the Government on things that directly affect magistrates. We succeeded in establishing that the supplemental list should not be abolished, as the Government originally intended, and that justices' clerks should be assigned to local justice areas. We established the fact that there should be a statutory duty on the Lord Chancellor to consult lay magistrates on matters affecting them. We managed to ensure, at least in clause 30, that courts should be locally accessible. We wanted to hold the Lord Chancellor to account for the closure of more than 100 magistrates courts since the Government came to power. When we began the debate in Committee on 26 June 2003, I observed at column 26 that it was unfortunate that the Government had not put the hon. Member for North-West Leicestershire (David Taylor), an acknowledged expert and distinguished lay magistrate, on the Committee. I am delighted that he is in the Chamber. Perhaps he will favour us with some of the things he might have said in Committee had he been given the opportunity to do so.

We also established in another place that an assessment of the Lord Chancellor's performance should be included in the new annual report of the unified courts administration. We further established that if the Lord Chancellor wants to change the guidelines on how the courts boards operate, he must obtain parliamentary approval first. However, we remain concerned that some of the new provisions for courts boards were not initially in a form that won the confidence of the magistracy. It is fair to say that some of the concerns that we and the Liberal Democrats share about courts boards have been ventilated again tonight. The Government were defeated several times in another place on clauses 4 and 5. We wanted to ensure that courts boards have at least two magistrates as members and that if the Lord Chancellor rejected the advice of courts boards, he should give them his reasons for doing so. Those were but two of the defeats that the Government suffered in another place.

The Opposition are enormously indebted to the Magistrates Association and the Central Council of Magistrates Courts Committees for their advice throughout the Bill's proceedings. I have also been grateful for advice from bodies such as the Institute of Legal Executives, the Medical Protection Society, the Fleet Street Lawyers Society, the Newspaper Society and many others. Without the help that we get from such organisations, we would not achieve as much success as we do in another place and persuade the Government to accept the logic of our arguments.

I am still disappointed that the Bill does not protect the position of the lay magistracy enough, that there are insufficient safeguards to prevent yet further court closures, and that we have not achieved enough to stop the Government's agenda of moving to more and more batch processing of cases. We debated and divided on some of those issues this evening.

None the less, I believe that in many of its provisions—certainly those that were not contentious—the Bill will probably become a useful Act. I hope that, even though we have not been able to defeat the Government on all the issues relating to magistrates courts, we will find other means of defending the lay magistracy and preventing further court closures. We hope that, as the Bill has progressed toward the statute

[Mr. Hawkins]

book, the Opposition have played some part in improving it substantially from the form in which it originally emerged in another place.

9.45 pm

Mr. Heath: The Bill's genesis lies in another era—an era when the soi-disant Cardinal Wolsey of our time sat secure on the Woolsack in his full-bottomed wig, when magistrates and large parts of the judiciary were desperately concerned about the contents of the Bill, when magistrates clerks felt that they were being given the short end of the stick, and when many people felt that the Government simply had no idea of how to deliver justice effectively and locally other than through a modernising, centralising, integrating process. The Bill has ended in the era of decaff, the era of new "justice lite".

In the process, the Bill has been improved by the attentions of my noble Friends and the noble Friends of the hon. Member for Surrey Heath (Mr. Hawkins). It has been helped by the Government's interest in getting their legislation though and by their listening to some of the arguments—I give credit to the Under-Secretary of State for Constitutional Affairs for having listened to some of our arguments and responded positively. The Bill has been improved because of the weight of opinion outside this place that has been brought to bear on its provisions. The Bill that leaves this House this evening is a much better Bill than the one that was introduced in another place many months ago.

I still have doubts about some of the provisions. We have won serious improvements, but I continue to doubt whether the Bill will deliver the level of accessibility that we want. I would have liked to have seen an explicit recognition of the need for the independence of the judiciary, as well as a better structure for the courts boards, especially those in London. However, I accept that the attentions of hon. Members on both sides of the House, both in Committee and during later stages, have improved the Bill.

None of us has ever quarrelled with the stated intention to provide for a unified court system that will serve the interests of justice and of our constituents better than the present system does. I think that we will achieve that—marginally. I wish that we could have gone further, but I am content that, as it leaves this House, the Bill is sufficiently workable to achieve some of its objectives.

I, too, thank all those who have been involved with the Bill. It has been a delight to work on it as a non-lawyer—a distinction I share with the Under-Secretary of State for Constitutional Affairs. We sometimes felt outnumbered by the lawyers in Committee and elsewhere—

Mr. Hawkins *rose—*

Mr. Heath: I am being intervened on by a lawyer, to whom I shall give way briefly.

Mr. Hawkins: Despite the fact that he is not a lawyer and I am, does the hon. Gentleman agree that he and I have in common a slight concern that, just as we approached Report stage and Third Reading, we both received letters from the Lord Chancellor saying that the Bill might be used in another place as a vehicle for yet further changes on criminal procedure rules, which—even though that dog did not bark tonight—did not suggest that the Government had necessarily finished tinkering?

Mr. Heath: The hon. Gentleman is too modest. Far from finishing their tinkering, the Government had in mind wholesale disruption. However, they were dissuaded from that course of action by one simple fact—they could never get it through another place. The Bill would have returned to the Commons as sure as eggs is eggs, and it would have ping-ponged backwards and forwards—*[Interruption.]* The hon. Member for Ellesmere Port and Neston (Mr. Miller) says that eggs do not ping-pong, but this one would have done so and destructive tendencies would have been displayed in the process.

Before I extend that metaphor any further, I will accept that it is time to call it a day. However, as I have said, we have established some base camps. Over the next few months, we will see the developing future of the judiciary and the Department, the development of a supreme court, the abolition of the Lord Chancellor and changes in judicial appointments. This is the biggest constitutional change in the judiciary for more than a century. It is essential that we get it right, so I make no bones about the fact that we will scrutinise the Department's next piece of legislation every bit as closely as we have the Bill, and we will make every attempt in, I hope, a constructive way, to make it better. However, if it does not do the job we will reject it either here or in another place.

9.51 pm

David Taylor (North-West Leicestershire): The hon. Member for Somerton and Frome (Mr. Heath) expressed regret that he is not a member of the large minority of professional lawyers in the House. Neither am I—I am a member of the even more reviled minority of accountants.

Mr. Heath: As a matter of record, I expressed no regrets whatsoever—it is a badge of honour.

David Taylor: I accept that clarification and correction, but I draw to the attention of the House the fact that I am a member of the Magistrates Association, and was a lay magistrate on the Ashby petty sessional division in the '80s and early '90s sitting at Coalville courthouse, and am now a member of the supplemental list of that bench.

Unifying the administrations of all the courts in England and Wales is a defining point in the history of the lay magistracy, and a watershed in the development of the judicial system. In future, magistrates will be welcomed as full partners in the judiciary—some may say that that is long overdue—and will share the same rules, guidance, guidelines, practice and procedures. The Bill introduces sweeping organisational changes to the court system in England and Wales, and many of its clauses relate to the lay magistracy. When it was first published, our concerns focused on the role and

function of what were then called courts administration councils—now courts boards. The key matters about which the lay magistracy expressed concern included consultation with magistrates, as the hon. Member for Surrey Heath (Mr. Hawkins) mentioned; the size and number of local justice areas; the recruitment strategy for magistrates—I am not yet convinced that one exists that is worthy of that name; and supplemental lists, the future of which I am glad has been secured. The House will have heard me say that I am a member of such a list. The lay magistracy also had reservations about the grounds for removal of magistrates from the bench; the training of magistrates; and the roles and powers of justices' clerks and fines officers.

Amendments to the Bill in the House of Lords have fully met some concerns and improved the situation regarding others. However, there is great anxiety that none of those gains should be lost. The Government must keep certain matters under close review, and I shall give a small number of instances. In relation to the roles and functions of courts boards, for example, the unified administration of magistrates, crown and county courts naturally entailed the replacement of both magistrates courts committees and the Court Service. In their place, local management bodies with executive powers were needed. The original proposals for the court administration councils were quite unsatisfactory, as they were a hybrid of management and consultation. They appeared to be toothless talking shops with no local ownership and no ability to prioritise local requirements or reflect local needs. Magistrate membership of the CACs was minimal.

Although the Government remain firm about the courts boards' role being non-executive, amendments to the Bill have improved the situation and resulted in courts boards being given an effective role and the ability to make genuine decisions. We welcome that. The Bill now provides that at least two magistrates will be members of each courts board. I congratulate the Government on these changes, and all those in the House and in another place who brought about the changes through pressure.

Full executive power remains the preference of many magistrates, and any further strengthening of that role would be welcome. Any loss of the powers that have been gained would be disastrous.

The number of courts boards has yet to be decided, but account must be taken of the desirability of ensuring that their areas are coterminous with current police authorities. It is important that the number should not be lower than 42, the number of police authorities, in order to retain that vital local accountability and identity. I urge the Government to accept that figure and acknowledge the importance of that principle.

On consultation, as the hon. Member for Surrey Heath said, after much pressure in this place and elsewhere, not least from Back Benchers, the Government have imposed a duty on the Lord Chancellor to consult lay justices on matters affecting them in the performance of their duties. It was disappointing that that was not in the original Bill, but its inclusion in it now is to be welcomed. This is a separate matter from the administration of the court, but it is vital for confidence in the system. It is a welcome restatement of the centrality of local people to local justice.

Frequently, at Question Time, Ministers restate their view of the importance of local people administering local justice to local people in local courthouses. Current bench areas are to be renamed local justice areas, and we have been assured that the boundaries of these will be the same as existing benches to begin with. Any changes thereafter will involve consultation, but I regret that there are no guarantees or safeguards against future rationalisation or centralisation.

The local justice areas must remain local. The greater distances already travelled following court closures and amalgamations are putting a strain on the court system and undermining local justice. Court closures have an enormous effect on a number of agencies and on the general public. The police have to spend more time coming to court for criminal matters. Youth offending teams, which are essential to the youth court, and the Children and Family Court Advisory and Support Service, which is essential for family proceedings, lose links with their local courts. Those who have to attend as victims or witnesses suffer cost and inconvenience, and there is a greater risk that they will simply fail to appear.

Newspapers cover courts less frequently if they are more distant, and that weakens the deterrent effect of judicial hearings and penalties. Should there be yet more court closures, there would be a related negative impact on the recruitment and retention of magistrates. Clause 30, as we heard, specifies that

"the Lord Chancellor shall have regard to the need to ensure that court-houses are accessible to persons resident in each local justice area."

The wording was rightly designed to cover both geographic and physical accessibility and is a crucial component of the Bill.

On justices' clerks, the relationship between justices' clerks and benches is of the highest importance. I am pleased to see that clause 27 retains a specific link by assigning a justices' clerk to specific local justice areas. It is a welcome addition to the original Bill, and it must be a central feature of the new system.

Finally, on fines officers, magistrates are broadly content with the new fines officers and the fines collection scheme. We are satisfied that the benches will retain judicial control, and that fines officers will be operating a scheme that has been agreed and imposed by a bench. Benches will also be able to retain a case, rather than make a collection order, if they think that is the proper course of action. The piloting of the collection scheme in order to test the efficacy of various options within it has met with wide support.

The unified administration recommended by Lord Justice Auld has great benefits for court users and for the magistracy. For court users, there will be a clear understanding of the court system, a commonality of procedures and processes, and a logical use of court buildings. There is potential for a further streamlining of transfer of cases between magistrates courts and Crown court, and between family proceedings courts and county courts.

For me, two key questions remain and I would like the Minister to address both. First, how will the unified administration of the courts affect the relationship between the magistracy and the higher judiciary? There is great potential for much more contact with the higher

[David Taylor]

judiciary and vice versa, which can only improve a consistency of approach to judicial decision making. For magistrates courts, there is an existing special relationship with justices' clerks, who must be part of any judicial consultative group.

Secondly, is there an adequate number of justices? If not, what can we do to address that and how many will be required? Any new system of court administration will depend heavily on those foot soldiers of the whole process, the lay magistracy, so we must have the appropriate number in appropriate places who are appropriately trained and appropriately committed. However, the number of justices has decreased dramatically over the past few years. Now, the magistracy is approximately 3,000, or some 10 per cent., under strength.

We know that the Lord Chancellor's Department has a national recruitment strategy, but it has to be backed up with resources, particularly those aimed at encouraging employers to allow their magistrate employees time off work. Inability to have time off for bench duties is a huge disincentive to applying for the magistracy and the most common cause of resignations.

The Bill is a major step towards modernisation, transparency and justice for all. I support its core conclusions and its core clauses, and I believe that the improvements made to it enable it to be a measure that I can support. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Urban Development

That the Thurrock Development Corporation (Area and Constitution) Order 2003, dated 23rd June 2003, a copy of which was laid before this House on 2nd July, be approved.—*[Margaret Moran.]*

Question agreed to.

DELEGATED LEGISLATION

Ordered,

That the following Statutory Instrument be referred to a Standing Committee on Delegated Legislation: the Housing Benefit (General) (Local Housing Allowance) Amendment Regulations 2003 (S.I., 2003, No. 2399).—*[Margaret Moran.]*

DRAFT GAMBLING BILL (JOINT COMMITTEE) (POWER TO TRAVEL OUTSIDE THE UNITED KINGDOM)

Ordered,

That the Order of the House of 10th July 2003 appointing a Select Committee to join with a Committee of the Lords to consider and report on any Clauses of a draft Gambling Bill presented to both Houses by a Minister of the Crown be amended by leaving out the words "within the United Kingdom".—*[Margaret Moran.]*

COMMITTEES

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together motions 5 and 6.

Ordered,

Environmental Audit

That Ian Lucas be discharged from the Environmental Audit Committee and Paul Flynn be added.

Joint Committee on Human Rights

That Vera Baird be discharged from the Joint Committee on Human Rights and Mr Paul Stinchcombe be added.—*[Margaret Moran.]*

COMMITTEES

Mr. Deputy Speaker: With permission, I shall put together motions 7 to 14.

Ordered,

Accommodation and Works

That Syd Rapson be discharged from the Accommodation and Works Committee and Mr Stephen Hepburn be added.

Defence

That Patrick Mercer, Jim Knight and Syd Rapson be discharged from the Defence Committee and Mr Peter Viggers, Mike Gapes and Mr Dai Havard be added.

Education and Skills

That Ms Meg Munn be discharged from the Education and Skills Committee and Helen Jones be added.

Health

That Andy Burnham and Julia Drown be discharged from the Health Committee and Mr Keith Bradley and Mr Jon Owen Jones be added.

Northern Ireland Affairs

That Mr Stephen McCabe be discharged from the Northern Ireland Affairs Committee and Mr Iain Luke be added.

Scottish Affairs

That Eric Joyce be discharged from the Scottish Affairs Committee and Mr John MacDougall be added.

Trade and Industry

That Dr Ashok Kumar and Mrs Jackie Lawrence be discharged from the Trade and Industry Committee and Mr Michael Clapham and Judy Mallaber be added.

Treasury

That Dr Nick Palmer be discharged from the Treasury Committee and John Mann be added.—*[Mr. Heppell.]*

PETITION

Crown Immunity

10.3 pm

Huw Irranca-Davies (Ogmore): I wish to present the petition of Katrina Wynne and 1,500 petitioners of Ogmore in south Wales.

The petition:

Declares that there have been numerous incidents throughout the UK on government property such as Hospitals, Military Grounds, and the Royal Mint at Llantrisant; Many of these incidents have claimed the lives of loved ones through neglect of Health and Safety regulations; Due to Crown Immunity laws even if the employers are found guilty of non-compliance with Health and Safety regulations it is not possible to take legal action against them; This petition has been risen in memory of John Wynne, who was killed while working at the Royal Mint, due to various breaches of statutory Health and Safety laws.

The Petitioners therefore request that the House of Commons remove the doctrine of Crown Immunity from prosecution under statutory Health and Safety law.

And the Petitioners remain, etc.

To lie upon the Table.

Veterinary Prescriptions

Motion made, and Question proposed, That this House do now adjourn.—*[Vernon Coaker.]*

10.4 pm

Mr. Alistair Carmichael (Orkney and Shetland): I should first put on record a declarable interest: my wife is a practising veterinary surgeon and a partner in the firm of Flett and Carmichael veterinary surgeons in Kirkwall.

I am pleased to see the Minister for Rural Affairs and Local Environmental Quality. I had thought that a Minister from the Department for Trade and Industry might reply, it being the Department that is driving the Competition Commission's proposals. I should be interested to learn how this Minister's Department deals with the potential conflict that I see between the introduction of competition proposals that pose a real threat to vets in farm practices particularly, and the Government's stated animal health and welfare policy, which envisages the role of vets in large animal practices as being central. Along with many people outside the House, I shall be interested to see how the Minister squares the circle.

There are three main worries about the Competition Commission's proposals. It is feared that, first, they will lead to increased consultation charges as vets not unreasonably seek to cover the shortfall in income that they currently receive from dispensing medicines in another way; secondly, there is a risk of inequitable and superficial price comparison, which I believe would damage the much-valued trust that currently exists between vets and clients; and thirdly, there will be a negative impact on the profitability of what is already a low-margin profession.

Many vets in country areas cannot charge more than they do now, simply because the farming clients on whom they rely cannot afford to pay them. Nowadays many animals cannot be treated, and are disposed of rather than being given the veterinary attention that they need.

Mr. David Heath (Somerton and Frome): I congratulate my hon. Friend on securing a debate for which I too applied. He is right: particularly in dairy farming areas such as mine, there is a limit to the amount that farmers can pay. Only a few weeks ago, when I visited the Delaware practice in my constituency, I was told the same thing—that farm animal practices will be in real trouble if the proposals are adopted.

Mr. Carmichael: That is true. When my wife began practising in 1987, many farmers would call her out to perform a Caesarean section. Often in the middle of the night, she would have to travel from mainland Orkney to one of the remote outer islands such as Westray. Those calls no longer come. The inevitable conclusion is that cows are being shot when they get into difficulties calving. Although the farming community should not be blamed for that, it is regrettable.

Ideally, I should like the Government to accept that the commission's proposals are flawed and damaging and to abandon them, but I have been here long enough to know that, inexorably and inevitably, they will probably be introduced in some form. I want to focus on

[Mr. Carmichael]

some of the main issues drawn to my attention by farmers and vets in my constituency, and their suggestions for making what are essentially bad proposals workable.

As the Minister knows, the history of this began with the Government's paper and "action plan for farming", which led to the Marsh inquiry and report and subsequently to the announcement by the Office of Fair Trading in October 2001 that the Competition Commission would conduct a further inquiry into the supply of prescription-only medicines in the United Kingdom.

The Competition Commission produced its final report in April this year. It included two sets of recommendations, the first of which suggested remedies under the Fair Trading Act 1973. In the course of recent correspondence with the DTI, I was told that it will hold a 13-week public consultation on the form of the order that gives effect to the recommendations. The draft order was expected in the autumn. As I notice that the leaves are beginning to fall from the trees, I hope that the Minister will tell us when we can expect to see it—although I should say in passing that I would rather see it right than see it quick. The second set of recommendations relate to the system of regulating veterinary medicines. The Government gave their view on those in a written statement on 9 July.

If veterinary surgeons are not to be the sole people who dispense animal medicine, some sort of prescription form system will require to be introduced. The Competition Commission appears to think that that should be done for no fee, which suggests to me that it has a basic lack of understanding of the profession with which it is dealing. I am inclined to suspect that it sees the process as being akin to a doctor sitting in his surgery scrawling a short note for a generic antibiotic to be taken twice a day for a week. For vets, the reality will be rather different. A vet who is called upon to prescribe for, say, a flock of turkeys or a herd of pigs will need to spend some considerable time deciding on the appropriate dosage and the way in which the drugs should be administered—for example, animals are often medicated through food or water. Those prescriptions will be complex documents that must be completed in some detail—a time-consuming business over and above the initial consultation period. I am told that when representatives from the British Small Animal Veterinary Association brought that up with civil servants at the DTI, the response was: "Can't you just include these costs in your consultation fee?" Although that may not be an unattractive idea, it would make it very difficult for vets to set a single consultation fee; and I gently suggest to the Minister that it rather defeats the Government's stated aim of trying to achieve transparency in pricing practice. To my mind, it illustrates the fact that the proposals are rather less than well thought out.

The Competition Commission proposed that under the Fair Trading Act 1973, the Royal College of Veterinary Surgeons should encourage vets to provide prescriptions in a form that allows the identification and dispensing of alternative medicines, which could include its drawing up of lists of comparable medicines. I do not understand exactly why the RCVS should be charged with doing that. As a regulatory body, it is not its job to make judgments on effective clinical alternatives. Again, that will be exceptionally time-consuming and add further costs that must eventually be passed on to the owner of the animal. It is not clear whether some of those lists of alternatives might be expected to include generic medicines. That area is fraught with difficulty for vets, because they have to prescribe in accordance with the so-called cascade system, whereby they must use only drugs that are licensed for animals—if such a drug exists. The withdrawal times for meat entering the food chain can differ widely. That does not matter in terms of medicating people, because we have not yet reached the stage of eating dead people, but dealing with animals is a very different matter. Unfortunately, that subtlety has not struck home with the Competition Commission.

Andrew George (St. Ives): Does my hon. Friend agree that in constituencies such as his and mine, the proposal will resolve none of the problems about which constituents have complained, and that, if anything, it will create problems that result in their complaining to us about expensive and inaccessible services?

Mr. Carmichael: My hon. Friend's analysis is absolutely right. In particular, I do not look forward to being the MP who receives complaints about the pricing practices of his wife's practice.

The point needs to be made that an enormous amount of bureaucracy will be attached to this proposal, the genesis of which was a handful of ill-considered complaints from groups that, to be frank, have rowed back at a rate of knots. The only people who are now driving this proposal forward are those in the Competition Commission, rather than those who stand to be most directly affected.

The full bureaucratic madness of the Competition Commission's thinking becomes apparent only when one considers its suggestion that a large and prominent sign should be displayed in all veterinary surgeries, advising clients on the price of the 10 prescription-only medicines most commonly prescribed or dispensed by that surgery in a typical three-month period. There are several problems with this proposal. It will involve a substantial amount of extra work for vets, and a cost that must ultimately be passed on to the clients. If five different presentations or sizes of the same drug are produced by the same manufacturer, should they be considered as five different drugs? If they are grouped together, should prices be listed for each of the preparations? Should the cost include the cost of additional packaging?

Additionally, the list would have to be regularly changed as new prescriptions became available, or as the season dictated the increased use of a particular medicine. Crucially, there would be pressure from clients to be prescribed a cheaper preparation, when a more expensive alternative might be better suited to the case. The fundamental question, to which I hope the Minister has an answer, is this. If the issue is one of transparency, why is the burden being placed only on vets? Why will pharmacists not have to comply with the same regulations or prepare the same lists?

I want to look briefly at the recommendations for legislative change. The main recommendation is that the Secretary of State should change the law to allow

veterinary surgeons to dispense a veterinary prescription, whether or not the animal concerned is under their care. The Government accepted this in the statement of 9 July, which is to be deeply regretted. The recommendation is a cause of massive concern within the veterinary profession. Again, it betrays a fundamental lack of understanding of the profession and its ethical standards and practices. As a friend of mine in the profession said, "It is a very bad idea to enshrine stupidity into legislation." This measure would undoubtedly lead to confusion in the chain of responsibility. Who would bear responsibility for any adverse reaction to the medication: the prescriber or the dispenser? As the British Small Animal Veterinary Association stated:

"The potential for confusion of clinical responsibility outweighs the benefit of potential competition."

These reforms must be seen in the context of a declining large animal veterinary sector. Just 400 practices in the whole of the United Kingdom offer services for large animals. These reforms will only increase the financial pressure on remaining large animal practices to move into the small animal sector, which is seen as more profitable. According to the chief veterinary officer, Government funding for animal health and welfare is currently £250 million a year, and likely to fall in coming years. Can the Minister tell me how, therefore, the Government propose to increase agricultural veterinary cover?

When giving evidence to the Select Committee earlier this year, a Minister from the Department for Environment, Food and Rural Affairs said that we must rely on the private sector for disease surveillance. It is my contention that unless something is done—and done quickly—to encourage vets into large animal practice, we are almost guaranteed another major disease outbreak sooner, rather than later. Any savings made through adopting proposals such as those offered by the Competition Commission will be small beer compared with the cost of another outbreak of foot and mouth disease or swine fever. During the foot and mouth outbreak of 2001, many vets in private practice with large animal experience felt it their duty to leave their practice and help in the fight to control the outbreak. It was difficult and often deeply distressing work. As the number of vets with farm animal experience fall, there simply will not be the same battery of expertise to call on in any future outbreak. The Government's own animal welfare strategy stands to be threatened by their own competition policy.

I started my speech with a declaration of interest regarding my wife's practice, and I conclude with an offer to the Minister. He is welcome to send some of the suits from the Competition Commission to Orkney to work alongside my wife and her colleagues and to spend time in her surgery and on the farms. They would then see the realities of the situation in which they seek to interfere; they would see how good a service we get from our vets, and how much damage the proposals stand to do.

10.20 pm

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on promoting the family business—and also on the offers that he has made to the House. He is right to point to the important role of the Department of Trade and Industry in leading on competition policy. The Department for Environment, Food and Rural Affairs has responsibility for the topic of this debate—the prescription of medicines by veterinary surgeons—and that is why I am replying to the debate. I should mention that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw), takes the lead on animal welfare and veterinary issues, but he is unable to come to the debate tonight. I cannot come to the debate with his expertise, but I have been able to cast a fresh eye on these issues in order to stand in for him.

The hon. Member for Orkney and Shetland raised a series of practical questions, including the list proposal and a number of others, but it is precisely because such issues need to be dealt with from a practical perspective that we are approaching them in consultation with the professions and the industry.

The hon. Gentleman was sweepingly critical of the proposed changes, but I congratulate him on spotting the fact that leaves are falling from the trees at present. Consultation on detailed proposals will start later this year. The formalities are that a 13-week consultation has been agreed by the Department of Trade and Industry, which set the autumn as the time for its consultation on the draft statutory instrument. We are already talking to veterinary organisations, and we will use the Royal College of Veterinary Surgeons code of professional conduct to implement the proposals where possible, rather than seeking to do so by statute.

Of course there are practical issues to be dealt with, which is why we are working with representatives of the profession to get them right. It does not help to refer disparagingly to alleged comments at meetings with officials of any Department, when none of us can check the veracity of such reports and no one has the opportunity to offer a correction.

As for the history of the proposals, the Competition Commission inquiry into the supply of prescription-only veterinary medicines was set up following complaints from farmers and pet owners about the cost of veterinary medicines. Those complaints were made to Ministers in the Ministry of Agriculture, Fisheries and Food, but MAFF Ministers had no statutory responsibility for the costs of veterinary medicines, so they referred the complaints to the Office of Fair Trading. I should say that DEFRA Ministers now would be in exactly the same position as MAFF Ministers were then.

The statement of issues to be considered by the Competition Commission was published on 16 April 2002. The inquiry focused on the supply of prescription-only medicines, on the ability of pharmacies to compete with veterinary surgeons at retail level, and on asking whether monopolies existed in the supply of those medicines, as was alleged.

The Competition Commission consulted veterinary groups, pharmaceutical companies and other interested parties, first to find out how the market worked and then, in September 2002, on its emerging findings, and likely remedies and recommendations. The report was submitted to the Secretary of State for Trade and

[Alun Michael]

Industry and published on 11 April 2003. It recommended a number of remedies for that Secretary of State, and also made recommendations for DEFRA.

The commission's findings were that three complex monopoly situations operated against the public interest—precisely what the complainants had said. Those monopolies were recognised as being interconnected. Taken together, the commission said, they were preventing, restricting and distorting competition in the supply of prescription-only medicines, thus increasing the cost of those medicines at all levels of the supply chain, as well as to animal owners and keepers.

To address these findings, the Competition Commission proposed nine remedies under the Fair Trading Act 1986 and made 11 recommendations to the Department for Environment, Food and Rural Affairs for changes in the regulation of veterinary medicines. The Government accepted all the remedies and most of the recommendations. The main effects will be to require vets to display the prices of the most commonly used prescription-only medicines; to require vets to offer a prescription routinely; and to allow veterinary surgeons to dispense a prescription for any animal, whether under their care or not. The commission went on to propose to give the widest distribution regime to all authorised products, which is consistent with product safety, and to improve the veterinary medicines directorate's procedures to minimise delays and consequent costs of authorisation. Finally, it wanted to encourage the proportionate cost of medicines to all animal owners and keepers.

The Government accepted the Competition Commission's report and agreed that changes in the marketing of veterinary prescription-only medicines were necessary to address the complex monopolies. The Government want to make veterinary prescriptions more widely available; to create greater competition in all levels of the supply chain; to give consumers greater choice and increased price transparency; and to reduce costs to owners and keepers. That applies as much to farmers as to owners of pet animals.

We thus come to the issue of how the Government will implement the changes. We have made it clear that we intend to do so in consultation with the veterinary profession and other interested groups. As I pointed out earlier, we will use the Royal College of Veterinary Surgeons' code of professional conduct rather than legislation, where possible.

Several concerns were raised, following the publication of the report, and the Government recognise the main concerns that have followed our response. The fears were that the proposed changes might lead to large animal practices becoming unavailable in some areas, which could result in an increase in the cost of veterinary services to farmers. It could also affect the ability of the Government to use private vets to implement important initiatives such as proactive farm health planning under the animal health and welfare strategy. It was also suggested that widening the veterinary surgeon's right to dispense another veterinary surgeon's prescription could blur the lines of responsibility for the health and welfare of the animal. Finally, it was felt by some that it would be unfair if vets were not allowed to charge for writing a prescription. I should mention that the Select Committee on Environment, Food and Rural Affairs is to report shortly, following its inquiry into veterinary services, and it may also raise related issues in its report.

We now come to continuing actions and other possible initiatives. As I have made absolutely clear, the Competition Commission's findings are being pursued through consultation with interested groups. Where possible, they will be implemented through the Royal College of Veterinary Surgeons' code of professional conduct rather than by legislation. Also, as part of the animal health and welfare strategy, DEFRA will establish a working group with the veterinary profession to consider the report of the Select Committee and to look at the future roles and availability of large animal practices.

The services supplied through the highlands and islands veterinary scheme in the hon. Gentleman's own constituency is an example of a specific provision which has been designed and implemented to meet the particular needs in one location. It may well be necessary to consider others that are appropriate for specific circumstances. Equally, large animal veterinary practices may find increased opportunities to develop the way in which they work with their farming clients. We are already aware of one practice that has linked the cost of its services to the price that the farmer receives for his milk, creating a clear business incentive for them both to succeed together.

Additionally, the effectiveness of the Competition Commission's remedies will be monitored by the Office of Fair Trading, which will also continue to monitor the provision of prescriptions by veterinary surgeons and their subsequent dispensing elsewhere and to consider whether the prohibition on charging for the provision of a prescription should be lifted after three years. The practicalities will be looked at and considered.

The animal health and welfare strategy recognises that there are concerns about the availability of prescribed veterinary medicines and associated problems such as "off label" use. The strategy includes a new initiative to assess the current availability of veterinary medicines and to discuss with the pharmaceutical industry how those concerns can be met. We are now considering how to take those issues forward as part of the implementation arrangements for the strategy.

I suggest to the hon. Member for Orkney and Shetland that two strands are evident: the strand of implementing the recommendations of the Commission, which are being approached with the veterinary profession, not separately from it; and the question of how the animal health and welfare strategy is taken forward, which is again being worked on in association with the profession. The monopolies identified by the Competition Commission have to be addressed. That was accepted when the report was made.

Mr. Carmichael: I have difficulty following the Minister's thinking. Why does he continue to look at the question of dispensing medicines in isolation, rather than as part of the totality of veterinary practice? Does

he not realise that increasing bureaucracy will increase consultation fees and that, ultimately, the consumer will end up paying more?

Alun Michael: I put the question back to the hon. Gentleman. Why does he not recognise that complaints were taken to the Competition Commission because the prices charged for dispensed medicines were seen by the complainants as unjustified and onerous? Indeed, those prices were found by the Competition Commission to be unjustified, and a distortion in the prices being charged was identified.

Mr. Carmichael: The Minister may need to write to me on this question, but perhaps he would be kind enough to find out how many complaints were made; my understanding is that it was dozens rather than hundreds. Many of the complaints were based on the differences between prices in Northern Ireland, which is part of the United Kingdom, and the Republic of Ireland, where very different licensing restrictions apply to the development of drugs. When will the Government tackle the pharmaceutical industry on that point?

Alun Michael: The hon. Gentleman makes several assumptions, most of which are not justified. The number of complaints is not the issue when the Competition Commission considers a subject. The Ministers involved considered that the complaints were sufficiently serious for the matter to be referred to the commission, and it then undertook its inquiry—as on a range of issues—and felt that there was a cross-subsidy that was not justified and that pricing was therefore not appropriate. I suggest that if the hon. Gentleman wishes to question the process by which the commission reached its conclusions, he discuss it with the commission, rather than assuming that it has not done a proper job. From my experience of reading reports from the commission in other contexts, it is assiduous in considering the competition issues and trying to understand the context of the trade, business or profession that it is judging. The hon. Gentleman should talk to the commission about its practices, so that he understands how it approaches such issues.

The Government will implement the Competition Commission's remedies and those of the recommendations that we have accepted—as spelled out at the time—in consultation with all interested parties and in discussion with the veterinary profession. That is the right way to take matters forward. The findings of the commission cannot be dismissed as lightly as the hon. Gentleman suggests.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Eleven o'clock.

House of Commons

Tuesday 21 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TRANSAS GROUP BILL

Read the Third time, and passed.

MERSEY TUNNELS BILL *(By Order)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 29 October.

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Royal Mail (Rail Transport)

1. **Alan Simpson** (Nottingham, South): If he will make a statement on discussions with the Department for Environment, Food and Rural Affairs about the Royal Mail's decision to end mail transport by rail. [132959]

The Minister of State, Department for Transport (Dr. Kim Howells): Royal Mail's distribution operations are a matter for the company, not something in which the Government would seek to intervene, however much my right hon. Friend the Secretary of State or I may regret that loss of business for the rail freight sector.

Alan Simpson: My hon. Friend will know that on 18 September the Under-Secretary of State for Environment, Food and Rural Affairs, Lord Whitty, wrote to the RMT union, saying:

"I personally and this Department also have grave concerns about the Royal Mail decision, which seems to be heading in the opposite direction from the aim of a more balanced, environmentally friendly and integrated transport system."

If the Government continue to remain committed, as I am sure we are, to a process that transfers increasing amounts of freight from road to rail, which is the policy of the Department for Environment, Food and Rural Affairs as well as the Department for Transport, how do we ensure that joined-up government works in relation to a company in which we are the principal shareholder?

Dr. Howells: Royal Mail came at this issue from a very interesting and new angle—that its new strategy would be more environmentally friendly than its old one. Indeed, it has made out a case that, overall, the new transport network will use about 2,000 fewer road vehicles and reduce carbon dioxide emissions by 30 per cent. I assume that DEFRA is looking at that—we are certainly looking very carefully at it—but Royal Mail has to be a company that operates commercially and delivers value for money. That is why it has taken its decision to switch from rail to road.

John Thurso (Caithness, Sutherland and Easter Ross): Has any financial assessment been made of the implications for the railways of Royal Mail's decision? For example, is it likely to cause other freight users to consider withdrawal from the railways, particularly while there is uncertainty over the £8 billion demanded by the rail regulator?

Dr. Howells: First, I congratulate the hon. Gentleman on taking up his new position. It is always a pleasure to see him.

We certainly look very carefully at all the schemes that are proposed to try to help shift whatever we can from the most congested roads on to the railways, and we will continue to do so. That is the Government's policy. Of course, we are looking at the recommendations made by the rail regulator and, indeed, at his interim report.

Ramsbottom to Manchester Rail Link

2. **Mr. David Chaytor** (Bury, North): If he will make a statement on the Ramsbottom to Manchester rail link. [132960]

The Minister of State, Department for Transport (Dr. Kim Howells): Ramsbottom is part of the East Lancashire Railway, a privately run operation on a preserved line between Rawtenstall and Bury Bolton Street. I am not aware of any plan to link it to the national rail network.

Mr. Chaytor: My hon. Friend is right to say that there is no Ramsbottom to Manchester rail link, but there was a Manchester to Ramsbottom rail link before Dr. Beeching came along. There could be, and there should be, a Ramsbottom to Manchester rail link. It would be of enormous benefit to the thousands of commuters in my constituency and those of my hon. Friends the Members for Rossendale and Darwen (Janet Anderson) and for Heywood and Middleton (Jim Dobbin). My hon. Friend the Minister is not accurate in saying that there are no such plans. Plans are on the table and there are two alternatives for establishing a Ramsbottom to Manchester rail link, so will he speak as a matter of urgency to the Greater Manchester passenger transport executive and Network Rail to advance at least one of those two alternatives?

Dr. Howells: I would be only too glad to speak to both those agencies, although I have to tell my hon. Friend that I can promise nothing.

Bus Companies (Regulation)

3. **Jim Dobbin** (Heywood and Middleton): What plans he has for improved regulation of bus companies. [132961]

The Secretary of State for Transport (Mr. Alistair Darling): The current statutory framework is set out in the Transport Act 2000. As with all other legislation, we keep the situation under review.

Jim Dobbin: The Secretary of State will be aware that I have raised this issue on a number of occasions. The Greater Manchester passenger transport authority—I spoke to the chairman about this last night—other transport authorities throughout the United Kingdom and the Local Government Association are urging my right hon. Friend to regulate the bus network so that we can improve services for the travelling public. I can tell him that my constituents are not at all happy at present with the service that they are getting from FirstBus. I simply ask him whether he will look at this matter again.

Mr. Darling: In relation to regulation, most people accept that to return to the situation that prevailed prior to 1985 would be a mistake. Let us face it—while some bus services worked well prior to that time, others did not. Since 1985, there have been substantial increases in bus patronage: in Brighton, more than 50 per cent.; in Nottingham, 14 per cent.; and in Cambridge, 20 per cent. Those are all examples of good local authorities working with bus companies. I am aware, however, that problems exist in Greater Manchester, especially with competition or, sometimes, lack of it. That is why I have said to my hon. Friend that I will continue to keep the situation under review. I honestly do not think that going back to pre-1985 is the answer. However, I do think that some changes may be necessary to improve bus patronage.

Mr. David Watts (St. Helens, North): Is my right hon. Friend aware that there has been a 70 per cent. increase in bus tender prices over the past four years in Merseyside, and a 25 per cent. drop in passenger numbers since 1997? Does not that demonstrate that bus deregulation is not working? Will he meet a small delegation who can perhaps convince him to change his policy?

Mr. Darling: On bus deregulation, I do not think that I can add anything to what I said a few moments ago—it is too early to change the policy that I set out just a minute ago. On Merseyside, my hon. Friend is right that there has been an increase in car ownership in Merseyside, which is a result of increasing prosperity in the area, much of it thanks to the things that we have done over the past few years.

In the issue of buses, tender prices have been going up, not least because the cost of operating buses has increased, as has the cost of employing bus staff and so on. Of course, the Department and my colleagues will be happy to meet my hon. Friend to discuss these matters. I repeat, however, that when bus patronage has gone up it is because a local authority has had the courage to put in place sometimes difficult and controversial measures to encourage bus use, as well as having a bus company that has some flair and initiative. Both those things are absolutely essential.

Mr. George Mudie (Leeds, East): The Secretary of State is well respected, but he must conduct a review with seriousness; the matter is now past a joke. Whole communities in Leeds are being cut off, the elderly cannot go shopping, people cannot get to hospitals on public transport at weekends, and even the local hospice cannot be visited by public transport on weekends and evenings. That is clearly a ridiculous situation and public transport is becoming a joke. The bus companies are in it only for money, there is no public service and no public interest, and we are sitting on the sidelines looking like fools.

Mr. Darling: In Leeds, about which my hon. Friend knows a great deal from the time that he led the council there, bus patronage has increased. He is right to draw attention to the fact that some bus services late in the evening, in areas that are more difficult to reach, are not of the standard that they should be, but nor were they prior to deregulation in 1985. From the end of this year, we are extending the availability of the bus service grant to provide better, more bespoke services for areas without bus services, especially when there is thinner patronage than would justify a conventional route being run. Many innovative steps can be taken that will encourage bus use in areas that have not done well historically, either before or after deregulation. As I said previously, I am keeping the situation under review. I know that there are difficulties, which we want to sort out.

West to East Midlands Modal Study

4. **Mr. Mark Todd** (South Derbyshire): What assessment he has made of the conclusions of the West to East Midlands Multi-Modal Study. [132962]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): The study to which my hon. Friend refers reported at the end of July 2003, and we are now awaiting views from the respective regional assemblies, which are likely to be given in November this year. We will then consider those, as well as the views of other interested parties, alongside the study recommendations, and we will make an announcement in due course.

Mr. Todd: I thank my hon. Friend for that answer, but must tell him that the initial assessment from the residents of South Derbyshire, which is in the heart of the study area, was one of disappointment that rail schemes that have been proposed to improve access to the rail network in the area, such as the national forest line, have been sidelined completely, and that others, such as the opening of the Donnington loop, have been put at a distant point. Some schemes, such as one to provide proper access to East Midlands airport, have been completely ignored. Will he ask his Department to look further at such matters when he considers the study in more detail?

Mr. McNulty: We shall look further as and when we receive the assessment and views of the respective

regional assemblies and others. I say to my hon. Friend that the package included the introduction of a new bus service along much of the national forest line, which was done precisely because the benefit-cost ratio of running rail on the line was not justified.

David Taylor (North-West Leicestershire): I attended the launch of the multi-modal study to which the Minister referred in Derby in late July, and the sense of disappointment among those present was palpable, as my hon. Friend the Member for South Derbyshire (Mr. Todd) suggested. Will the Minister confirm that he or his Department will take submissions from east midlands Members so that the balance may be re-established in favour of greater investment in public transport, which is far more likely to produce sustainable solutions to the chronic congestion that affects east midlands roads than other measures?

Mr. McNulty: As I have said, the regional assemblies should report by mid-November. I am certain that between now and then, further submissions from interested hon. Members, not least my hon. Friends, will be welcomed by the Department and assessed in due course with the assemblies' views.

Mr. Christopher Chope (Christchurch): Does the Minister find it embarrassing that the conclusion of the study—and that of so many other studies—is that the best way to reduce congestion on the roads is to increase capacity? Is it not the case that if the study's recommendations on the A42-M42 corridor were implemented, there could be a 30 per cent. reduction in journey times and the benefit-to-cost ratio would be 3.5:1? Why do the Government not invest more in roads?

Mr. McNulty: The hon. Gentleman was clearly out of the country when we announced £7 billion of roads expenditure only a few months ago. I say to him, in all kindness, that the only embarrassing thing thus far this morning has been his fake hysteria.

Airports White Paper

5. **Mr. John Taylor** (Solihull): When he expects to publish his White Paper on airports. [132964]

The Secretary of State for Transport (Mr. Alistair Darling): We plan to publish the White Paper before the end of the year.

Mr. Taylor: Will the Secretary of State hasten the relief from blight that has afflicted people in the east of my constituency by virtue of uncertainty and hasten the day on which I may reassure them that there will be no second runway at Birmingham airport?

Mr. Darling: I can only repeat what I said: we intend to publish the White Paper before the end of the year. I appreciate that hon. Members on both sides of the House want the Government's views as quickly as possible. The consultation has been completed, we are evaluating the responses and, as I said, we shall publish our conclusions.

Mr. Kelvin Hopkins (Luton, North): My right hon. Friend will be aware that there is considerable enthusiasm for expanding Luton, which contrasts with resistance to expanding other airports, especially those in the south-east. I am sure that he knows that there is the possibility of developing a rail link between Luton and Heathrow—I call it the Luton-Heathrow flyer service—which would mean that Luton could become a satellite feeder airport for Heathrow and take some pressure off it. Will he take that into account when making decisions about future airports in the south-east?

Mr. Darling: I indeed know that there is enthusiasm in Luton to extend the airport. I am also aware of the plan to build the rail link—it is one of many in different parts of the country. However, hon. Members will have to wait until we publish our conclusions, which we intend to do before the end of the year. Of course, the conclusions will cover Luton as well as other airports.

Sir Patrick Cormack (South Staffordshire): I warmly endorse what has just been said about Luton. Will the Secretary of State assure me that my 11,500 constituents who wrote to him to protest about Halfpenny Green becoming an international airport and the 12,500 letters on the same subject that have been forwarded to him by my parliamentary colleagues will all be taken most carefully into account?

Mr. Darling: Yes, all the views will be taken into account.

Mr. Bill O'Brien (Normanton): When my right hon. Friend considers the White Paper on future airport provision, will he give serious consideration to the contribution that regional airports can make? Local companies are investing substantial sums in them to improve services. I am sure that my right hon. Friend will agree that those regional airports can make a valuable contribution to air transport across the United Kingdom and will extend services to areas around the world. We should consider further the development and work of regional airports. Will he assure the House that that will be part of the White Paper?

Mr. Darling: The importance of regional airports will figure prominently in the White Paper. It is not just low-cost flights that have experienced an increase in patronage at local airports. About 7 million people travelled on low-cost airlines in 1998; this year, the figure will be 45 million. That has contributed to much of the growth in regional airports, with more direct flights. Regional airports will not, however, provide the network that can be found at a hub airport such as Heathrow. Although regional airports can and will play

a part not just in the development of air travel but in economic development in the areas they serve, they will not be the whole answer.

Mr. John Randall (Uxbridge): The consultation on the White Paper mentions sustainable aviation. What does the Secretary of State understand sustainable aviation to mean?

Mr. Darling: That will be spelt out in the White Paper, which we will publish later in the year.

John Robertson (Glasgow, Anniesland): Will there be anything in my right hon. Friend's aviation report on the monopoly of large airports and the variation in landing fees?

Mr. Darling: All matters raised with us, and they have been many and varied, will be dealt with in the White Paper. I understand hon. Members' anxiety and their enthusiasm for getting me to anticipate what will be in the White Paper, but as its publication is in the not-too-distant future, I can only provide a general assurance that it will deal with all the points raised.

Miss Anne McIntosh (Vale of York): Before the Secretary of State publishes the White Paper, will he find time in his very busy diary to see for himself all those blighted communities near airports where the runways may be expanded as a result of his proposals, which have invited him and his ministerial team to visit, as my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) has done with my humble support? Will he also assure the House that he will publish in full all responses to the consultation before he publishes the White Paper?

Mr. Darling: On the latter point, no. The logic is that the White Paper should be published and, at the same time, the report on the consultation exercise will also be made available, as we made clear. That is what has happened before.

I have visited a large number of airport sites over the past few months. To repeat what I said earlier, it will not be long before the Government publish their conclusions, which will set out a framework for development over the next 30 years.

Road Congestion

6. **Mr. David Cameron** (Witney): What recent representations he has received about congestion on the A34 and A40 in Oxfordshire; and if he will make a statement. [132965]

The Minister of State, Department for Transport (Dr. Kim Howells): The Highways Agency and my hon. Friend the Under-Secretary of State for Transport, the hon. Member for Plymouth, Devonport (Mr. Jamieson), who is responsible for roads, have received a number of representations about congestion on the A34 in Oxfordshire, including letters from the hon. Member for Banbury (Tony Baldry) about the junction of the A34 with the M40. The A40 in Oxfordshire is, as the hon. Member for Witney (Mr. Cameron) knows, the responsibility of Oxfordshire county council.

Mr. Cameron: I thank the Minister for that reply, but is he aware that although there will not be a full multi-modal study of the A34, a review is going ahead? Can he assure me that that review will also consider the A40 between Whitney and Oxford? It has some of the worst congestion in south-east England and it takes many of my constituents who travel to work in Oxford more than an hour to cover 12 miles. It is a foot on the windpipe of the local economy. Does he share my view that the long-term answer is dualling that road?

Dr. Howells: I can certainly give the hon. Gentleman an assurance that I will speak to the Highways Agency to find out if its remit extends that far. I understand that there were long-standing proposals to dual that part of the A40, but for some reason—I certainly do not know the details—they were cancelled by the Conservative Government in 1994.

Mr. Martin Salter (Reading, West): Does my hon. Friend agree that if the hon. Member for Witney (Mr. Cameron) is concerned about road congestion in Oxfordshire, he would be well advised to put pressure on his Conservative colleagues on the county council to co-operate more fully with councillors in Reading and Berkshire to advance plans for a third Thames bridge linking the two counties?

Dr. Howells: I am sure that that is excellent advice from my hon. Friend. I am sure that the hon. Member for Witney will do everything that he can to bring that pressure to bear on his Conservative colleagues.

Sir Michael Spicer (West Worcestershire): The Minister is right to say that the A40 problem has been going on for 20 years. For a short time, I had ministerial responsibility for roads—[HON. MEMBERS: "Oh!"] Well, perhaps I should have spent longer as Minister for roads. However, it is now 20 years on and the Minister has been in government for a long time. What is he going to do? He really must do something about that piece of road in Oxfordshire, which is a desperately serious problem for travellers.

Dr. Howells: As I said, I will certainly ask the Highways Agency if its study on the A34 includes that road. I quite agree that it has been an appalling stretch of road for as long as I can remember. It is one of my routes home from London, so I can fully imagine the frustration felt by the hon. Gentleman.

Rail Services (North-West)

7. **Andy Burnham** (Leigh): What assessment he has made of the need to increase rail services and stations in the north-west. [132966]

The Secretary of State for Transport (Mr. Alistair Darling): Some service frequencies will increase under the new TransPennine Express franchise. Bidders for the

new Northern franchise have been asked to consider matching services better to demand. However, there are no specific proposals for new stations.

Andy Burnham: Can I share with my right hon. Friend and the House the analysis of a local railway enthusiast in my constituency? Leigh is the largest town not just in Britain but in Europe without a railway station. While Dr. Beeching has made it difficult to bring one back, it is vital that the Northern franchise brings one to nearby Golborne. Will my right hon. Friend give me and the 40 pupils from Lowton West primary school—a mere stone's throw from the proposed station—who are visiting today, an assurance that he will do all that he can to bring a new rail station to Golborne?

Mr. Darling: As I said a moment ago, the bidders for the new Northern franchise have submitted their bids, which are currently being evaluated. All of us want to ensure that we have a better and more reliable railway, but we will have to see what is possible. I am quite sure that if my hon. Friend wished to do so, it would be possible for him to discuss the matter with my Minister of State.

Mrs. Patsy Calton (Cheadle): While the Secretary of State is considering Leigh, will he also consider Cheadle district centre in my constituency, which has long needed a railway station and, indeed, has space for one?

Mr. Darling: I never cease to marvel at the Liberals' capacity to demand more spending without supporting a way of dealing with the problem—*[Interruption.]* The difference is that my hon. Friend the Member for Leigh (Andy Burnham) supports everything that the Government are doing, including the funding of the railways. Our objective is to improve services within Stockport and the Greater Manchester area. I remind the hon. Lady that there is substantial investment in the west coast main line which, of course, benefits Stockport. On Cheadle, I cannot make any promises, but of course we will keep the matter under review.

Mr. Graham Stringer (Manchester, Blackley): My right hon. Friend will be aware that approximately £750 million is spent on local rail services in Greater Manchester in north-west England. Does he think that the way in which that money is spent should be determined locally, not nationally? We would get better solutions to local transport problems, partly caused by bus deregulation, if that money was spent locally.

Mr. Darling: It was Manchester that came to the Government asking for additional funding for light rail. If it was proposing to fund it all itself, my hon. Friend might have a point. All of us are concerned that the prices now being quoted for light rail schemes have increased quite dramatically and unreasonably. If there is to be more light rail, it is important that the costs for those projects come down. They have increased to a large extent because, frankly, many of the people interested in this have decided to quote prices which I do not think that even they believe are realistic.

I want to see more light rail—the Manchester scheme has been an outstanding success—but it is essential to control costs. People who are bidding for such schemes should be aware that the Government do not take the view that we provide light rail, or anything else, at any price—prices must be controlled.

Trains (Overcrowding)

8. **Jane Griffiths** (Reading, East): What plans he has to require the train operating companies to tackle overcrowding on trains during the rush hour. [132967]

The Secretary of State for Transport (Mr. Alistair Darling): The importance of dealing with overcrowding has been recognised in the directions that I gave to the Strategic Rail Authority. New trains and improved reliability of services will help to reduce overcrowding, as will increased capacity on some lines.

Jane Griffiths: I welcome that reply. Will my right hon. Friend, in the course of the franchise renewal process—I am thinking particularly of the renewal of the First Great Western franchise that is due in 2006—introduce a provision whereby overcrowding must be tackled as a condition of that process?

Mr. Darling: Tackling overcrowding is an essential part of the franchising process, although, as I said earlier, the new trains will help. It is worth reminding the House that almost a third of all rolling stock is being replaced within a five-year period, half of which will go on to London commuter lines. That will increase capacity very significantly. The other measures that will help are better timetabling, better management and increased frequency of trains—those, too, relieve overcrowding. Two factors are absolutely essential: first, that we maintain the level of investment in the railways; and secondly, that they are managed more effectively—and the SRA is dealing with that.

Mr. Jonathan Djanogly (Huntingdon): The hon. Member for Reading, East (Jane Griffiths) mentioned the problem of overcrowding, but is not that merely part of the picture of missed deadlines, toilets and other facilities that do not work, and miserable passengers—frankly, a system that is creaking at the seams, as proven by this week's report?

Mr. Darling: Before the hon. Gentleman gets too excited, I remind him that the system was established under the prime ministership of his predecessor in the seat that he represents. Over the past few years, we have been trying to put right some of the mistakes that were made in carrying out that botched privatisation. The railways fundamental problem is that for decades insufficient money was invested in them. We have put that right by doubling that expenditure over a four-year period. We are also ensuring that there is more sensible management. The hon. Gentleman has to face the fact that his prescription of spending less on the railways is hardly likely to deal with overcrowding, let alone passenger comfort or satisfaction.

Mrs. Anne Campbell (Cambridge): Is my right hon. Friend aware that services on the Cambridge to London line are desperately overcrowded during rush hour periods? The local train operating company, West Anglia Great Northern—WAGN—has told me that it

cannot increase the length of the trains because intermediate stations have insufficiently long platforms. Will he take that up with the Strategic Rail Authority?

Mr. Darling: I am aware of the problem. Naturally, if trains are lengthened, all the platforms along the route have to be lengthened at the same time. It comes back to the same point: we are trying to make up for decades of underinvestment by spending very substantial sums on the railways. It will not be possible to do everything that we should all like to do. The one thing that I am clear about, however, is that reducing expenditure on the railways would exacerbate the current problems. It is essential that we maintain investment while improving management, both of which are Government priorities.

Mr. Tim Collins (Westmorland and Lonsdale): Given that overcrowding on trains during the rush hour is particularly acute on the London tube, does the Secretary of State understand the natural concern about recent incidents there? Will he join me, however, in issuing a clear statement to Londoners that the tube remains by far the safest way of getting around the capital city, and in condemning the Mayor of London, who has given the opposite impression?

Mr. Darling: I agree that the tube has an extremely good safety record. Clearly, the incidents at Hammersmith and Camden Town are a matter of deep concern, and safety must be of paramount importance not just on the tube, but on the surface railway. The underground is publicly owned and accountable to the Mayor, who retains responsibility for the safety of the tube. London Underground has told us that the maintenance regime on the tube has not changed since the company took it over in July. Indeed, London Underground controls the maintenance regime, and changes can be made and implemented only with its agreement. I agree with the hon. Gentleman that most people accept that the tube is safe. What happened is a matter of substantial concern.

It is patently obvious that many of the problems affecting the tube, like those affecting the surface railway, have come about as a result of years of under-investment. The partnership that we put in place will allow £16 billion of investment to go into the tube over the next 15 years. I know that the disruption at the weekend is continuing to cause people concern, but we will work with Transport for London and London Underground to find out what happened and learn the lessons of that very quickly.

Mr. Collins: Although I welcome that reply, I point out to the Secretary of State that overcrowding on trains in the rush hour on other tube lines will be worse for some days as a result of the incident on the Northern line. In light of that, was it wise for London Underground to change its daily track inspection procedures to track inspections every two or three days—a change that, I understand, was made while the right hon. Gentleman was still responsible for London Underground, and immediately prior to its transfer to Transport for London?

Mr. Darling: At present, we do not know the cause of the accident. We know that a cracked rail is one of the factors being considered in relation to the Hammersmith incident. It is not yet clear what caused the Camden incident. I agree that we need to find out what happened and learn the lessons from it. People travelling on the tube expect London Underground to do everything possible to make sure that journeys are both safe and reliable. On the hon. Gentleman's general point about overcrowding, the additional investment will improve the quality of trains, track and signalling, and allow for additional capacity. He needs to face the fact that, unless he is prepared to sign up to that sustained investment over years, the problems in London Underground will simply recur.

Abandoned Vehicles

9. **Huw Irranca-Davies** (Ogmore): What proposals he has to increase powers of local authorities in relation to untaxed and abandoned vehicles. [132968]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): Since April 2002, all local authorities can apply to the Driver and Vehicle Licensing Agency for powers to wheel-clamp and remove untaxed vehicles. As a result, 13 local authorities have taken these powers, four are being trained and a further 20 are in discussion with the DVLA. Regulations aimed at speeding up the removal of vehicles abandoned on the highway by reducing the notice period also came into force in April 2002. In addition, the Department for Environment, Food and Rural Affairs issued a consultation paper in July 2003 proposing to reduce the notice period from 15 days to five working days for vehicles abandoned on private land.

Huw Irranca-Davies: I thank my hon. Friend for that full reply, and draw his attention to the blight caused to many communities in the south Wales valleys in terms of quality of life and tourism development. As one wanders across the top of the Bwlch mountain, one comes across abandoned vehicles in what seemed a remote area. I applaud the changes to vehicle licensing from 1 January 2004, which will aid the identification of owners who dump their vehicles illegally in that way, but will my hon. Friend ensure that there is a good information campaign so that owners are not caught out inadvertently by the new, much more stringent and welcome powers?

Mr. McNulty: My hon. Friend is right. More stringent powers must be accompanied by greater awareness and an education process to allow people to know what is going on. I am pleased that at least three Welsh authorities—Rhondda, Swansea and Pembroke—are discussing that with the DVLA, and I commend the new powers to the rest of the Welsh authorities.

Rail Franchises

10. **Mrs. Ann Cryer** (Keighley): What the criteria are for awarding railway franchises; and what plans he has to allow the Strategic Rail Authority to run franchises under section 212 (30) of the Transport Act 2000. [132969]

The Minister of State, Department for Transport (Dr. Kim Howells): Our directions and guidance to the Strategic Rail Authority list the factors that it should take into account when assessing bids. A copy is available in the Library of the House of Commons. Ultimately, the authority is looking to secure the best value for money for passengers and taxpayers. Apart from the interim arrangements necessitated by the termination of the Connex South Eastern franchise, we do not currently anticipate any other circumstances in which section 30 will apply.

Mrs. Cryer: What future circumstances may prompt the Department to use section 212(30) to invite the Strategic Rail Authority to take over a franchise on a more permanent basis? After all, I understand that even Mr. Gladstone believed that the nation's railways were better run through public ownership. He must not have sat on the fence.

Dr. Howells: I am not sitting on the fence, either—I do not believe that we should nationalise the railways.

We cannot predict all future events and the use of section 30 will depend on the merits of specific circumstances. However, the SRA has made it clear that it intends to run the franchise that I have mentioned for as long as it takes to re-tender it to the private sector.

Mr. Simon Thomas (Ceredigion): In welcoming the late arrival of the all-Wales and Borders franchise this week, I ask the Minister to confirm that the criteria for it include the long-awaited projects, which have been in the pipeline for more than two years, of the link to Cardiff Wales international airport, the hourly service on the Cambrian line and the new service to Ebbw Vale. Will he confirm that the new franchisees will work on those new services for Wales?

Dr. Howells: I expect that the new franchisees will consider a range of projects that various people throughout the Principality favour. I have such a project: part of the busiest railway line in Wales, from the central valleys to Cardiff, is in my constituency. I am glad that many improvements have been made to it. However, I am sure that the hon. Gentleman will draw improvements to the service on the important central Wales line to the attention of Arriva Trains when it takes over the franchise.

Ian Lucas (Wrexham): Does my hon. Friend agree that safety is one of the most important criteria for the railways? Safety in stations is an important issue in north Wales and Arriva should consider that seriously when determining its allocation of resources in the next few months.

Dr. Howells: Yes, safety in railway stations is extremely important. If we are to persuade more people to use the railways—last year, they carried more passengers than in any year since 1947, and we want to improve on that again—and companies want to win new business, they must all take safety and security at railway stations seriously.

Alistair Burt (North-East Bedfordshire): When the Minister offers advice to the SRA about franchises, will he ask it to pay special attention to the way in which it intends to deal with increased pressure from commuters from the hundreds of thousands of new houses that are being forced on the south of England, thus putting more pressure on rail capacity that is already at its maximum? Evidence of delays on the sadly misnamed Thameslink 2000 project means that hard-pressed commuters on both sides of Bedfordshire are finding that they have only hope and expectation instead of genuine delivery of proper improvements to services. That can only get worse, with many new commuters adding to the pressures on the current inadequate infrastructure.

Dr. Howells: I know the hon. Gentleman well and I respect his views, but I am sure that he agrees that the new communities are not being forced on south-east England in a Stalinist way. Many people want to live there. He knows as well as me that London could do with an equivalent of Queens in New York where its teachers, public service workers and many others who run the capital can afford housing. Such people also want to know how they will get in and out of London, and we must try to ensure that they make those trips easily.

I am sure that the hon. Gentleman also agrees that the new communities should be sustainable. We must ensure that jobs exist there. We have a duty not only to haul tens of thousands of new householders back and forth to London but to ensure that there are jobs in the communities so that not everybody has to make those journeys. That partly answers the earlier question of how we define sustainable transport and communities.

Rail Network (Maintenance)

11. **Kevin Brennan** (Cardiff, West): If he will make a statement on future contracts for maintenance of the rail network. [132970]

The Secretary of State for Transport (Mr. Alistair Darling): Network Rail has already announced plans to bring railway maintenance activities in the Reading, east midlands and Wessex contract areas in-house. Network Rail has also announced that it will take Jarvis's three contract areas back as well. The Government welcome these plans for better management because they will lead to tighter control over the quality, cost and effectiveness of the maintenance regime.

Kevin Brennan: I thank my right hon. Friend for that answer. Has not the fragmentation of maintenance following privatisation proved an unmitigated disaster? Is it not common sense that, where public safety is involved in relation to maintenance, the best thing to do is directly to employ the people responsible for the

maintenance, check that they do it and sack them if they do not? Is it not now time for Network Rail to take all maintenance in-house?

Mr. Darling: When Network Rail took back the contracts concerned, it found very substantial concerns about the costs, about the quality of work, and about whether the work had been done. All those matters reinforced the view that it was right to take those maintenance contracts back in-house. It is too soon to evaluate what it has found in relation to the Jarvis contracts, but I am in no doubt—I have made this clear on a number of occasions—that it is essential that maintenance should be done effectively and that costs should be driven down. Costs were far too high as a result of the privatisation that the last Conservative Government left. In relation to safety, it is essential that people know what work is required, make sure that it is done and then check that it is operating safely. All those things will be improved as a result of what Network Rail has already announced.

Chris Grayling (Epsom and Ewell): Does the Secretary of State expect that, before too long, all the rail network will be maintained by Network Rail, and that the other private sector operators will, step by step, hand their contracts back to Network Rail as well?

Mr. Darling: That is something that Network Rail will no doubt want to consider. One reason that the costs of maintaining the network had risen so dramatically was that there was no proper control over what the private contractors were doing. Network Rail has to consider what is best in terms of the running and operating of the network, but it will no doubt look at what it has found so far when considering what the next step ought to be.

Chris Ruane (Vale of Clwyd): When future maintenance contracts are considered, will specific mention be made of the north Wales railway stations, which have had massive under-investment in recent years? Will funding be put in place so that our stations no longer smell of urine, closed-circuit television can be installed and safe, secure car parks can be established?

Mr. Darling: Network Rail is looking at the entire network, both track and stations, to see what improvements can be made and when they ought to be made. As my hon. Friend will know, and as I pointed out earlier, we are already spending very substantial sums on the railway. Before anyone can consider asking people to put their hands into their pockets for more money, we must ensure that the money is being properly spent in the first place. As I said a few moments ago, the evidence in relation to the contracts that have been taken back in-house is that those contracts at least will be more effectively run by Network Rail. What it decides to do in relation to the others is, of course, entirely a matter for Network Rail.

Speed Cameras (Accidents)

13. **Paul Flynn** (Newport, West): What changes have been recorded in the number of fatal accidents on roads where speed cameras have been deployed in the past two years. [132972]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): The two-year trial of the cost recovery system for speed and red light cameras found a 35 per cent. reduction in killed or seriously injured casualties at camera sites, equating to around 280 people.

Paul Flynn: The answer to a previous question that I put to the Department suggested that the number of lives saved could be up to 500 a year. That is the answer to those websites and other irresponsible organs that advocate the vandalising of speed cameras. Should it not be made clear to those people that their actions in destroying speed cameras are leading to the deaths of hundreds of fellow road users?

Mr. McNulty: I entirely endorse what my hon. Friend says. More than 1,000 people are killed on our roads each year as a result of excessive and inappropriate speed. Cameras are highly effective in addressing excessive speed and those who would vandalise them are to be truly and utterly condemned.

Mr. Patrick McLoughlin (West Derbyshire): Overall, this country has a fairly good record on road accidents, although, of course, we must not be complacent. One area in which we have a particularly bad record is child deaths. Have the Government any plans to act on the advice from the Royal Society for the Prevention of Accidents about the changing of the clocks in this country? ROSPA has said that if we did not put the clocks forward, there would be a substantial reduction in the number of child deaths. Will the Government consider that?

Mr. McNulty: The hon. Gentleman will know that, whatever else I have responsibility for in the Department for Transport, I am not responsible for clocks and time, but I will ensure that the ROSPA report is taken on board with all due seriousness, as it should be. Colleagues in Scotland and elsewhere may disagree with him, but his point about child deaths on our roads is well made. That problem is another reason why the entire House should condemn those who try capriciously to remove speed cameras for whatever purpose.

CABINET OFFICE

The Minister for the Cabinet Office was asked—

Public Appointments

20. **Mr. Mark Hendrick** (Preston): What age restrictions there are on public appointments. [132951]

21. **Mr. David Borrow** (South Ribble): What age restrictions apply to public appointments. [132952]

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): Generally, there are no age restrictions for public appointments. However, certain legal appointments, for example those made by the Lord Chancellor to the magistracy, have some restrictions.

Mr. Hendrick: My hon. Friend will be aware that one in 33 public appointments are of people under the age of 35. When will he get to grips with this problem and make public appointments more representative of the population at large, especially given that he was elected to the House when he was under 35?

Mr. Alexander: I take my hon. Friend's point, not least because of the remark with which he concluded his question. It is fair to say that we want our public appointments to reflect the society that public bodies serve. Younger people have a significant contribution to make to those public bodies. That is why a great deal of work is being done within government and in a range of agencies to ensure that there is better representation not just of younger people, but of all sections of the community that we seek to serve.

Mr. Borrow: If we are to have a more representative age profile of public appointments in Lancashire, we must ensure that some of the barriers that prevent working people from taking up such posts are removed. In my hon. Friend's capacity as Chancellor of the Duchy of Lancaster, what can he do to ensure that public sector employers give maximum support to their employees in taking up public appointments? What does he intend to do about the private sector, which is where most of the problems lie?

Mr. Alexander: My hon. Friend makes an important point. In my capacity as Chancellor of the Duchy of Lancaster, I follow the precedents set by the Department for Constitutional Affairs on magistracy appointments, but I also hold responsibility for public bodies within Government, and I have already had conversations with the relevant Minister in the Department for Work and Pensions to ensure that, if there are barriers to people assuming public body positions, those discussions can be taken forward in Government and conclusions reached. A strain of work has been carried out in the Cabinet Office under one of my predecessors on how to deal with any significant barriers that stand in the way of people taking their places on public bodies. Those conversations continue within Government.

Mr. John Bercow (Buckingham): In light of the hon. Gentleman's welcome opposition to age discrimination, will he tell the House what proportion of applicants for public appointments are above pensionable age, and for what proportion of the totality of appointments they account? By the way, if he is so strongly opposed to age discrimination, why do the hon. Members for Crewe and Nantwich (Mrs. Dunwoody), for Huddersfield (Mr. Sheerman) and for Ochil (Mr. O'Neill) and the right hon. Member for Manchester, Gorton (Mr. Kaufman) sit on the Back Benches and not on the Front Benches?

Mr. Alexander: I willingly assume responsibility for many things, but as the phrase has it, that is way above my pay grade. The substantive point that the hon. Gentleman made about the contribution of older citizens to public bodies is a serious one, and it deserves a serious response. The latest figures provided by the Commissioner for Public Appointments show that 8 per cent. of the appointments that fell within her remit are held by people over the age of 66. I do not have the information on applications in front of me. A range of statistics is provided by the Commissioner for Public Appointments. Perhaps the hon. Gentleman would be kind enough to allow me to write to him.

Mr. Philip Hammond (Runnymede and Weybridge): The Minister mentioned certain appointments made by the Lord Chancellor that are subject to age limits. Will the Government be forced by forthcoming legislation on age discrimination to drop all reference to age limits in such public appointments? If so, would it not be better for them to lead by example, and scrap the age limits now?

Mr. Alexander: Conversations are taking place with the Department for Constitutional Affairs, but I shall be happy to raise the hon. Gentleman's point with the relevant Secretary of State.

Rob Marris (Wolverhampton, South-West): Can my hon. Friend assure me that he will take particular account of age restrictions affecting younger people—that he will consider, for instance, the age at which a young person might become a school governor—to encourage their participation in our body politic?

Mr. Alexander: That is an important point. Evidence relating to an increase in the proportion of public appointments taken by women reveals that many people who started out as school governors have moved on to other public appointments. The kind of local appointment that my hon. Friend describes strikes me as an ideal starting point, and there is a lesson to be drawn in that regard in the case of younger people as well.

Digital Services

22. **David Cairns** (Greenock and Inverclyde): What steps the Government have taken on inequalities in access to digital services. [132953]

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): The Government are committed to providing internet access for all who want it by 2005. Fifty-six per cent. of the population are now regular users and 48 per cent. of UK homes now have internet access—five times the number of homes connected in 1998.

We recognise that some groups, such as the elderly and those on low incomes, are less likely to be online. The Government are working hard to engage those groups through initiatives such as the "Get Started" campaign.

David Cairns: I know that my hon. Friend shares my view that, in the long term, digital television will be a key delivery mechanism for providing everyone with digital services. Is he aware that, as well as a digital divide, we still have—in 2003—an analogue divide in parts of the

country? Constituents of mine in Inverkip cannot even obtain an analogue television signal, let alone a digital signal. Will my hon. Friend lend his support to my campaign for the insertion in the new BBC charter of a simple principle, namely that those who pay their licence fees should be able to get a TV signal irrespective of any other cost involved?

Mr. Alexander: I know of the tireless efforts of my good friend and constituency neighbour on behalf of his constituents in Inverkip in particular, where I understand from conversations with him that there are still difficulties with the analogue signal. I also know that he has already discussed the matter with the Department for Culture, Media and Sport. I will happily pass on his concerns to the relevant Secretary of State.

Mr. Richard Allan (Sheffield, Hallam): Does the Minister agree with the conclusion of the recent survey by the Oxford internet institute that the group of "can't surfs" who have no physical access to the internet is now very small compared with the group of "won't surfs" who see no value in its use? When can we expect to see a replacement for the Government's portal, which in its present UK Online form is not attractive and certainly does not encourage people to go online? Can he indicate when his long-awaited plan will come to fruition?

Mr. Alexander: In regard to the Oxford internet institute study, the hon. Gentleman makes a valid point about cultural barriers. The "Get Started" campaign focused on targeting groups that are hard to reach, especially the elderly, because we must address not just a lack of technology but a lack of the skills and experience needed to gain access to the technology.

I assure the hon. Gentleman that only yesterday I dealt with a submission relating to his second point. I believe that we shall be able to make speedy progress in the new year.

Strategy Unit

23. **Bob Spink** (Castle Point): If he will make a statement on the recent work of the strategy unit. [132954]

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): The strategy unit's role is to conduct long-term strategic and cross-cutting studies of major policy areas, and to promote strategic thinking across Whitehall. Current projects include the misuse of alcohol and the UK fisheries project. A sponsor Minister in the relevant Department provides ministerial leadership for the projects.

Bob Spink: Will the unit add to its list of recent long-term strategic reviews an analytical cross-cutting review of pensions policy, to highlight the iniquity and indignity of the mass means-testing of pensioners that results from the Government's policy?

Mr. Alexander: Policies relating to the strategy unit's areas of work are determined by the strategy unit board. I assure the hon. Gentleman that a wide range of policy issues are considered. As for his substantive point about pensions, in my experience as a constituency Member, many people have welcomed a change that has seen a real and significant rise in household incomes for pensioners in communities throughout the country.

Mr. Andy Reed (Loughborough): The strategy unit should look seriously at obesity—it is not a problem for some Members of this House, and although I shall not name names, many are trying to do their bit—which is increasingly being discovered among young children in particular. That serious problem is building up and will be a danger to us all. The strategy unit needs to bring together all the different Departments, but in the light of answers to questions that I have asked in this House, there seems to be no cross-cutting initiative. The Department for Culture, Media and Sport, the Department of Health, the Department for Education and Skills and the Home Office need to come together to tackle this problem, but I get no sense that that is happening. Will my hon. Friend look at that issue?

Mr. Alexander: My hon. Friend raises an important point that, intriguingly, was echoed on television last Thursday by the right hon. Member for Kensington and Chelsea (Mr. Portillo). I had not previously realised that the right hon. Gentleman was interested in the substantive and important issue of childhood obesity, which needs to be addressed. I will discuss with the Secretary of State for Health the cross-cutting work that is taking place across Government, and I will ask that the Department write to my hon. Friend directly. As he points out, this issue requires the work of more than a single Department and such work must take into account the recreational pursuits and sport necessary for younger people. On that basis, I am happy to ensure that correspondence is forthcoming.

Points of Order

12.31 pm

Pete Wishart (North Tayside): On a point of order, Mr. Speaker. Have you received any explanation as to why it is so cold in this place?

Mr. Speaker: The hon. Gentleman is a Scotsman, like myself. We do not feel the cold.

Mr. William Cash (Stone): On a point of order, Mr. Speaker. We are about to embark on Second Reading of the European Parliamentary and Local Elections (Pilots) Bill, but before doing so I want to mention one important matter. Lord Bethell retired as a Conservative Member of the European Parliament on 30 September. The Government should have nominated the next Conservative on the list to replace him, but that has not yet happened, despite the fact that representations have been made. An element of disenfranchisement is therefore taking place, so could the Government, through your good offices, Mr. Speaker, be encouraged to ensure that the next person on the list is nominated as soon as possible?

Mr. Speaker: I have no powers in these matters, except to say that I wish Lord Bethell well in his retirement.

Mr. John Bercow (Buckingham): Further to that point of order, Mr. Speaker. Is it in order for me to point out that Lord Bethell is a constituent of mine, and that he has been a first-class public servant over many decades?

Mr. Speaker: Lord Bethell is a very fortunate man to have the hon. Gentleman as his MP.

Orders of the Day

European Parliamentary and Local Elections (Pilots) Bill

Order for Second Reading read.

12.33 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I beg to move, That the Bill be now read a Second time.

The Bill's purpose is to allow continuation of the Government's successful programme of piloting innovative electoral processes—including all-postal voting, electronic voting and other electoral innovations—at the forthcoming European elections and, where they are held, at local elections next year. Piloting new voting mechanisms is not done for its own sake. It is innovation for a purpose: to engage the maximum number of voters in the elections, and to make their participation more easy and convenient.

Mr. Patrick McLoughlin (West Derbyshire): Will the Minister give way?

Mr. Leslie: It is very early on in my speech, but I shall of course give way to the hon. Gentleman.

Mr. McLoughlin: I am grateful to the Minister. I accept that it is early on in his speech, but I want to ask whether he intends to give an explanation for motion 4 on the Order Paper, which allows for the Bill to be carried over. In making provision for carry-over and explaining it to the House, the former Leader of the House set down certain criteria. Will the Minister tell us during his contribution what criteria he is using for this carry-over?

Mr. Leslie: The motion is very simple, and relates to the Bill's importance and to ensuring that it gets on to the statute book. That is why the motion appears as it does on the Order Paper.

The measures in the Bill form only one part of the Government's wider programme of reform, and of improving the country's democratic processes. We must always aim to reinforce the faith that the public have in our democracy and strive as best as possible to re-engage their trust in the institutions that work on their behalf.

Let me place these measures in context. The elections pilots programme began following the passing of the Representation of the People Act 2000, which has enabled local authorities to apply to trial different ways of voting at local government elections, in order to see which kinds of innovative electoral techniques make it easier for people to vote. It also allowed for the piloting of different approaches to counting, and measures aimed at improving administrative efficiency.

I know that the whole House is aware of the apparent reluctance of a sizeable number of the public to engage with democratic institutions, whether at the local, national or European levels. That is clearly demonstrated by the low turnouts at recent elections. We saw a 59 per cent. turnout at the general election of 2001; a 24 per cent. turnout—5.1 million fewer votes

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compared with a decade earlier—at the European elections of 1999; and only about a third of the electorate cast their vote at this year's local elections.

Mr. Robert Syms (Poole): When we changed to the list system of elections, I remember the Foreign Secretary assuring us that that would lead to a higher turnout, but it has not. Is not the solution to go back to first-past-the-post, which we all love and cherish in the House?

Mr. Leslie: That is an interesting comment, but I suspect that it is a debate for another day.

I was about to say that the reasons for falling voter turnout are, of course, complicated. There are many and varied theories about the reasons for the fall—and we have just heard one such theory—including a declining sense of social identification, changes to social structure, voter awareness and so forth.

We politicians must share at least some of the responsibility for voter disengagement. Some people argue that it is the confrontational nature of party politics that is putting off voters. Others say that we need more confrontation in politics to whip up some interest and excite people into voting. Whatever the reality, I hope that there is no need for confrontation today.

Chris Grayling (Epsom and Ewell): Does the Minister accept that one of the problems of the current system is that although the strength of the individual—including how good someone is at representing a particular area—can be an important factor in encouraging people to come out and vote for that person, the European system does not allow people to vote for a particular individual. That arrangement means that a key part of the tools that would otherwise be available to rebuild turnout at elections is lost.

Mr. Leslie: The hon. Gentleman makes a fair point because the abilities of an elected representative to connect with the views and wishes of the electorate is obviously important, but it is not for me to judge whether Members of the European Parliament, local councillors or, indeed, other Members of Parliament are particularly good at that. The hon. Gentleman has his own views on that matter.

The Government have already introduced many significant measures to improve participation in the democratic process, including the devolution of decision making, the development of regional and city government and the modernisation of local government. Although making voting more convenient is not a panacea designed to increase the vital element of democratic participation, there is certainly much evidence that it can help. It must, anyway, be right to explore as thoroughly as we can how to make the voting experience fit better with the way people now live their lives. After all, there have been a great many changes since the fundamentally important introduction in the Ballot Act 1872 of our traditional method of voting in secret via the ballot box.

Mr. John Bercow (Buckingham): Not for the first time, the Minister's position can best be described as studiously opaque. On the one hand, he tells my hon. Friend the Member for Epsom and Ewell (Chris Grayling) that he has made a good point and expressed himself forcefully, but, on the other hand, he fails to tell us whether he agrees that the removal of the link between the individual Member and the constituency is regressive. What is the Minister's view? Will he explain himself?

Mr. Leslie: I am not sure that the hon. Member for Epsom and Ewell (Chris Grayling) made such a good point—the hon. Member for Buckingham (Mr. Bercow) was the more eloquent—but I believe that having a relationship between a constituency and an elected representative is important. That continues at a European level, just as it does at national and local level, because we still have European parliamentary constituencies—although the Opposition do not seem to have noticed that.

Mr. Ian Davidson (Glasgow, Pollok): Is it not time for the Government and the Minister to be bold? Given the discussion that has taken place about different electoral systems, it would be the essence of boldness to conduct first-past-the-post elections to the European Parliament in one region and in other regions to operate a system of proportional representation. I would be willing to volunteer Scotland as the area that should have first-past-the-post elections.

Mr. Leslie: That is probably not a good idea, and I am afraid that I cannot help my hon. Friend in that regard.

It may be helpful if I outline briefly, in very broad terms, how all-postal pilots and electronic voting pilots work, based on the experience gained so far. The key element of an all-postal election is that every person registered as an elector in that election receives a ballot paper through their front door, or wherever they have registered to receive their ballot paper. That means that the election is instantly accessible. Everyone who is registered to vote is given the means to vote without having to do anything at all, except fill in the ballot paper and return it.

Mr. Andrew Miller (Ellesmere Port and Neston): What steps will be taken to protect residents in houses in multiple occupation?

Mr. Leslie: The Royal Mail has to deal with that matter frequently when delivering post to persons who live in such houses. We always need to ensure that we have the most effective delivery systems. I have confidence in the Royal Mail's ability to cope in such circumstances, and we already have much experience from the all-postal elections that have already taken place.

At all-postal elections, the ballot papers are delivered no later than one week before the close of poll, and usually between two and three weeks in advance. An elector may then choose to do one of two things. Votes can be completed at the voter's convenience, and then cast simply by posting the completed ballot to the returning officer. Alternatively, votes may be delivered

by hand to any place designated for the delivery of ballot papers by electors. Such places are staffed delivery points where trained election officials are on hand to assist electors with any queries they may have or to provide replacement ballot papers. They also contain a secure area where ballot papers may be completed in an environment similar to a polling station.

I shall now explain how an electronically enabled—or e-enabled—region's voting pilot would work. At any e-enabled electoral pilot we would provide—in addition to postal voting—opportunities for voters to cast their ballot via the internet or by telephone. In any e-enabled pilot area, each registered elector would receive a postal ballot paper in the same way as for an all-postal election. However, at the same time as the ballot paper was sent out, details would be given about how to vote using the electronic means on offer. That would include a unique personal identification number to allow the elector to access the voting website or telephone system in order to cast their vote. Typically, a remote electronic voting channel would be open for use a full seven days before the close of poll. When a vote had been received, whether by post or by an electronic channel, the voter would be marked as having voted on the register of electors, and no further votes from that person would be accepted.

Mr. Richard Allan (Sheffield, Hallam): Can the Minister give the House some assurances about the audit trails for the electronic system he proposes? He may be aware of the heated debate that is raging, especially in the United States, about the companies that supply the technology, and whether voters can verify that their votes were cast as they intended. Those debates have not been resolved and I would be extremely concerned if we were to adopt that approach in a large public election until and unless those questions have been answered.

Mr. Leslie: That precisely why we are extending the next step in the piloting process and why the Electoral Commission will oversee such matters. The Bill contains provisions to allow the commission to scrutinise and monitor the process. It can report back, and consequential changes and improvements can then be made. In this country, there has been the most widespread use of electronic voting so far. In the view of the Electoral Commission, there are no grounds for worry about fraud or security.

All-postal voting and e-voting have both undergone widespread trials at a local level and a great deal of history and experience has already been gained in the electoral pilots programme so far. The Government remain keen, therefore, to ensure that piloting can continue, and expand, next year.

The pilots programme began at the May 2000 local elections. At those elections, the convenience of having available for the first time early and all-postal voting, and small-scale electronic pilots, was welcomed by voters.

Chris Grayling: Given the size of the areas covered by the European elections, will the Minister assure the House that any decisions to mix the various alternative methods of voting will not encourage turnout disproportionately among different elements of the population? For example, will he confirm that there will also be all-postal voting when an e-pilot is taking place? People of different age groups in society clearly respond to technology differently. An election could be distorted if one approach was adopted, and not another.

Mr. Leslie: We have considered that point very carefully. We have concluded that, if and when an electronically enabled pilot is held in a region, we must also offer people in that region the simultaneous opportunity to vote by post by means of an all-postal ballot. The task is to open up new channels and avenues for people to cast their votes. What we are discussing is the next step in piloting new voting mechanisms.

David Hamilton (Midlothian): Will not local elections take place in England in the same period, and might not that be confusing? In light of that, may I suggest that, as no elections are scheduled in Scotland, that would be an ideal place for such an experiment?

Mr. Leslie: That is like seeing the first swallow of spring: I have just received the first bid for a region—and nation—to hold a pilot. We must wait for the Electoral Commission's recommendations as to which regions or nations should be eligible for the pilots.

The programme of local piloting continued in the 2002 local elections, with 30 local authorities holding pilots. That included 13 pilots running all-postal schemes and nine involving electronic, including telephone, voting. Around 2.7 million people were eligible to vote in those 30 pilot areas—that is, 7.4 per cent. of the English electorate. Surveys by the independent Electoral Commission, which has a statutory duty to evaluate each pilot scheme, and by the local authorities running the schemes showed that people again found the new methods of voting easier, more convenient and quicker to use. Postal voting was popular, securing significant increases in turnout in some areas. The substantial number of e-pilots provided a vital building block in establishing public confidence in e-voting. In all the e-pilots, the hardware and software performed successfully without any significant problems.

Rob Marris (Wolverhampton, South-West): In connection with the question about software asked by the hon. Member for Sheffield, Hallam (Mr. Allan), there are considerable concerns in the US that the companies providing the software are all closely aligned with the Republican party, yet no one is allowed to see the software. Does the UK Electoral Commission have the in-house expertise—or access to external expertise that could be bought in—to examine the software to ensure that it works accurately?

Mr. Bercow: It is all a conspiracy.

Mr. Leslie: I have full confidence in the Electoral Commission's ability to monitor and scrutinise the veracity and validity of electronic voting software and the means by which e-piloting can take place. I have no evidence to suggest that any problems have been encountered so far, but we obviously keep all such

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matters under review. I have great faith in this country's electoral processes, and in our returning officers who operate most of them.

Mr. David Drew (Stroud): My authority was one of those that undertook trials of both e-voting and the wider use of postal voting. After holding pilots, we need to analyse what happens when we return to traditional voting methods and I should welcome my hon. Friend's views on that. Given that, for good or bad, my region, the south-west, will include Gibraltar, we are likely to be excluded from future pilots under the Bill. As several local authorities in the south-west volunteered to take part in earlier pilots, is it fair that we should have to go backwards? What are the implications of that?

Mr. Leslie: I hear what my hon. Friend says. However, we now need to scale up pilots from the local authority level to a wider area and the European parliamentary constituency basis—the regional and national basis—provides that opportunity. In a moment, I shall talk about the consequences of that and about which regions might be eligible. I hope to touch on some of those points in more detail later in my speech.

Sir Robert Smith (West Aberdeenshire and Kincardine): May I test the Minister's confidence in the transparency and openness of the new systems of election? Traditionally, our electoral system has been self-policing; in effect, the participants in an election keep an eye on each other and on the electoral process. The new systems are far less open to the scrutiny of the participants, so where does the Minister find his confidence that there will be the same degree of scrutiny?

Mr. Leslie: A massive body of work and evaluation has already been undertaken by the Electoral Commission on the local pilots that have taken place. Obviously, we want to make sure that scrutineers from political parties can also have confidence in the process. That is an important issue to which we might return and examine further.

At the local elections in May 2003, there was widespread use of electronic or postal voting, which proved most successful. Sixty-one local authorities, with about 6.5 million potential voters, held electoral pilot schemes. There were 17 e-voting pilots and 33 all-postal schemes. In the 17 e-voting areas more than a quarter of all votes were cast electronically. The all-postal pilots were also a great success. In the all-postal areas turnout was impressive, averaging more than 49 per cent. The average turnout in the same local authority areas for previous comparable elections was about 33 per cent.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Does the Minister agree that one important way for the participants to self-scrutinise the process is to check on turnout during a normal polling day? Does he agree that key to that is the provision of a marked register during the period when ballot papers are out in the wider electorate? Could not he resolve the concerns by undertaking that a marked register should be available after each day on which ballot papers could be returned?

Mr. Leslie: The Electoral Commission has reported on that issue and the Government will be responding to its recommendations on marked registers. I suggest that the hon. Gentleman examines the commission's report, which will interest all those in the Chamber who are aficionados of the electoral process; they will want to study carefully the commission's proposals on marked registers.

Angus Robertson (Moray): Many people's minds would be put at rest if one of the central ways in which political parties and citizens could check that the electoral process was above board was through a marked register, so does the Minister concede that we should ensure that marked-up registers are available after postal and electronic elections and that we should introduce such a measure now rather than after holding pilots?

Mr. Leslie: Any changes that we make to the marked register arrangements will be considered separately from whether we should hold all-postal or e-voting pilots in some regions during the combined European and local elections next year. We need to examine that principle separately from the fundamental issue set out in the Bill.

Given the success of the pilot programmes so far, both in making voting more convenient and, as a consequence, in raising turnout, we are keen to see piloting continue next year and to extend its scope.

Mr. Allan: I observed the pilot in my Sheffield constituency this year. For much of the day anyone in my constituency could have voted twice—in person at the polling station and electronically—because the hardware and software for checking the two systems failed and there were technical problems for most of the day. Fortunately, the result was clearcut with a large majority, but had the result been close I am confident that the losing party would have mounted a challenge. What I am not so confident about is whether we could have resolved the problem; we would still be trying to sort it out because the systems were too opaque.

Mr. Leslie: The Electoral Commission has looked particularly into the experience in Sheffield. As has already been pointed out, we rely in this country on the public to abide by electoral law and to realise that duplicate voting and so forth are offences. It is important to compare conventional voting mechanisms with new ones. There is a certain level of security and we need to ensure that people are aware of offences that take place. We hope to provide the same degree of security and prevention of fraudulent activity in the new voting mechanisms.

Mr. Miller: I wholly agree with my hon. Friend: our country's record is superb. Even allowing for the conspiracy theories suggested by the hon. Member for Sheffield, Hallam (Mr. Allan), there is no reason to suspect that modern systems would result in an increase in fraud. However, proper checking mechanisms are important so that the public can be confident. Is not there an argument for strengthening the powers of

returning officers to enable them—for example, in the postal voting circumstances that I described earlier—to ensure that distribution was properly carried out?

Mr. Leslie: I have no doubt that the security and safety of the voting arrangements under the new mechanisms will be a feature of our debate. Two clauses specifically relating to tightening up security arrangements for all-postal balloting were inserted to reflect some of the concern that we anticipate, although I reiterate that the Electoral Commission has indicated that it sees no greater opportunity for fraud in all-postal balloting or electronic voting than in conventional mechanisms. We rely on the commission's professional advice, which is for the whole House and not just for the Government; it is an independent organisation.

The eventual aim is to hold a general election at which voting is available in a number of ways, using both conventional and new technologies. We have said that our aim is to achieve that some time after 2006, which means that the next general election, whenever it may be, will not be run in that way. It is only right, however, that we should prove the success of new voting methods and electoral procedures consistently on a larger scale before we take that step. That is why we are legislating now—to take the next step forward for larger-scale voting pilots.

As the House is already aware, following a consultation exercise and with the passing of the Local Government Act 2003, next year's local and European elections are to be combined in England. Combining those two elections is another important measure aimed at encouraging more people to take part in the democratic process, making voting more convenient by avoiding electors having to vote on two separate occasions within a matter of weeks.

Piloting at next year's elections will be a useful and significant step along the path to a general election that will offer voters the chance to choose from a range of new voting methods. The Bill is necessary to allow that to happen; currently, there is no legislative provision for piloting innovative voting at European parliamentary elections and the Bill is intended to fill that gap.

Clause 1 provides a power for the Secretary of State to make an order that will specify which region or regions are to pilot innovative voting procedures in combined European and local elections. After consulting the Electoral Commission, the Secretary of State may make an order setting out the region or regions in which piloting is to take place. That order will be subject to the affirmative resolution procedure so as to give proper opportunity for parliamentary scrutiny—a concern that often arises during debates. We hope to outline in December what the order will contain. Any order made by the Secretary of State will also apply to any local elections combined with the European poll that takes place in the region or regions chosen.

Chris Grayling: I have two questions for the Minister. First, why does the Bill exclude London? Secondly, what consultations will the Government carry out with returning officers in the areas that may be covered by pilot schemes to ensure that they also support the concept of the pilot scheme and that they do not suggest significant operational reasons why the pilot scheme should not take place in that region?

Mr. Leslie: Two forms of consultation are already being undertaken: the Office of the Deputy Prime Minister is consulting local authorities on the piloting procedures and practices and information will be gathered in that way, and the Electoral Commission has already commenced a consultation process to consider the selection of which regions might be recommended to the Secretary of State. I have forgotten the hon. Gentleman's other point.

Chris Grayling: London.

Mr. Leslie: I shall refer to London in a moment because a specific clause deals with excluded regions, and I should like to bring out certain issues in a little more detail.

Under clause 2, a further order will set out the details of the precise manner in which the elections in pilot areas may differ from the way in which they would be run normally. The Secretary of State will be required to send copies of that order to the local authorities involved in the pilot, the Electoral Commission and the relevant regional returning officers. Local authorities must then publish the order in their area in such manner as they think fit.

In a consultation exercise running until 19 November, the Government are seeking the views of local authorities and other interested parties on the proposed arrangements for piloting. I mentioned that consultation a moment ago. A draft of the order will be given to the Electoral Commission for it to consider and discuss before it is finalised. To expedite arrangements for any possible pilot schemes, the Government have already asked the Electoral Commission to recommend up to three regions that might be suitable for holding all-postal pilots, one of which might be also suitable for including internet and telephone voting options. The commission has already started a public consultation exercise to assist it in making recommendations.

On the specific question asked by the hon. Member for Epsom and Ewell, to minimise complexity and retain clarity for the electorate, London will be ruled out from consideration as a pilot region. In London, elections will be taking place for the London Assembly and the Mayor, which will add greater complexity and complication to the work of regional returning officers and others who are implementing the elections.

Questions must also be asked about what lessons could usefully be learned in the rest of the UK from pilot schemes run using atypical electoral systems. Such considerations also apply to Northern Ireland, which is outside the scope of the Bill, and to the European parliamentary region to be combined with Gibraltar under section 11 of the European Parliament (Representation) Act 2003—the issue raised by my hon. Friend the Member for Stroud (Mr. Drew). The Electoral Commission recommend that that should be the south-west region in England, and it is hoped that a statutory instrument to that effect will be laid before Parliament before Christmas.

Mr. Drew: I thank my hon. Friend for giving way to me again. I am intrigued to know whether there is a mechanism to allow the pilot scheme to take place in the south-west if it includes Gibraltar, because of the different system of elections in Gibraltar; or has that recommendation come from the great and the good, making it easier not to include that region if Gibraltar is within it?

Mr. Leslie: We felt that that matter was so important that we wanted to consult the Electoral Commission, so in no way was there a sense that the Government were simply deeming a certain region to be chosen for combination with voters from Gibraltar. The commission has recommended the south-west, and we shall accept its recommendation. I would not want to pre-empt the statutory instrument that Parliament will consider, but it is fair to say that we do not want to run pilot schemes in regions with an added layer of complexity. We simply need the pilot schemes to run in some regions, not in others, so that we can examine the differential effect of all-postal piloting at regional level.

Avoidance of additional complexity is also why there is provision in the Bill to prevent Westminster by-elections, by-elections for the National Assembly for Wales and mayoral referendums, elections and by-elections from taking place in a pilot region on the day of next year's European parliamentary election, or at any time within three weeks before or three weeks after that date.

With respect to local government by-elections in England and Wales, however, the returning officer can choose to combine them and hold them on the same day, so that they can be treated in the same way as the ordinary local Government elections. If the returning officer chooses not to combine the elections then, the local by-election cannot be held at any time within four weeks before or three weeks after the date of the European parliamentary election, again, to avoid over-complexity. Leaving the decision on whether to combine local government by-elections in England and Wales to the discretion of the returning officer allows those elections to be treated the same as all other local authority elections. That will not add insurmountable complexity, compared with the complexity of including parliamentary by-elections.

Clause 3 will disapply section 10 of the Representation of the People Act 2000, so local authorities will not be able to apply to run separate local pilot schemes under that Act on the same day as next year's European and combined elections. That will help not only to contain costs, but to retain other elections as a control with which pilot results can be compared. It is also important to ensure consistency throughout European parliamentary constituencies and to avoid confusing electors with different voting arrangements in the two different ballots.

Mr. Syms: I thank the Minister for giving way; he has been very generous. If a postal strike took place in one of the cities in a large region with a postal voting pilot scheme, inevitably causing problems in part of the area, what emergency provisions does the Bill contain to get the ballot papers to the electorate? Clearly, if regional quotas were set and thousands of ballot papers were caught in Manchester, for example, that could skewer the quota system for the whole region. Would the election be put back? Would the returning officer have the power to get hold of those ballot papers? Some trade unions might be tempted to use that as a bargaining chip. What provision has the Minister made for that?

Mr. Leslie: In the wider sense of what contingency measures are available, the hon. Gentleman makes a fair point. Ever since postal voting arose, people have had concerns about what would happen if the postal system were unable to cope. For some time, we have had discussions with Royal Mail and had confidence in its ability to conduct postal voting. It prioritises postal voting and the delivery of postal votes in its work, and we will, of course, ensure that we work with regional returning officers to put in place proper and robust contingency plans to cope with all the different scenarios that the hon. Gentleman mentions.

John Robertson (Glasgow, Anniesland): I wonder whether my hon. Friend could clarify something that I did not quite understand. Is he saying that no local experiment can be carried out in a European region if a postal ballot takes place there?

Mr. Leslie: That is right. The point of scaling up piloting to regional level is to achieve consistency in European parliamentary constituencies. It would not be right if a certain corner of a European parliamentary constituency had all-postal voting and another did not, because ballot papers and so on would be available in different formats to people in a similar constituency. Clearly, we need to ensure fairness in each European parliamentary constituency at that level.

John Robertson: Would people vote using a ballot box for local elections in that area, while still having a postal vote for European elections; or would the postal method be used for both local and European elections in the area?

Mr. Leslie: The latter is indeed the case. We would ensure that all elections took place using an all-postal pilot scheme if that European parliamentary region were chosen for piloting.

Mr. David Heath (Somerton and Frome): May I return the hon. Gentleman to the point that he was making before previous interventions when he spoke about the robustness of the process if the post were disrupted by local industrial action? Will he confirm that during the 2001 borough council elections in Stockport, when there was an experiment with an all-postal ballot, several hundred people in that borough were disfranchised by a postal delivery strike?

Mr. Leslie: I am afraid that I do not have the details of the Stockport arrangements to hand. I hope that the House will forgive me for that omission at present, but I will certainly look again at that matter. I am sure, however, that the Electoral Commission will be fully appraised of the situation that the hon. Gentleman reports from Stockport and about experiences elsewhere. This is a learning process, which is why we are having pilots. If we do not have pilots and gradually increase awareness and capability, we will not be able to

move towards the target of a general election with different means of voting after 2006. Of course, lessons are there to be learned from each pilot as it takes place.

Provision is being made in the Bill requiring the Electoral Commission to evaluate any pilots at the European and combined elections in 2004, in the same way as it is now required to evaluate local election pilots. Any such evaluation will be important in helping to formulate the way forward for future piloting and the development of a strategy for innovative voting.

Mr. Davidson: On the point about evaluation of fraud, the Minister has been confident that there has been no fraud in previous experiments. Can I ask him how he knows that? Does it not indicate merely that fraud has not been discovered? Has the Electoral Commission gone back to check whether the votes that were cast were cast by the people to whom they were attributed, especially given that, for electronic voting, it seems that only the number is needed in order to vote? If those numbers were collected by person or persons unknown they could easily cast multiple votes, and I am not sure how that fraud would be discovered.

Mr. Leslie: Let me say that this is a significant point, and it would help if I were to make absolutely clear the Government's view. The Electoral Commission, in the many evaluations that it has undertaken into electoral pilots so far, has found no evidence of any greater exposure to fraud, nor did it feel that the opportunity for fraud was enhanced or that the security of the poll was undermined. I recognise, however, that this is a real concern for many, and for that reason, as an initial response to the Electoral Commission's recommendations aimed at further enhancing security and improving public confidence, we propose the introduction of two amendments to electoral law, but only at this stage for next year's pilots.

First, at present, the existing powers of arrest without a warrant are restricted to arrest in relation to personation at polling stations. "Personation" is the name given to the offence committed, under section 60 of the Representation of the People Act 1983, when someone votes as someone else but without their consent. Clause 6 of this Bill extends that power beyond the polling station, which is clearly helpful where remote voting is widely in use. Secondly, clause 7 provides that the magistrates court is given a power to allow in exceptional circumstances, on application from the police or a prosecutor, an extension of time for a prosecution to be commenced, up to a maximum of 24 months after the date of the offence. The current legislation allows only 12 months in England, Wales and Scotland.

Taken together, I believe that those two additional anti-fraud steps will improve the security of postal voting and create a more confident environment for the pilots to succeed in the region or regions eventually selected. In the longer term, if those measures are shown to be helpful, we would look to apply them more widely. In addition, other security measures not requiring primary legislation, such as watermarked ballot papers, may be employed for next year's pilots where necessary.

Members from both sides of the House are agreed on the need to reverse the decline in participation in the political process and to ensure that people's experience of politics and their interaction with Government institutions remains relevant to modern lifestyles. Each one of us here has a personal as well as a wider interest in ensuring democratic legitimacy. Since 2000, the Government, with partners including local authorities and the Electoral Commission, have promoted a successful programme of piloting innovative voting schemes. Those have offered ways of voting that are more in step with the way that people today live their lives, and in many cases have raised the percentage of people voting at elections, which is surely vital if those holding elected office and democratic institutions themselves are to hold and retain public confidence.

While increasing civic engagement is about more than offering updated ways of voting, that is one crucial part of it. The European Parliamentary and Local Elections (Pilots) Bill is simply intended to allow the electoral pilots programme to continue next year and to scale up its size to bring closer the day when new ways of voting will become available to all of the electorate. That is in all our interests, and I commend the Bill to the House.

1.15 pm

Mr. William Cash (Stone): The Minister's claims that the Government want to improve our democratic system and improve faith in the political process are indicated by the presentation of this Bill, which is a symbol of the present crisis of confidence in the democratic process in this country, which has been created and worsened by this Government.

With serious reservations, one could say that considerable advantage is to be gained from more postal voting in particular, provided that the system is rigorously monitored and that opportunities for fraud and undue influence are eliminated. There are two main questions to be addressed. First, why is the turnout in elections, and particularly in European elections, so dangerously low? In the last general election, in 2001, the turnout was a mere a 59.4 per cent. averaged across the country. That represented a massive 12 per cent. fall from 1997, when this Government came to power. Between 1955 and 1997, the turnout was consistently above 70 per cent. In the last European elections in 1999, again under this Government, the turnout across the country was a mere 23 per cent. compared with 36 per cent. in 1994.

The Opposition believe that the decline in turnout for the European elections is partly because of the introduction of party lists under the European Parliamentary Elections Act 1999, which abolished first-past-the-post. It is also because of the centralising, remote and bureaucratic process of further and deeper European integration, now culminating in the disastrous European constitution, which has been agreed to in principle by this Government. That constitution will further undermine the trust and respect in the political system and a referendum on it is now

[Mr. William Cash]

essential. Indeed, the shadow Foreign Secretary and I went to No. 10 Downing street this morning to demand a referendum from the Prime Minister.

Mr. Speaker: Order. I remind the hon. Gentleman that this Bill is about elections, not referendums, and certainly not about the matters that he is currently discussing.

Mr. Cash: I will of course accept your injunction, Mr. Speaker. I will also simply say, however, that voting is about elections and referendums, but I take your point up to the limit that I can.

Mr. Russell Brown (Dumfries) *rose—*

Mr. Cash: Having said that, first-past-the-post should be introduced for European elections. Indeed, you may be interested to know, Mr. Speaker, that only last year the European Scrutiny Committee, chaired by the indomitable hon. Member for Clydesdale (Mr. Hood), urged the House to reintroduce first-past-the-post for European elections. First-past-the-post is the only system that maintains the immediate link between a representative and his constituency. That is particularly important when we have enormous European regions of up to 6 million voters. Why do the Government not amend the Bill to ensure that first-past-the-post applies?

There is evidence that postal voting can increase voter turnout. For example, in the local elections in Chorley in Lancashire, all-postal ballots increased turnout from 31 per cent. in 1998 to 61 per cent. in 2002—turnout nearly doubled. The same applied in Stevenage. When postal voting was used in Greenwich, however, the turnout dropped by 0.4 per cent. between the same two local elections. In Hackney, the turnout dropped by 3 per cent., so the results were bizarre and mixed. However, the fact that postal voting has been so beneficial in the areas in which it has worked is encouraging, providing we know that the system operates properly and without fraud. The doubling of turnout is beneficial but we must ask why there are such curious and bizarre results in different parts of the country.

Before I talk about fraud and arrangements for adapting the offence of personation under clause 6, I must refer to a remarkable inquiry on election fraud in Birmingham. It reported last November and its findings include important lessons. There was deep concern in Birmingham about the way in which postal voting, personation and intimidation at polling stations had emerged. Birmingham is the heartland of modern democracy in many ways because in the 19th century it was represented by John Bright, the archetypal democrat. His campaign for democracy culminated in its acceptance by the Conservative Government under Disraeli in the Reform Act 1867.

John Alden, a Conservative city councillor, led the investigation in Birmingham. Hon. Members should bear it in mind that Birmingham is a Labour council. The council was determined to get to the bottom of the matter, so it appointed a distinguished Conservative city councillor to lead the investigation. *The Birmingham Post* quoted John Alden as saying that until he completed his investigation, he had not realised how serious the perversion of democracy had become. He said that matters had become so bad that we needed to apply the rules that exist in Northern Ireland to voting arrangements and postal voting. However, the Bill will not extend to Northern Ireland, so the threshold of the law will be set at a lower level in England, Scotland and Wales than in Northern Ireland.

Councillor Alden urged the council to insist on changes to the outdated electoral law. A senior police officer told a committee that existing election law, which was based on trust and the Representation of the People Act 1983—the Act to which the Minister referred—was insufficient to bring prosecutions against offenders. Of course, we bear it in mind that clause 6 will apply the provisions of the 1983 Act on the law of personation without amendment. Detective Chief Superintendent Dave Churchill, the head of the West Midlands police major fraud unit, said that the postal voting system had few major checks or controls to ensure that the true identity of the voter was known, and added that the 1983 Act inadequately coped with the misuse of postal votes and personation.

Rob Marris: I put it to the hon. Gentleman that the 1983 Act is not always hopeless in the west midlands. An individual was convicted and, I think, jailed for personation in the constituency next to mine in Wolverhampton. That individual was a Conservative councillor.

Mr. Cash: I am always extremely interested in any objective information of that kind but I am making a more general point about how the Government have reacted to personation in recent inquiries and, especially, the inquiry by the Select Committee on Home Affairs on personation and electoral fraud.

There is an even deeper problem: low turnout is a reflection of a cynical view of politics and politicians and a lack of respect for the political system. The Government stand condemned for bringing our democratic system of government and trust in the people into such grave decline that it is well said that no one believes a word that the Prime Minister says. Indeed, the fact that he has refused to grant a referendum on the European constitution to which he has agreed in principle is yet another indication of the contempt that he has for the British people. Whatever the merits of trying to increase turnout using postal voting, which I have said should be encouraged along with proper safeguards and changes to the law, that of itself will not remedy the crisis that faces the British electoral system or the lack of faith and trust to which I referred and to which the Minister referred in his opening remarks. I appreciate that he understands that there is a serious problem.

Mr. Russell Brown: I thank the hon. Gentleman for giving way because he has returned to a point on which I wanted to intervene earlier. He talks about the UK situation but surely, as an intelligent hon. Gentleman, he realises that falling turnout is not only a UK or European problem, but a worldwide problem that must

be addressed. He is critical of the fact that the general public are sceptical of politicians but the public throughout the globe are sceptical of politicians.

Mr. Cash: There is truth in what the hon. Gentleman says but we need to improve the situation. My observations, comments and the evidence that I have adduced show that the Government are not dealing with the problem properly at a deeper level in the way in which they should.

Mr. Kevan Jones (North Durham): If the hon. Gentleman is suggesting that cynicism is keeping people away from the ballot boxes, how does he explain the fact that wherever postal voting pilots have been held, turnout has increased and, in most cases, doubled? In the Chester North ward council by-election that was held using postal voting in my constituency two weeks ago, the turnout was 64 per cent.

Mr. Cash: I can only say that that must prove the hon. Gentleman's enormous influence in his constituency. Having said that, I am bound to point out that although the average turnout in the past general election was 59.4 per cent., the turnout in my constituency was 67 per cent. There is a relationship between the activities of local Members and the outcome of a given election.

Mr. Bercow: Surely an ignorance of the functions of the European Parliament explains, at least in part, people's reluctance to participate in European elections. Would my hon. Friend care to speculate on the proportion of the electorate who could adequately describe the European Parliament's remit? Does he agree that on the whole, whether fairly or unfairly, most voters regard the European Parliament at best as an irrelevance and at worst as a pestilential nuisance?

Mr. Cash: There is no doubt that that view is frequently held and I understand why. However, the fact remains that the incredibly low turnout in European Parliament elections is more a reflection of what people think than of what my hon. Friend, other hon. Members or I might think. The important thing is the way in which people react to what they see in the political arena. The average turnout in the last European elections was 23 per cent., but I think that it was only 9 per cent. in one constituency. My hon. Friend's comment is a reflection of not only what some hon. Members think but what the people think, which is the key point.

Whatever the merits of trying to achieve increased turnout, we must still address the crisis that faces the British electoral system. Conservative Members do not believe that e-voting should be piloted throughout an entire region because the jury is still out on its reliability and security. To be positive about aspects of the Bill, let us consider the differences between all-postal areas and others in the last few elections. The average turnout in all-postal areas was 48 per cent. in 2002, 15 per cent. higher than the average 33 per cent. turnout across England. Average all-postal turnout in the 2003 pilots was 49 per cent. compared to 35 per cent. across England as a whole. There are clear advantages if the system is run properly.

The Electoral Commission recommends that all-postal voting becomes the norm for local elections, subject to legislation to tighten fraud. It maintains that there should be a statutory presumption that all local elections be run as all-postal ballots unless there are compelling reasons why an all-postal ballot would be inappropriate or disadvantageous for a group or groups of electors. Given that all-postal ballots clearly increase turnout, the Conservatives are not necessarily opposed to their more frequent use in elections. However, practical considerations have to be addressed. Against the background of what I am about to say, I invite the House to think seriously about the Birmingham examples, which are hard, factual and raise difficult questions.

There are concerns about ballot security. Checks and investigations into previous postal voting have been piecemeal and inadequate. What reliable evidence there is suggests that the scope for abuse is wider than the Government might care to admit. I have dealt with improved anti-fraud measures. There is also the problem of voter confidentiality. Concerns have been raised about compromising voter secrecy in all-postal pilots. There was a serious problem with the declaration of identity in all-postal schemes. It was attached to the ballot paper and only detached at the count. It would be better to retain the traditional method of placing the ballot paper in a sealed envelope, separate from the declaration of identity. That would help to reassure voters that their ballot would remain confidential during the delivery, handling and counting processes. Those are practical considerations that have little to do with party politics. It is a matter of getting the system as good as it can be.

There should also be more delivery points. Given that the Bill will impose all-postal pilots on local authorities that may not wish to participate, it is important that there are delivery points in each local government ward to allow electors to drop off their ballot envelope by hand to a nearby secure location. Indeed, in light of strike action by Post Office workers in parts of the country, as mentioned by hon. Members, there are genuine concerns about the reliability of the postal service in an all-postal election. Moreover, the postal system has become even more unreliable under this Government. An average of 1,500 items of mail are lost every week across every parliamentary constituency according to Postwatch on 31 January 2001.

A delivery point in each local ward established by the local authority would act as a measure of last resort in the event of industrial action. It would also reassure voters who did not trust the postal service, so increasing turnout. Large rural areas may need to have more than one delivery point per ward. Greater clarification would be needed for voters of their opening times so that the points could be used up to the close of poll.

Proper central funding is needed. Although the Government have promised to fund the cost of the pilot schemes, we want a firmer guarantee in the Bill that all extra costs will be met by central Government. One crucial reason why council tax bills have soared by 60 per cent. on band D bills since 1997 under this Government is the succession of underfunded burdens and regulations that Whitehall has passed on.

[Mr. Cash]

Accessibility for the elderly and the disabled also needs to be considered. Although all-postal voting can facilitate voting for those who are less mobile, it is important that pilot schemes recognise the special needs of those with more severe disabilities or impairments. That should include accessible copies of the ballot paper or envelope and of voter information.

There is also the issue of updated marked-up registers. During the pilot schemes, some local authorities provided marked registers at various stages before the final deadline for the return of ballot papers. That helped to increase turnout by allowing local political parties to remind those who had not yet voted of the election. Those who had voted were spared being bothered by political parties. We want that practical, simple and useful practice established in law. Without a statutory obligation, some local authorities will go slow and fail to provide the information. Political parties are facing problems with rolling registration, with some council electoral registration departments failing to provide updated electoral registers on time.

Angus Robertson: I take on board the hon. Gentleman's point about an updated marked-up register, but does he agree that the problem is more fundamental in that there needs to be a marked-up register in the first place? Does he agree that it is disappointing that the Minister said that the issue is going to be "considered separately"? Surely it should be considered now because there should be a marked-up register in those regions with pilot projects.

Mr. Cash: I have great respect for what the hon. Gentleman says on many things, although I do not agree with him politically. I agree with what he proposes and it will have to be pursued in Committee.

Chris Grayling: The Minister said that there will be a uniform approach to voting across regions, but does my hon. Friend accept that local authorities in some areas that have adopted one of the new means of voting, such as all-postal ballots, may have to change their systems back again if their region is not deemed eligible for an entirely postal-based experiment? The impact of the measures could be increased as a result.

Mr. Cash: My hon. Friend also makes a valuable point. I hope the Minister takes it on board the fact that we are making a serious and useful contribution.

E-voting in the 2004 elections could entail remote voting by telephone, text messaging, SMS, digital TV and internet. As the region adopting e-voting will also be an all-postal system, voting electronically in a polling station will not be relevant. We are not convinced of the merits of conducting an e-voting pilot across a whole region as opposed to holding e-pilots in local authorities that have volunteered. The Government have a target to offer e-voting at the general election after next—2009–10—but if e-voting is rushed and bungled in the 2004 elections, the method will lose credibility and create a Florida-style "hanging chad" system, resulting in a debacle in the High Court. We have to be careful because we do not want that situation to arise in the UK.

Electronic voting has not had a significant effect on turnout in past schemes. The Electoral Commission's evaluation of the 2002 pilots noted that the findings suggest that the advent of new technology did not inspire the electorate to vote in significantly greater numbers than would otherwise have been the case and that there is no strong pattern of improved turnout. The Electoral Reform Society observed that it merely increased the convenience of voting rather than making people more likely to vote.

On security concerns, we believe that more local trials are necessary before the widespread adoption of e-voting. Dr. Ben Fairweather, a research fellow at De Montfort university's centre for computing and social responsibility, and the Foundation for Information Policy Research have carried out useful research. The Government will know of it and I hope that they are taking on board their useful and objective advice.

The ERS said that e-voting does not raise turnout in any significant way. The Local Government Association said that it had concerns about e-voting on a regional basis, particularly in the short space of time between now and the next elections. Similarly, an IT journalist, Bill Thompson, said that it was not possible to design an e-voting system that could be guaranteed secure against a concerted and well-funded attack. That is serious stuff from people who understand the nature of these modern systems.

The problem that we face is not confined to the issues that I have raised, as there are also difficulties relating to Scotland and Wales, which I shall summarise. There are significant reasons for opposing an all-postal ballot in Scotland. In particular, there are many rural and island communities there, and we are concerned that it is simply not practical for an individual to deliver a last-minute postal ballot to the returning officer. To ensure that that does not happen, in many areas receptacles for last-minute votes would have to be in the same places as polling stations to ensure equality of opportunity for last-minute voters, which would greatly increase the costs of an all-postal ballot for Scotland. Indeed, in previous all-postal ballots, a marked register has not always been available, and the democratic legitimacy of an election is undermined if political parties do not have the opportunity to view the full marked register after the election. Likewise, to ensure transparency for the electorate, political parties are allowed to monitor turnout throughout polling day. It therefore follows that all political parties should be furnished with a daily marked register from the first returns of postal ballots until 10 June if they so request.

Sir Robert Smith: As someone who has participated in elections, I understand how useful it is to encourage people to vote. However, how will our constituents feel about certain information being available to participants in an election? They may wish to abstain, but there is scope for someone to come round and badger them to vote. The hon. Gentleman was worried about the fairness of a postal election. If people make a conscious choice not to participate in an election, that will be in the public domain for a full four weeks.

Mr. Cash: The hon. Gentleman may recall that I specifically referred to the problems that I anticipate with regard to undue influence. The fact is that unless

the Bill is amended to deal with such questions, there will be problems. Assuming that the Bill completes its Second Reading, the Committee and Report stages will be particularly important because serious questions pertaining to the hon. Gentleman's concerns will arise.

There are problems in rural areas in Wales. Given concerns about postal services, postal votes may not be received or sent in time. Indeed, people in Wales have voiced similar concerns about personation, and adjustments to the electoral laws are required. The bottom line is that there is a serious problem in the way in which this country's democratic system operates. It is not merely a question of increasing postal votes, important as that is if it is done properly. The way in which we conduct our business in the House is also affected—that is a much bigger question to which we must all pay attention. As the Conservative spokesman on constitutional affairs, I assure the House that Conservatives, and myself in particular, are giving a lot of attention to those questions. It is no good our talking to our constituents or making speeches about the desirability of increasing turnout if we do not address the problems inherent in the way in which we conduct our business in the House. Notwithstanding my determination not to strain the limits of debate to cover the European issue, that, too, is a serious problem. The Prime Minister's refusal to hold a referendum on the European constitution demonstrates the need to take the measure seriously. I shall await the outcome of this afternoon's speeches before a decision is made about what we will do about the Bill. It does have some merits, but the question has yet to be weighed in the balance.

1.45 pm

Joyce Quin (Gateshead, East and Washington, West): Unlike the hon. Member for Stone (Mr. Cash), I will not be tempted to say anything about the EU constitution. I should like to begin by welcoming the Bill and putting my cards on the table by urging the Minister, on the basis of our beneficial experience of postal voting in the north-east of England, to include the north-east in the pilot regions for an all-postal ballot in the elections.

To support that, I simply refer to the marked increase in turnout in my constituency, which includes parts of Gateshead and the City of Sunderland local government areas. For example, turnout increased in the Leam ward in the Gateshead part of my constituency from 21 per cent. in 2000 to 53 per cent. in 2002. In the Felling ward, it increased from 24 per cent. in 2000 to 53 per cent. in 2003. Last year, the City of Sunderland had an all-postal ballot, and the turnout in one of my wards there went up from 17.51 per cent. to 42.77 per cent., and in the other from 18.73 per cent. to 42.66 per cent. That shows a spectacularly successful increase in turnout. I have deliberately chosen as examples wards with no new political or local controversy that might have explained a sudden increase in turnout. None of the wards that I have mentioned could in any sense be described as marginal, so the only explanation for the marked increase in turnout was the switch to postal voting.

Some areas of Gateshead borough have had all-postal elections for three years running. My hon. Friend the Member for Stroud (Mr. Drew) made the point that once people get used to that kind of voting it will in practice be difficult to turn the clock back. I should like to tell the Minister that if my area is not one of the pilot areas there will be huge disappointment among voters who, for a period of more than three years, have grown used to all-postal voting and believe that it suits them. They would be disappointed to go back to a method of voting that they consider old-fashioned. Indeed, many aspects of our voting system are old-fashioned. For a long time, polling day has traditionally been Thursday, but I am not at all convinced that that fits in with people's lifestyles today.

People in Gateshead who welcome the postal system have repeatedly told me on the doorstep that it fits in with their lifestyle much better than the traditional polling on a Thursday. In a typical household, there may be two working partners, perhaps with different work patterns, who are unable to spend much time together. When they come home in the evening they will be tired after a day's work. If the weather is inclement and if they do not live in a marginal area, they may not feel a burning desire to vote in person, given all those constraints. However, they find the postal system, in which they can vote over a period of time, much more voter and democracy-friendly.

Mr. Peter Duncan: I am following the right hon. Lady's argument carefully, but surely it is an argument for optional postal voting, not for compulsion and not for all-postal ballots. Although I remain to be convinced, it may well be that people will only vote if they are presented with a postal ballot paper, but they can still apply for that, as they could in the past.

Joyce Quin: Of course, it is true that people can apply for a postal vote. Sometimes they do not apply, perhaps because they have not got round to doing so. People told me on the doorstep that they very much appreciate the new system. They feel it works well. It means that the postal vote is delivered to them automatically and they find that it fits in with their lifestyle.

The increase in turnout has been particularly gratifying in the north-east, which traditionally, sadly, has been a low-turnout area, on average turning out some 5 per cent. less than the national average. Seeing the increase has heartened many of us. In a telling intervention, my hon. Friend the Member for North Durham (Mr. Jones) referred to the results in his area. What I am reporting from my local authorities in Gateshead and Sunderland is true of many other parts of the north-east.

I draw to the Minister's attention the fact that in 2003, of the 39 authorities that piloted all-postal voting, no fewer than 13 were in the north-east of England. That was the highest number in any region, and it was the only region in which a majority of the voters involved voted by post. Again, that shows that the north-east would be a suitable region to show the success of a pilot in the coming elections.

I note from the Electoral Commission's report that all-postal voting pilots seem to have been more successful than the other pilots, but I welcome the Government's continued willingness to innovate and find new ways of attracting people to vote. In some ways, it seems ironic that we are worried about turnout. Most television programmes that one sees these days seem to involve polls of one kind or another, with people being urged to vote and a large number of them taking

[Joyce Quin]

part in such votes. The Government are right to analyse such experiences and find ways of increasing turnout. On the evidence so far, the all-postal system seems to have most attracted voters. For that reason, I strongly believe that we should build on it.

I recognise the concerns that hon. Members on both sides of the House have expressed about fraud. However, I welcome the fact that the Bill tightens up procedures, and I welcome clause 6. As the explanatory notes state,

"this clause is included in order to address security concerns surrounding innovative voting methods in general."

I am glad that the Government are responding to those concerns. On the basis of the experience in my local area, I can say that there have not been problems of fraud. I am glad the systems that we have used have been given a clean bill of health.

In conclusion, I would like all elections from now on to become routinely all-postal. I am sorry that it looks as though it will not be possible to conduct the next general election in that way, but in the meantime I am happy to support the Bill, and the Minister's words in moving it.

1.54 pm

Mr. David Heath (Somerton and Frome): It is a pleasure to follow the right hon. Member for Gateshead, East and Washington, West (Joyce Quin). I listened carefully to her remarks. It is also a pleasure to spend two consecutive days dealing with Department for Constitutional Affairs legislation, which is always a joy. I was worried that yesterday we would be beset by lawyers, and that today it might be the turn of the psephological anoraks among hon. Members, but obviously that is not the case. The debate is already proving to be interesting and useful.

I understand the Government's wish to pursue innovation in our electoral practice in order to increase turnout. It should concern everybody in this country, not just politicians, if our democracy is allowed to be eroded by low participation rates. If there are simple ways—I suspect that none of the answers is simple—in which we can improve voter participation, we should implement them.

I was interested to see in my constituency that in last year's district council elections, one of the district councils, South Somerset, had a trial for postal voting and e-ballots. Comparing and contrasting what happened in South Somerset with what happened in Mendip, the other part of my constituency, was of great interest. Anecdotally, on the basis of the experience of my constituency, there appeared to be a marginally increased turnout in South Somerset with the postal ballot, which corroborates the views of the right hon. Lady about her area.

By far the biggest contribution that we can make to higher voter participation is to give people the feeling that their votes count, and that they are voting in a real contest in which there is a likelihood of somebody winning and somebody losing by a reasonably small margin. Again, I have experience of that in my constituency. I fought a tight election last time. My majority was 130 in the 1997 election, which happily quintupled at the last general election to 668. One of the factors involved was that we had one of the top turnout levels in the country—we were in the top 10, because every voter in my election knew that their vote counted.

Mr. Paul Tyler (North Cornwall): My hon. Friend, I and my hon. Friend the Member for Winchester (Mr. Oaten) can demonstrate why it is so important that we should identify the relationship between the impact of a vote and turnout, rather than some of the tinkering measures in the Bill. For example, in 1974 the perceptive voters of Bodmin knew that the election would be close. I ended up with a majority of nine and the turnout was 83 per cent. In 2001, unfortunately from that point of view, my majority rose to almost 10,000 and the turnout was reduced to 63 per cent. My hon. Friend the Member for Winchester demonstrates even more dramatically the importance of a close result. In the preceding general election he had a majority of only two, but could claim a rather larger majority in the subsequent contest.

Mr. Heath: I am grateful to my hon. Friend. It looks as though I have assembled colleagues in order to illustrate a point, whereas that was not by prior arrangement.

I repeat that making votes count and having a real issue to vote on is the best predictor of voter behaviour. One of the problems with local authority elections is, sadly, that people do not feel that changing the council will make any difference to the vast majority of council services, because so much control is exercised at national level, including the determination of the level of the council tax, which people probably have at the forefront of their minds when deciding which way to vote in local elections.

Mr. Kevan Jones: The evidence from the pilots that have taken place in the north-east runs completely contrary to what the hon. Gentleman suggests. In Chester-le-Street, which had a pilot this year, turnout went up, on average, from 29 per cent. to 50 per cent. It is a Liberal Democrat-free zone, and some wards are far from marginal, but people still turned out to vote.

Mr. Heath: As I said, the pilots have had a marginally beneficial effect; but if the hon. Gentleman believes that bringing turnout up to 50 per cent. is a triumph for democracy, I have to disagree.

Mr. Jones: It is.

Mr. Heath: I am not convinced. The hon. Gentleman has brought it up to slightly below the national average: well done. We should aspire to higher than that.

Local government elections often do not attract high turnouts because people do not feel that their vote makes a real difference to the way that they live. That is doubly the case in European parliamentary elections, where people find it difficult to connect their voting to what happens in the European Parliament or the effect that it may have on their lives. That is partly a result of the absurd closed list system that the Government brought in, against our advice.

Although I am well disposed to the view that it is important to experiment, I am not that well disposed to the Bill—in fact, I have deep reservations about it. As

the Minister will know, prior to its introduction some debate took place about the moving of the local authority election date to coincide with that of elections to the European Parliament. All those who took part in that debate understood that it was not in anybody's interest to synchronise the local elections with a full-scale pilot of a novel form of voting for the European elections. Clearly, the Government have changed their mind. They are entitled to do so, and to introduce legislation as a result, but we are at least entitled to ask why.

Principled arguments are important here. The Government propose pilot schemes within the context of a national—indeed, international—election. That is very different from electing an entire local authority on a new voting system. People in different parts of the United Kingdom will be elected on different voting systems. The counter-argument is that that already happens in Northern Ireland. That is a valid point: Northern Ireland uses the single transferable vote system, while the rest of the country does not yet have that benefit. Even so, I find it difficult to accept that some parts of England will have one voting system, while other parts have another, for the same election for membership of the same Parliament.

Angus Robertson: What about Scotland and Wales?

Mr. Heath: Scotland is a single region for the purpose of the European Parliament elections, as is Wales. That being the case, there is no such separation within Scotland and Wales; that is why I did not use them as an illustration.

Angus Robertson: If, in their infinite wisdom, the Government decide that pilots should take place in Scotland and Wales, there will not be different electoral systems in England.

Mr. Heath: That is precisely why I phrased my comments to exclude Scotland and Wales. The hon. Gentleman is making my point for me.

A fundamental objection to having two different systems for the same election arises in terms not only of the outcome, but of the campaign. Unless the parties entirely change their views on how they fight such elections, we are talking about national campaigning. Therefore, people in different parts of the country will vote at different points in the campaign—those who are in a postal ballot region will vote before its completion.

Mr. Kevan Jones: Will the hon. Gentleman give way?

Mr. Heath: The hon. Gentleman is very persistent. I am happy to take another intervention from him, but I do not want to turn it into a dialogue.

Mr. Jones: Perish the thought. Is it not the case that if one applies for a postal vote now, one votes at a different time from someone who votes on election day?

Mr. Heath: But that is not the general case: it is for a specific reason of incapacity or absence. [HON. MEMBERS: "No."] I accept the hon. Gentleman's point.

The closed list system is problematic. Liberal Democrat Members have long argued that if we are to have a list system, it should at least be an open list. A closed list closes down the options of individual electors, who effectively vote on a party ticket, as parties have complete control over who their candidates will be and in which order they will be elected. That exacerbates, not ameliorates, the problem.

Practical issues are involved, too. We have already had a brief discussion about security of delivery during which the subject of houses in multiple occupation was raised. I was recently involved in campaigning in north-west London, where there were many houses in multiple occupation, some of which had a single letterbox. That means that an unscrupulous individual could scoop up any number of ballot forms and use them for nefarious purposes. It is extremely important to have a better method of verification for the postal ballot. We cannot be complacent. Judging by his earlier comments, the Minister seems to have a faith-based system whereby because he believes that the situation is all right, it is. I do not accept that. Much better safeguards are required for verification of identity—an authorised signature, for example. I accept what the hon. Member for Stone (Mr. Cash) said about maintaining the secrecy of the ballot, but the two things are not incompatible.

Mr. Tom Harris (Glasgow, Cathcart): I understand the hon. Gentleman's reservations about the postal voting system and the need for security measures. Why, therefore, cannot he bring himself to agree with the Government's proposal of a pilot scheme in order to find out what the pitfalls may be?

Mr. Heath: Pilot schemes for local elections are beneficial because they involve the whole electorate for the given local authority area, not just part of the electorate on an experimental basis. That is not the right way to do it.

Mr. Leslie: Does the hon. Gentleman accept that if we are eventually to move to nationwide new and innovative voting channels—which he may believe to be worth while—we need gradually to scale up the piloting, testing and trialling of those techniques? If he accepts that that is the best way in which to proceed, how on earth are we supposed to do so without piloting at a regional level?

Mr. Heath: There are several ways, and the Minister restricts his approach unnecessarily. For example, it would be possible to hold the entire municipal elections for a year on the basis of a postal ballot. That would provide experience of a nationwide ballot in an election other than a general election. *[Interruption.]* The hon. Member for Glasgow, Pollok (Mr. Davidson) says from a sedentary position that that is not a ballot.

Mr. Davidson: I said that it would not be a pilot.

Mr. Heath: I am sorry that I misheard him, but of course it is a pilot if it does not apply to a general election but is conducted on a sufficiently wide scale to satisfy those who need to consider the matter. The Bill describes precisely that process when it refers to three regions of the United Kingdom holding a national election. I have suggested a more satisfactory approach.

[Mr. Heath]

We need a better system of verification. There is also a case for a receipt system for postal ballots to advise those who have voted that their vote has reached the returning officer. If those people know that they have not voted, they have the opportunity to make an early application for investigation. A receipt system is a way round the problem.

My hon. Friend the Member for Sheffield, Hallam (Mr. Allan) said that we needed some sort of sustainable audit of the e-vote system. Clearly, that is a deficiency in the American system, to which several hon. Members referred. There are even more deficiencies in the Tallahassee method but I would be worried if a form of audit could not be established.

We also need a system that allows for a recount. There is currently no effective method for that and I shall revert to the subject shortly. I agree with hon. Members who said that we need a marked register that is statutorily available on a clear basis so that political parties know what is happening.

I do not discount the comments of the right hon. Member for Gateshead, East and Washington, West about experience in her constituency. However, there are many instances of malpractice or alleged malpractice, albeit minor. All parties throughout the country have made complaints.

Mr. Peter Pike (Burnley): Does the hon. Gentleman agree that the majority of disputes about votes cast in elections have involved postal and proxy votes and that we must be sure that a vote is cast in the way in which the relevant person wishes?

Mr. Heath: I agree. The hon. Gentleman knows from his constituency that there are all sorts of dangers in allowing malpractice to continue unabated or to remain possible in future. We must make the systems as watertight as possible. I make that point notwithstanding the Electoral Commission's comments. It said that there had been complaints of irregularities but that they had not distorted the outcome of elections. That may be correct, but they undoubtedly compromise the integrity of the electoral system and we should be aware of that.

It could be argued that the massive electorates for European elections mean that the distortions are less likely to have an effect. However, not every result is so clear cut. In the previous European parliamentary elections in the north-west region, the difference between ninth and 10th place was decided by 2,500 votes in an electorate of 5.5 million. That was therefore a close race, and similar to the result for the fourth and final seat in the north-east region. Under the current system, there is no recourse to a recount at constituency or borough level. If our system is to have integrity, we must introduce such provision.

Earlier, I referred to the difficulties with postal delivery and delay. The hon. Member for Stone spoke about the volume of misdirected mail. I tested the Minister on Stockport, which he treated with some levity, as though he could not be expected to know what was happening there. He should know what has happened in pilot areas. In Stockport, clear evidence showed that a postal delivery strike meant that some electors—probably hundreds—were disfranchised. That is unacceptable. The Government have introduced new proposals to deal with personation, but increasing the penalty will not deal with the basic problem of the capacity for personation that the postal vote system introduces and is less obvious, although it exists, in direct voting systems.

Let us consider the regions that are to be chosen. The Minister explained that London is discounted because of the mayoral elections. We have been told that Northern Ireland is discounted because of the different voting system there. However, the ground for discounting the region that we assume is the south-west and will include Gibraltar is less firm. I do not fully understand why Gibraltar is a barring factor. The hon. Member for Stroud (Mr. Drew) has said that the population of Gibraltar is slightly smaller than the town of Stroud, which he so ably represents. I strongly supported giving the franchise to the people of Gibraltar, but I do not understand why they cannot use a postal vote as well as anybody else in the United Kingdom.

Once the regions that I mentioned are removed, few are left from which to choose three. I have a practical worry. It would be unwise to use as a pilot one of the regions that has a high preponderance of local authority elections on the same day. Wales holds elections for 100 per cent. of local authorities on that day. In the north-west of England, 76.7 per cent. of the electorate will have local authority elections. Most of the large metropolitan areas of the north-west—33 councils—hold elections on that day. It is asking for trouble to use the north-west as a pilot with that scale of overlap of different elections and electoral systems.

Mr. Russell Brown: I am delighted to hear the hon. Gentleman's comments. Given that no other elections will take place in Scotland on that day, does he agree that Scotland is the ideal place to conduct one of the trials?

Mr. Heath: There has been persistent knocking on the Minister's door to designate Scotland one of the trial areas. As I am arguing against a pilot, it would be difficult for me to say that Scotland should hold the trial. That is a matter for the Minister. I simply say that if there are to be pilots, they should not take place in the most complicated regions.

I echo the point of the hon. Member for Stone about those who are disfranchised by disability. The Bill is the perfect vehicle for dealing with that long-standing problem. I speak partly as the chairman of the all-party group on eye health and I have worked closely with the Royal National Institute of the Blind for some time. I want the Minister to take the matter seriously, and we shall table amendments in Committee on it.

Mr. Leslie *rose—*

Mr. Heath: I shall give way to the Minister in the hope that he will give me good news.

Mr. Leslie: I am glad that the hon. Gentleman and the hon. Member for Stone (Mr. Cash) mentioned a matter to which I did not refer earlier. The Disability Rights Commission and the RNIB made a joint submission. Although they generally recognise the extra flexibility that an opportunity for postal votes in all elections gives people with disabilities, we clearly need to elaborate on matters such as requesting assistance from returning officers to help in a secret ballot process. I shall be happy to expand on that in Committee.

Mr. Heath: I think that we have made some progress there, and I am grateful to the Minister for that. This is obviously something that we can debate in Committee.

The timing of the Bill is very suspect, coming, as it does, so late in the Session. It also has a spill-over provision, which we debated earlier. Why on earth we should need simultaneously to have a spill-over provision and a timetable, I do not know. The two seem to be mutually incompatible. We are worried that, even with the best will in the world, by the time the Bill receives Royal Assent, there will be insufficient time for the necessary training for the pilots, especially if we are talking about the very large regions that have a large number of local authorities.

I do not entirely understand why, if the Government were minded to introduce these measures, they could not have been included in the European Parliamentary Elections Bill, which we have already considered in this Session. At that time, the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), who was sitting on the Front Bench earlier, spent many happy hours debating with us matters relating to the European elections, without once touching on the issues before us today. Now, suddenly, we have a Bill that must be rushed through at the last minute in order to be put into effect by the time of the European parliamentary elections.

For all those reasons, and for the reasons I have ventilated in terms of the inappropriateness of partial pilot schemes within a single electorate, and because of the practical difficulties that still need to be overcome, my advice to my right hon. and hon. Friends will be to oppose the Bill this evening. If we are unsuccessful in that, we shall try to amend it in Committee to make it a better Bill.

2.21 pm

John Robertson (Glasgow, Anniesland): In recent years, Members on both sides of the House, along with countless other people in public life, have rightly complained about the low turnouts in elections. The great virtue of the Bill is that it shows that the Government are willing to extend specific practical and innovative solutions on a large scale. There is no doubt that low turnout must be tackled. In the last general election, turnout was at its lowest since 1918, and in the last European elections, fewer than one in four voters went out to the polling stations. Even more worryingly, low turnouts are noticeably concentrated in the poorest socio-economic groups and in certain geographical areas.

My hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) suggested earlier that first-past-the-post and proportional representation should be trialled in different areas. I would also strongly recommend that to my hon. Friend the Minister. Perhaps one of the best first-past-the-post areas in which to hold a trial would be Scotland. Building on other comments that have been made today, I particularly want to consider the piloting of new voting procedures.

As the Bill is premised on the need to increase turnout, it follows that there should be two criteria for choosing the location of the pilots. First, they should be in areas where the turnout is low and the potential for an increase in turnout is greatest. Secondly, as with any scientific experiment, the variables must be kept to a minimum. Scotland satisfies both criteria. In my own constituency of Glasgow, Anniesland, the turnout in the Scottish Parliament elections in May was 45 per cent., down 5 per cent. on the general election in 2001. Postal votes, however, were returned at a rate of 72 per cent. Nearly 2,500 votes were cast by that method.

Those 2,500 people might not otherwise have voted—not out of laziness or even because of any disillusion with politics. Many have pressurised jobs and have substantial family commitments. Many others are among the socially excluded. The provision of postal votes therefore gives a voice to those who have difficulty in participating in something that we all take for granted—the exercise of their democratic rights. There are about 18,000 over-60s in my constituency who vote, and many of them have great difficulty in getting to the polling stations, especially as my constituency is somewhat hilly, and some of the schools and halls that are used for voting have difficulty in arranging disabled access. We worked very hard to get postal votes for those people and we had a great deal of success. If only the rest of the population had voted at a rate of 72 per cent. Scotland, therefore, has enormous potential for an increase in turnout, and this is proven by the track record of my constituency and others.

There is another factor that must be taken into account. Any psephologist will tell us that a person's decision whether to vote or to stay at home is affected by a whole range of issues. A change in turnout could be affected as much by local matters as by the introduction of different voting methods. In Scotland, there are now four different voting methods. To hold a pilot scheme in an area where two different elections are taking place on the same day would complicate matters further. Not only that, but the European and local elections will be taking place under different voting systems. The multiplicity of variables in the elections in England and Wales next June will, therefore, make any scientific assessment of the impact of new voting methods much more difficult. In Scotland, however, there will be one election under one voting system. It therefore provides the perfect testing ground for the pilot schemes to which the Bill refers. May I also suggest that it would, perhaps, be of benefit to trial the same pilot scheme for the next general election and compare first-past-the-post and PR on postal ballots?

The importance of security, especially locally, has been mentioned by several hon. Members, in the context of the availability of an electronically marked register. I would suggest to my hon. Friend the Minister that such a register should be put in place. It should be one that all the parties, and anyone else who wished to do so, could check on a daily basis, and one that could be updated daily. That would allow all the parties to know what the

[John Robertson]

turnout was like, and anyone who felt that there was any misuse of the register would be able to go in and have a look at it for themselves.

Angus Robertson: The hon. Gentleman just mentioned an electronic marked-up register. Will he clarify that he is suggesting that that should be used not only for electronic voting but for postal voting, so that there would be a marked-up register for the voting in its entirety?

John Robertson: I thank the hon. Gentleman for asking for that clarification. That is absolutely correct.

When postal ballots come in, they are not all opened on the day of the election. Many are opened the day before, or the day before that, depending on how long they have been coming in. When the returning officer in Glasgow was opening the postal votes for Glasgow, Anniesland, he was somewhat shocked because there were about 600 a day, compared with about six a day for the rest of the Glasgow seats. That was because we had worked so hard, particularly among the elderly people, to ensure that they were not disfranchised. My proposal would help all parties to know where the voters were voting. The hon. Member for Stone (Mr. Cash) was complaining that too many people were knocking on doors and annoying people who had already voted. This register would go a long way towards solving that problem.

The hon. Member for Somerton and Frome (Mr. Heath) mentioned security problems. His was the best speech that I have heard in a long time in favour of the introduction of identity cards. He appeared to be worried about people voting as others, or otherwise misusing the electronic systems, but one of the ways in which the system is misused the most involves personation. One way to get round that problem would be for everyone to have an ID card. Before we know it, we could even be swiping our votes in.

Mr. Kevan Jones: Does my hon. Friend agree that it is harder to impersonate someone using a postal vote than under the present system whereby all that someone has to do to get a ballot paper is turn up at a polling station and give a name? To use a postal vote, a person has to have access to the building to which the ballot paper has been sent.

John Robertson: My hon. Friend is correct, and I do not need to add to what he said.

I shall not take up much more of the House's time, but I wanted to speak about Scotland as one of the trial areas. I hope that the Minister will remember that the Scottish region in Europe covers a vast area. It will make it a lot simpler for the electorate in that area to be able to vote by postal ballot. I hope that we continue to consider the different methods as we take the issue forward. From the days of John Logie Baird, Scotland has often been in the forefront of technological change, and I want it to be at the cutting edge once more.

It is important that we examine how to improve the voting system and ensure that people are not disfranchised. I will support the Bill. If I am fortunate enough to be on the Committee, I may propose a few tweaks, but I am sure we will find agreement.

2.30 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): I take great pleasure in following the hon. Member for Glasgow, Anniesland (John Robertson), who made a good case for Scotland being part of the postal ballot trials. However, I may give him a reality check in the few minutes for which I will detain the House. The Bill has some good and welcome provisions, and all hon. Members will welcome parts of it. I sympathise with the hon. Member for Somerton and Frome (Mr. Heath) about the timing of this Second Reading at this point in the Session, especially as legislation was already being considered with which this measure could appropriately have been linked. We have suspicions that the devil may be in the detail.

I am not opposed to all postal ballots in principle. I can assure the hon. Member for Glasgow, Anniesland that there were far in excess of 600 postal ballots in my constituency at the last general election, and I am delighted to have received every one of those votes. I suggest to him that the devil is in the detail, and that we should consider the wider reasons for falling turnout.

John Robertson: Perhaps I did not make myself clear, but in my constituency there were 2,500 postal ballots, and they came in at about 500 to 600 a day.

Mr. Duncan: I am delighted to receive that clarification. I apologise to the hon. Gentleman. He is so intriguing to listen to that I was obviously distracted at that part of his speech.

The key aim is participation. That is what all hon. Members have focused on, and they are right to do so. The declining trend in voter participation at elections should be of concern to us all, both on the Government side and in the Opposition. In Scotland in 1999, the turnout in the European elections was 24.7 per cent., which can hardly have been seen as a ringing endorsement for the manner in which election campaigns on either side of the political barrier were conducted. It shows what little connection there was between the electorate and those seeking election. There was a decline of more than 13 per cent. in the five years after the elections in 1994, so it is a worsening trend.

The Scotland parliamentary elections in 2003 were only the second elections since the creation of the Scottish Parliament, for which we had waited some 300 years—some with more expectation then others. Fewer than 50 per cent. of the electorate could be persuaded to attend the polling booths on that day. This is a wider problem than that of postal ballots.

It has always struck me as worrying that, if we cannot encourage a wider proportion of the public to attend a polling station once every five years—or once every two years in Scotland, given the Scottish parliamentary elections—we have a bigger problem than perhaps we realise.

There is another side to this problem, which is that we have too many politicians in politics. I have consistently called for a reduction in the number of Members of the Scottish Parliament and the number of Members of Parliament from Scotland. That would contribute greatly to an enhancement of the role of elections and an enhanced role for politicians in general.

In Scotland, we have a complex political situation for elections. The hon. Member for Glasgow, Anniesland, among others, has alluded to the diverse nature of elections. Each elector in Scotland has to contend with a list system for European elections, first-past-the-post for Westminster elections, the additional member system for the Scottish Parliament, although that may change if the governing party decides that it is in its electoral interests to do so, and the first-past-the-post system for the council elections, which apparently will change to the single transferable vote system.

Mr. Davidson: Would it be much easier to harmonise elections if we ensured that elections to Westminster remained subject to the first-past-the-post system, the Scottish Parliament moved to a first-past-the-post system, and we retained a first-past-the-post system for Scottish local government elections? I support that position; does the hon. Gentleman?

Mr. Duncan: I shall give the hon. Gentleman a direct answer: yes, I do. He takes a principled position. I have always believed that the first-past-the-post system creates the best connection between the electorate and the elected Member. It creates a direct connection between those who filled in the ballot paper and those who were fortunate enough to receive more votes than anyone else. I speak as someone who received 74 more votes than my nearest competitor, which gives me a direct interest in first-past-the-post elections. I can see that direct connection at the sharpest end. Interest in elections is greatest when there is a close contest. It is interesting to note that in Galloway and Upper Nithsdale there was a comparatively high turnout at the last general election. There always has been, perhaps because there have historically been very close contests, although perhaps not for much longer.

Mr. Mark Lazarowicz (Edinburgh, North and Leith): Does the hon. Gentleman think that a more effective Opposition in the last general election might have resulted in a higher turnout?

Mr. Duncan: The hon. Gentleman will recall that I said as much in my remarks. It says much about all sides in politics. We are failing to excite the electorate, and we all need to do more. When in a glasshouse, do not throw stones. The Government have more to answer for than most, because they have disengaged with the electorate and left them bored with the electoral process.

In my view, the solution is simplicity and a direct relationship between the elected Member and his electorate. I was interested to note the reference to the report of the European Scrutiny Committee, of which the hon. Member for Moray (Angus Robertson) is a member. It advocated a return to a first-past-the-post system in European elections.

Angus Robertson: It may interest the hon. Gentleman to know that that decision was not uncontentious, and required the casting vote of the Chairman against the established practice that the Chairman supports the status quo.

Mr. Duncan: If it was carried on the casting vote of the Chairman, he is a wise man.

Mr. Cash: My hon. Friend may also be interested to know that it was an amendment that I proposed.

Mr. Duncan: That shows that the Committee is populated by very wise men.

This argument is recognised across the political divide. I perused my copy of *Public Finance* of 26 April 2002, in which the chairman of the Labour party, now Secretary of State for Education and Skills, referred to electoral trials to increase turnout. He said:

"Generally, I don't think the experiments are the answer".

The Electoral Commission admitted in its "Modernising elections" document of August 2002 that

"the nature of the voting process is unlikely ever to be the primary factor in most people's decisions about whether to participate in any election".

There we have it in crystal form. The fact is that the Bill deals with the symptom and not the root cause of the decline in turnout.

I have particular concerns about the partial trial. The result of selecting only three regions across the United Kingdom may be differential turnout. I accept the argument of my hon. Friend the Member for Stone (Mr. Cash) that the evidence for postal ballots increasing turnout is not yet conclusive. If we accept the Government's view that postal ballots increase turnout—otherwise why would we be introducing them?—we may increase turnout in three areas but not in others across the UK. That may skew the result. The UK is a diverse country: Scotland is different from the south-east of England, not just socially but politically.

A partial trial has the potential to influence the result. I was surprised, although perhaps I should not have been, that even the Scottish National party agreed with that. In the Edinburgh *Evening News* of 4 October, the SNP's wise Professor Neil McCormick MEP—to whom I spoke only last week, along with the hon. Member for Moray—said that if postal voting was to be introduced, it should be introduced everywhere; otherwise the campaign in Scotland would be out of synch with that in the rest of the United Kingdom.

All too often, the Conservative Administration was accused of using Scotland as a guinea pig. How curious it is that that should now be reversed.

Elections in my constituency, and in constituencies throughout Scotland, are conducted in a very rural way. In 1997, there were 5,090 polling stations in Scotland. That gives some idea of the natufe of the beast. It will be very difficult to conduct a postal ballot in such areas—although it may also be very rewarding, because rural voters often benefit most from postal ballots.

Mr. Tom Harris: Has the hon. Gentleman a comparable figure for the number of post boxes in Scotland?

Mr. Duncan: The hon. Gentleman will not be surprised to learn that I have not, but I understand the difficulty of returning postal ballot papers in rural areas. It is difficult for people living 15 miles from the nearest post box to receive ballot papers, let alone return them.

It is important for people to be able to return their papers at the last minute, just as they are able to vote at the last minute at polling stations. That will make postal ballots in Scotland disproportionately expensive. Although I do not oppose the principle of all-postal ballots, but it is as well to be aware of the implications of selecting Scotland as a pilot area.

John Robertson: Will the hon. Gentleman give way?

Mr. Duncan: I am always delighted to give way to the hon. Gentleman.

John Robertson: Is it not the case that any member of the public in Scotland can demand a postal ballot? A system already exists in councils for the counting of postal ballot papers. All that this means is that there will be more to count, and the new arrangement may even prove cheaper.

Mr. Duncan: I must contest that. As I have said, voters across the three trial regions must be able to vote at the last minute, as easily as they can under the regular direct voting system. That will be expensive, as I hope the Government realise.

Mr. Bill Tynan (Hamilton, South): The hon. Gentleman seems to be arguing that Scotland should not be used as a pilot area because of the problems of postal ballots. At the same time he is arguing that the system should be developed on a UK-wide basis if it is introduced. Is that not a contradiction in terms?

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): The hon. Gentleman is a Unionist at heart.

Mr. Duncan: I try to be. As I said at the outset, I do not oppose all-postal ballots in principle, but I feel that the selection of only three areas has the potential to produce a skewed result, and that the selection of Scotland as one of them has the potential to create a very expensive postal ballot trial. It will also be expensive to arrange a contingency arrangement for distributing ballot papers in the event of a postal strike. We must have an assurance from the Government that any extra expense will be funded by the UK Exchequer rather than being passed on to regional and local government, which is already hard pressed.

I will leave it to others to consider what has already been said, and what will be said, about the security number e-voting system. As one who has had some experience of e-commerce, however, I feel that the system is wide open to abuse.

I welcome the extension of personation measures beyond polling places, which I consider logical, but I am worried about witness signatures. We must be careful not to expose ourselves to the risk of fraud. In some past trials, witness signatures have been attached to ballot papers. As the Bill progresses, we need to see evidence that the Government take concerns about fraud seriously, and that witness signatures will be returned separately to protect the dignity of the electoral process.

Mr. Russell Brown: The hon. Gentleman was probably present for the opening of some postal ballot papers at the time of his election. When such papers are opened, the separate pieces of paper bearing witness signatures are discarded. Not only is that almost a waste; it has the potential to disfranchise elderly people who may be scurrying around wondering whom to get as a witness.

Mr. Duncan: The hon. Gentleman has illustrated the delicacy of the balance between security and encouraging the return of ballot papers. I am merely saying that we must be careful not to expose the system to further fraud.

In an intervention earlier, I raised the subject of marked registers with the Minister. That subject must be considered in Committee, for it is an important part of the self-policing way in which elections are conducted that representatives of candidates standing for each political party can visit polling stations and establish the percentage of the electorate who have cast their vote at particular times during the day. If we are to adopt all-postal ballots, and if the Government value that process—as I do—considering it to be an important element of scrutiny, they must assure us that a replica will be applied to such ballots. Candidates and their representatives must be shown a marked register during the voting period—daily, I would suggest—so that they can have confidence in the system and see things move forward in a structured way over the two or three weeks involved. Such an arrangement may please those who have campaigned to improve disappointing turnouts, but above all it is a key part of the transparency on which we must not compromise.

In recent years, even since my arrival, the House has taken steps to modernise its procedures and change timings in order to increase scrutiny by the wider public. For instance, Prime Minister's Question Time has moved from 3 pm to noon. One argument for doing so—other than convenience for the Prime Minister's diary—was that it enabled further scrutiny of the system: it would set the agenda for the day and return politics to the heart of the political process. It is arguable whether that has been achieved.

Before moving towards all-postal ballots, we have to think very carefully about the consequences of doing so. What is the potential result in terms of the way in which elections are covered? How will the media cover an all-postal ballot, and will it excite the electorate? Will the election crescendo be the point at which ballot papers are issued, or on the last possible date for returns, in which case most people will have voted anyway? This is an important issue. If we are trying to expand turnout and to increase the number of ballot papers returned, we must take into account ways in which to excite the electorate. I accept that the electorate need to be excited—as I have said, the Government have obviously failed to excite them so far—but we have to take into account the manner in which they will be informed about this election process.

The trialling of this system in three areas raises the possibility that different electorates will peak at different points. I accept that some people in any case return

postal ballots, and as a result different peaks already occur; however, this system will only accelerate that process, creating a more complex way of informing the electorate about a particular election.

As you know, Mr. Deputy Speaker, most of the electorate are gasping for the opportunity to pass their verdict on the manner in which their European affairs have been dealt with in recent years, and next June will provide their opportunity to do so. I want above all to see a higher turnout, through which we can put our Conservative case in Europe once more.

The essence of my case is that we have to be very careful before we dispense with the ultimate confidentiality afforded by voting at a polling station. It is the absolute pinnacle of confidentiality: voters can go into the booth and put a cross in whichever box they like, and no one will know. That principle is accepted universally, across the political spectrum, and we must be very careful before moving away from it. I accept that the huge benefits that postal voting could bring may well be a positive factor, but we must be very careful about the detail in which the devil may lurk.

2.52 pm

Mr. Neil Turner (Wigan): I want to restrict my comments to postal voting, largely because I am computer illiterate and have very little experience of e-voting in my constituency or any other parts of the north-west. I am a little disappointed in the Bill's title and content, as we have had more than enough pilot schemes to make it absolutely clear that postal voting does increase turnout. Instead of e-voting pilot schemes, I would much rather that we opt for a scheme that allows postal voting throughout the UK for the forthcoming European and local elections.

The hon. Member for Somerton and Frome (Mr. Heath) said that in no previous election have certain parts of a constituency used one system and other parts a different one, but that is not so. When my borough used postal voting—the only time that it did so—just three of the 24 wards used that system. The result was the same as others have described: an increase in the postal vote in those three wards of between 25 and 50 per cent. Also, there was no appreciable difference between the results in those three wards and the results in any of the others. Postal voting seemed to make no difference in terms of the choice that people made from the parties on offer; it simply ensured that many more people voted in those three wards than voted in the others.

The hon. Member for Stone (Mr. Cash) and others have highlighted the fact that past postal voting pilots have hugely increased the number of people wanting and able to take part in ballots, and who have actually done so. As I have said, we should have opted for a postal vote throughout the country, but I accept that that is not on offer, and that we must go along with what we have.

The Electoral Commission has looked at past postal voting ballots over several years. My right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) mentioned some of the difficulties that have arisen. All-postal ballots have been held in places in the north-east such as Sunderland and Gateshead, and in Trafford, Oldham and Chorley, in the north-west. If we do not allow them to have all-postal ballots in the next local elections, they will feel extremely disappointed at the prospect of returning to the traditional ballot box. The system will create some difficulties, and illustrates another reason why we should have opted for the postal ballot throughout the UK.

The Electoral Commission has also looked at the very important issue of fraud in postal voting ballots, which several Members have already mentioned. We need to ensure that we reduce as much as we can the possibility of fraud in postal ballots. However, the commission's expert view is that postal ballots lead to little increase in fraud, and that individual results are not affected. And even if a slight increase does occur, it must be considered in the light of the overall increase in turnout. A single vote in a 50 per cent. turnout, for example, is proportionately of less value than a single vote in a 25 per cent. turnout, so an increase in fraud does not of necessity mean a change in the result. That is not to say that I am endorsing fraud in any way; on the contrary, I want to stress that the legitimacy of the ballot should be paramount. We should ensure in every way possible that fraud is reduced.

The Minister said in his opening remarks that he has already received a bid from Scotland for one of the all-postal ballot pilots. My right hon. Friend the Member for Gateshead, East and Washington, West made a bid for the north-east, and I now want to make a bid for the north-west. I take issue with the hon. Member for Somerton and Frome, who said that the many local elections that will take place in the north-west at the same time as the European elections will cause some problems. That is not my experience. I was a local councillor in 1979, when a general election and local council elections took place at the same time—indeed, the same thing has happened since—and the fact that the returning officer for the two elections was the same person, and that the elections were held at the same time, caused absolutely no difficulty. The votes were put to one side, and the general election votes and then the local election votes were counted. The only difficulty that arose was that it took an extra day to get the results.

John Robertson: I agree totally with what my hon. Friend has said, but does he agree that putting a European election with a local election will make it very difficult to analyse the result? It will be difficult to tell whether localness has affected the European election, or vice versa.

Mr. Turner: That is true, but one could equally say that the same point applies to holding general elections and local elections at the same time. Do local elections influence the general election result, or—much more likely—vice versa? I do not see the difficulty.

Mr. Heath: Of course local elections and other elections can be held on the same day; indeed, the past couple of general elections have coincided with county council elections for non-metropolitan counties in England. However, complications do arise in terms of the scale of the operation, particularly in a very populous area such as the north-west. Also, our experience shows that county council elections tend to

[Mr. Heath]

constitute an ineffective popular judgment on the performance of county councillors, simply because the campaign is completely eclipsed by the general election.

Mr. Turner: I accept the hon. Gentleman's latter point, but I take issue with the point about skills. Far be it from me to comment on the skills of electoral returning officers in the south-west, but I can certainly say that those in the north-west are more than capable of dealing with two elections on the same day.

I want to deal with the north-west and explain why it should be one of the areas included in the pilots. It is a large area with some 5.5 million electors, and it is extremely diverse. That is important because if the Electoral Commission is going to draw conclusions from the pilots, it is no use having a pilot scheme in an area without a decent range of diversity. That would prevent proper conclusions from being reached.

The north-west has many rural areas, from the hill farms of the western Pennines and those of the Lake district, which is important for tourism, right through to the market gardens and the cattle, cereal and root crop areas of the Solway, Lancashire and the Cheshire plains. The area is also hugely urban with major cities such as Liverpool and Manchester, historic tourist towns such as Carlisle and Chester, and industrial towns such as my own area of Wigan. We also have new towns such as Skelmersdale on my doorstep and satellite towns such as Partington, linked to Manchester. All those areas show the potential for the Electoral Commission to assess the impact of postal voting.

There is also considerable socio-economic diversity in the region. I have already mentioned Liverpool and Manchester and the huge problems that exist in their core inner city areas. Equally, however, there is deprivation—albeit of a different sort and scale—in the Pemberton area in my constituency, for example. The two wards there are among the top 5 per cent. of deprived areas in the whole country. There is also rural deprivation, often hidden deprivation, of the sort that exists elsewhere in the country. There is also great affluence in Cheshire and on the outskirts of the region's towns and cities, so we certainly have great diversity of socio-economic levels, as well as geographical diversity between rural and urban areas.

Differences in ethnicity are also evident. Some wards in my borough and elsewhere comprise an almost wholly white British electorate. Equally, other areas have majorities of Afro-Caribbean, Hindu Indian, Pakistani or other Muslim people. In some places, the Chinese form a huge part of the population. The divergences are wide, which also provides the Electoral Commission with the ability to assess the effect of postal voting on those diverse areas. In choosing the north-west as one of the pilot areas, the Minister and the Electoral Commission would be able to consider all those differences within wards and whole polling districts. They could assess different geographical, socio-economic and ethnic factors, so I urge the Minister to choose the north-west as one of the pilot areas.

3.3 pm

Mr. John Redwood (Wokingham): In introducing the Bill, the Minister made it clear that the prime aim was to try to increase turnout. He shared the worry of many in the House that turnout is too low and has fallen quite sharply in recent elections. The explanatory notes also make it clear that that is the prime driver of the legislation. In a Second Reading debate we should therefore ask why the turnout is so low and why it has fallen so sharply in recent years in respect of general and European elections.

The prime reason why so few people now choose to vote is that they do not believe that the people that they are going to elect, of whatever party, can make any real difference to their lives. They do not believe that those people, at whatever level they are seeking election, will have sufficient power to change the way in which people are governed. We can understand the process if we examine the differential levels of turnout between general elections, local elections and European elections. It is still the case that far more people turn out for general elections than for the others. The reason is obvious: many more people still believe that it makes a difference whether one chooses a Conservative or a Labour Government. People still believe that if they choose the right individual Member of Parliament, he or she can make some difference by representing the constituency well, having influence over bureaucracy, and helping to fashion laws in this place that might make more sense and affect their daily lives.

When it comes to local elections, people know from their experience over many years that, however well-intentioned councillors and candidates are—we obviously all believe that those in our respective parties are extremely well intentioned and capable—there are very tight limits on what can be achieved. In fact, local councillors are driven by legislation coming from this place and, more importantly, by guidance and guidelines in ever-increasing volumes from Whitehall, and they are circumscribed by the financial rules and amounts of moneys voted in the House in respect of local government settlements. As a result of their experience, more and more people are unfortunately saying that they do not believe that local councillors, however well-intentioned and of whatever party, can make much difference, so they are not bothering to vote. They probably sense that the most powerful person in any local authority today is the unelected chief executive, over whom they are unable to exert any direct or indirect influence.

When it comes to European elections, people take the dimmest view of all. More than three-quarters of the electorate say that there is no point in wasting their time going to the polling station. I suspect that many would say that it is not even worth spending time filling in the piece of paper that comes through the post. People do not believe that MEPs, however well-intentioned and capable, can make any real impact on things that matter in their daily lives.

If we examine the power structure in the emerging, more integrated European Union, we can understand that people are in many ways being rational. It is disappointing for me, as someone who desperately wants democracy to work, that there is such a huge democratic deficit in the EU. The fact is that our elected

representatives have no or very little control over the people and the things that matter in the governance of the EU.

Let us suppose that voters are interested in the state of the European economy, whether there are enough jobs and enough credit, or whether interest rates are set at the right level. They would discover that Euroland, the decisive bloc within the EU, is on autopilot under an unelected official—the governor of the European Central Bank. Unlike in the UK, where an elected Chancellor of the Exchequer and an elected Cabinet could call the so-called independent Governor of the Bank of England to heel, change the rules, issue new instructions or, in extremis, change the personnel, MEPs have no such influence or control, because the central bank was deliberately set up to ensure that there was no democratic accountability and that dreadful politicians had no influence over it.

Let us consider alternatively the emerging settlement in the European constitution for the conduct of foreign policy. Again, in the British Parliament, a good tradition is established. We have an elected Foreign Secretary, who is senior to the permanent secretary to the Foreign and Commonwealth Office, and answerable through the Cabinet to the House of Commons. We can all directly have an influence over foreign policy, and even, on certain occasions, effectively have a free vote in the House over the big issue of war. Many Members recently exercised their discretion over that. In the EU, however, the new Minister of Foreign Affairs, soon to be appointed once the constitution goes through, will be unelected, and no MEP will be able to influence that Minister in the way that hon. Members in this House can individually and collectively exert influence over the UK's elected Foreign Secretary.

Take defence procurement. Here the Secretary of State for Defence is answerable to the House in respect of the purchase of weapons. However, the new armaments agency, which will be set up under the new European constitution, will have an unelected leader, and it will be impossible for people voting in European elections to have any influence—*[Interruption.]*

I see that the Minister is getting impatient because he does not like my analysis. However, it is entirely appropriate for us to ask whether the Bill is tackling the problem in the right way. Why, for example, does it not suggest that we should elect some of the people in Europe who have the real power? That would be more sensible, but we are not allowed to do so under Europe's rules, and the Minister is not proposing to do so in the negotiations on the constitution. So we will still have this huge problem in future European elections. Many of our electors will say that they do not mind whether they vote by post or in person, or by some new electronic method, but they will not agree that this Bill has got it right. The problem is that an MEP cannot bring to account the men and women of power.

Angus Robertson: Has the Conservative party made a tremendous U-turn? Is it now Conservative party policy that the electorate should be able to elect directly the President of the European Union?

Mr. Redwood: Of course not, because my party does not want a more integrated Europe and it does not want those people to have all that power. I seek to explain to the House, for those who are integrationists and federalists and who will welcome the constitution that we intend to oppose, why the British public will think that it is thoroughly undemocratic and why the Bill is another missed opportunity. Ministers will discover that it does not matter how they invite people to vote in European elections if the people believe that those whom they elect have no influence over those with the power. Ministers wish to give them even more power, but we do not. The problem of voter interest will remain.

Bob Spink (Castle Point): I am following my right hon. Friend's thesis with interest, and I agree with it. If the Government show that they listen to the people, that will deliver increased turnout in elections much more effectively than changing the electoral system, whether to e-voting or postal voting. Does my right hon. Friend agree that by holding a referendum on the EU constitution, the Government could show that they listen to the people? Does he think that we should have a pilot referendum?

Mr. Deputy Speaker (Sir Michael Lord): Order. I understand that the right hon. Gentleman is being tempted down different paths, but I would be grateful if he could resist the temptation.

Mr. Redwood: I accept your guidance, Mr. Deputy Speaker.

The lack of turnout in European elections is primarily motivated by the inability to vote on the people who have the power. I—and many of my colleagues—wish that they did not have those powers, but they are going to gain even more.

A second factor is the move from the first-past-the-post system to the closed list, which was another blow to turnout. The recent precipitate decline in turnout appears in part to have been linked to that change. It was not only that more people had discovered how powerless their MEPs were: many voters in the last election realised that they no longer had any power to influence who would be their MEP, because the political parties had pre-empted that. All voters could do was make a party choice. Many people might have wanted to make a personal choice, just as many do in national elections, because there are different swings in various places. Electors were not able to reward MEPs who had done an assiduous job for their constituency, nor were they able to penalise those candidates on the list who were unlikely to do a good job. Many people saw that as another reason to stay at home.

The general election also saw a sharp decline in turnout. On my thesis, that was for similar reasons. More and more powers are being taken away from this place by the development of power in Brussels and by the quangocracy. Under this Government, more and more decisions are made by quangos, so people ask why they should vote when Members of Parliament no longer have the same power.

Mr. Wayne David (Caerphilly): I, too, am following the right hon. Gentleman's thesis carefully. How much of the fall in turnout can be attributed to the fact that we have an ineffective Opposition? That is the main reason for the lack of interest in elections.

Mr. Redwood: The incompetence of the Government overwhelms anything that the hon. Gentleman may allege about the Opposition. If he looks at the differential turnout patterns in the last election, he will see that it was the turnout in the Labour vote that fell most sharply between 1997 and 2001, which speaks volumes about people's judgments on the Government.

Mr. Davidson: While it is true that turnout fell sharply in many Labour areas, it did so in my area because people assumed that we would win anyway because the Opposition were so useless. If the Opposition do not pull their weight, it diminishes the interest that people have in politics.

Mr. Redwood: I do not agree with that analysis. On that basis, Labour would have done better than it did in 2001, when it won on a tiny vote. I am describing a general problem with politics in Britain, and by 2001 people had become very cynical about the whole political process. They were most cynical about the European Parliament, by a big margin, but they are becoming more cynical about this place because it appears to have less and less power.

My electors—and I am sure many other Members will agree—engage more strongly with me and my work on free-vote issues. Then people can see that Members of Parliament can have a decisive impact. People engage less and less on the big issues that matter to them because they do not believe that any of us, including the Government, have the same control over those issues that we had before, because of the growth of the quangocracy. The poor turnout levels in local government tell a similar story. People have become more and more cynical about how much difference elected local officials can make. They sense that councillors are part-time and under a lot of pressure. More and more people need a full-time job and it is difficult to fit in the work of a councillor for someone of working age. The electorate are responding to the growing bureaucracy and professionalisation of councils, with more and more decisions taken by officers on the say-so, instruction or guidance of Whitehall. People are more reluctant to vote, because they think that it will not make any difference.

The Bill proposes a solution based on symptoms rather than causes. Experiments have shown that people are more likely to spend the few minutes required to cast a postal vote than the many more minutes required to go to the polling station in person. Despite what I and others have said about the growing unpopularity of voting, a one-off stimulus could occur in various places were there to be a compulsory postal ballot. That is the experience so far, and it may happen again in the future if the Bill is passed. If that can be done honestly and satisfactorily, I would be relaxed about it, but the Committee will have to look carefully at whether that can be achieved. The potential for fraud, personation and other difficulties must be overcome in a way that satisfies us. We want good, honest and open elections, and we would like to encourage far more participation.

I hope that the Minister considers carefully the good points made about identification of voters. Perhaps we should go back to the system of the double envelope to avoid any suggestion that voters could be identified and their intentions made know to other parties. We may need a more stringent system for checking the outer envelope to ensure that an individual casts only one vote and to ensure that it is cast freely and without pressure. Other hon. Members have mentioned the problems for those who live in flats or care homes. We need to ensure that such people genuinely exercise their own choice and are not guided too much by those who might think that they are doing those in their care a favour but may not be truly representing their views. Some sensitive issues arise from that, and we need to consider them carefully.

We must also make sure that, where we go over to electronic voting, it is not possible for fraudsters to get hold of the series of numbers being used. In an election with a relatively low turnout, they could use those numbers to take advantage and develop a lottery approach, on the basis that they would probably get away with it and that no one would be any the wiser. That is a more serious danger than the one posed by people who turn up at polling stations pretending to be their own neighbours, and so on. In that instance, there is always a risk that, when they vote, those fraudsters could bump into the people who they are claiming to be. I hope that Ministers will be aware of the extra dangers that I have described.

It would give a very bad impression outside the House if this debate could be summed up as follows: Members of Parliament met, asked themselves why people did not vote very much, especially in European elections, and concluded that it was merely because people really could not be bothered unless a ballot was sent through the post to their individual addresses. If that were to be our conclusion, people would feel that we were living in a very unreal world. The style of voting is not nearly as important as the candidate one chooses, the issues one hopes to settle, and whether one feels that casting a ballot will make a genuine difference.

People voted in droves when power was more heavily concentrated in the House of Commons, and when Ministers answerable to the House were clearly able to make a difference in matters ranging from interest rates to environmental protection. There was no problem with turnout at general elections. Now that power has dissipated from elected hands—it has passed upwards to unelected European officials, downwards to unelected quangos in the UK and, in large measure, to unelected local government officials—people are becoming very cynical.

We in this House should worry a great deal about the way in which we are taking away power from those who are elected and giving it to the unelected. We then express surprise when people conclude that casting a vote is a waste of time. I hope that the Government will think again about their great constitutional settlement. They will understand that they cannot tackle the problem by means of this Bill alone, as it will make a very modest contribution to a problem that is much more deep rooted. If the Government drive ahead with constitutional changes that give away more and more

power to unelected people, the disillusionment will grow much greater, and people will ask why they pay our salaries.

3.20 pm

Mr. Tom Harris (Glasgow, Cathcart): First, I congratulate Conservative Members on both the Front and Back Benches. They have shown much ingenuity in contriving to fixate on all things European, regardless of the subject before the House. However, I shall stick to the matter in hand.

Before I make my main comments, I want to say something about voter registration. I have spoken in the House before about the problem in Glasgow, where one in five adults eligible to vote are not included in the electoral register. That is a scandal, and a legacy of the poll tax. In the late 1980s and early 1990s, people refused to be registered to vote because being registered meant they had to pay that iniquitous tax.

The council tax system also gives people a motivation for coming off the electoral register: when two people share a household, the 25 per cent. council tax discount given to single householders can be claimed if one person does not register to vote. That is an argument not for abolition of the council tax but for a more stringent enforcement of the electoral register. I hope that my hon. Friend the Minister will take that into account, as there is no point in encouraging people to vote if they are not on the electoral register already. Too many people believe that enrolling on the electoral register is an option, and not a legal necessity.

Sir Robert Smith: Some of us would like to get rid of the council tax, but does the hon. Gentleman agree that one thing that could be done would be to break the link in the registration office? The biggest damage was caused by the fact that the poll tax register and the electoral register could be cross-referenced. Do not people need to be confident that the electoral register could be used for no purpose other than establishing the right to vote, and that a separate register would be used for the council tax? The two registers would not be linked, and no data would flow between them.

Mr. Harris: That is a positive suggestion, but I hope that the hon. Gentleman will forgive me for not wanting to be drawn too far down that road. I wanted simply to mention that matter before I made my main comments. Registration is a concern for all of us, as it does not reach 100 per cent. in any constituency, as far as I know. The situation has become much worse since we stopped canvassing door to door.

People fortunate enough to live in what was once called Strathclyde region will be familiar with a very successful postal ballot held in 1994. At that time, the then Conservative Government were getting impatient with Strathclyde, as people there kept voting Labour. They decided to reorganise local government to create a few more Conservative councils. In the event, the plan did not work, but one consequence of the reorganisation was that something had to be done with the water and sewerage industry. The proposal was to create a quango.

I was working as a press officer for the regional council at the time. The council decided that the people of Strathclyde should be consulted, and it organised a postal ballot of every elector in the region. The electorate numbered about 1.5 million people, out of a total population of 2.2 million.

The ballot was not an election, and it was not about a major constitutional issue. In fact, given the subject—the future of water services—it was rather dry.

Hon. Members: Oh.

Mr. Russell Brown: My hon. Friend should take that back.

Mr. Harris: I apologise to the House for that.

When the ballot papers were counted, the turnout was found to be 71 per cent. of all electors in Strathclyde. Incidentally, for those who are interested in such things, 2.8 per cent. of voters supported the Government's proposals. That is a real example of how a postal ballot can have a direct effect on voter participation.

It may be helpful to compare that referendum with some others. Turnout in the Scotland referendum in March 1979 was 63.8 per cent. and in the Wales referendum on the same day, it was 58 per cent. In the European referendum of 1975, turnout in Strathclyde was 61.7 per cent. Even in the Scottish referendum of 1997, turnout was only 62 per cent., yet when we chose to ballot people in Strathclyde on an issue that was hardly of overwhelming constitutional importance, turnout was 71 per cent. That speaks volumes for what could be achieved by the pilots.

Mr. Davidson: Can my hon. Friend estimate what turnout might be in Strathclyde were we to hold a referendum on the European constitution? Would he consider the possibility of holding a pilot referendum on that issue in Strathclyde?

Mr. Harris: I thank my hon. Friend for that extremely helpful question. If there were a referendum on any constitutional issue, I would expect turnout to be significantly higher if there was a postal ballot.

Like many of my colleagues from Scotland, I especially welcome the proposal—if it actually is a proposal—for 100 per cent. postal balloting in Scotland. I add my voice to those calling for such a move. In 1999, turnout throughout Scotland and the whole United Kingdom was derisory. As the right hon. Member for Wokingham (Mr. Redwood) pointed out, part of the reason was undoubtedly disenchantment, or disconnection, with the European political process. That is not solely the fault of the list system. European parliamentary constituencies were so large that disconnection existed even before 1999. I suspect that it was inevitably part of the process. We need to rein in our expectations about what the pilot projects can achieve. As my hon. Friend the Minister said, they are not a panacea.

Three factors cause low voter turnout, two of which are the responsibility of politicians. The first is disconnection from elected representatives at all levels. We have all heard the arguments: all the parties are the same, they can change nothing and politicians are too cynical. Some people even say that politicians are far too dismissive of other opinions, which of course is nonsense.

[Mr. Harris]

The second reason, which has already been mentioned, is the electoral system. Earlier in the debate, my hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) suggested that we should hold an additional pilot for a first-past-the-post system in Scotland, and compare turnout with that for the rest of the UK. However, we have already conducted such an exercise; we used first past the post for the European elections and when we introduced the new proportional system turnout plummeted. The results of that experiment speak for themselves.

In Scotland, there are four possible electoral systems: first past the post for Westminster; the additional member, or hybrid system, for the Scottish Parliament; the list for Europe; and, imminently, the single transferable vote for local elections. My mother is a lifelong voter and has never missed an opportunity to vote, but she told me that if single transferable voting is introduced in Scotland she will not vote in the local elections. I fear the effect on turnouts in future if we further confuse the electorate with all those different systems.

The third reason for low turnout is something that politicians can do little about: the wilful apathy of the electorate. I do not hesitate to put some of the blame for low turnouts on the electorate themselves, although some of it is ours. We are seeing the triumph of the instant gratification society, where promised gains over a long number of years have little or no significance for voters and where participation in our wider community—be it voting or taking part in a public meeting—comes far down in people's priorities, after every soap opera and football game broadcast.

I believe that the postal ballot pilot scheme will result in higher turnouts next June, but I wonder how many right hon. and hon. Members would be willing to bet any of their own money that any of those gains will be maintained in the long term.

Joyce Quin: The experience in Gateshead, where we have had three consecutive years of postal ballots, certainly shows consistency: there has been little decline in turnout even though the system has now been used on three occasions.

Mr. Harris: I am grateful to my right hon. Friend for that intervention. Perhaps my earlier question about which of us would put money on those gains being maintained has been answered—perhaps my right hon. Friend would be willing to do so—but my fear is that it is undeniable that turnouts have generally decreased since the end of the second world war. Although there are blips, such as 1979 and 1992, we are in something of almost a post-democratic age, when voting is not the priority that it once was. I agree with the right hon. Member for Wokingham that changing the mechanism is helpful, but it might not address that long-term decline, which should concern us all as democratically elected politicians.

If, after two or three such experiments, we see that the gains are reduced—that turnout is reducing to what it was before we introduced postal ballots—what will we have to do? There are gains to be made from such an experiment, but those gains are finite, and I would not be surprised if, a few years from now, we have to consider not creating further ways to enable people to vote, but making the duty to vote a legal obligation.

3.31 pm

Angus Robertson (Moray): Like pretty much every other hon. Member who has spoken so far, my motivation in discussing the Bill is to consider imaginative ways to make it easier for people to vote and to support any and every fair and transparent measure that will boost turnout. A load of suggestions about how we might ease people's ballot casting are on offer, and I am particularly motivated to support any measure that will improve turnout because there is a disproportionate decline in voting among the youngest eligible people in our society. If that issue is not addressed as a matter of priority, it could well store up grave difficulties for us in the future, as that cohort of younger voters continues in its apathy for whatever reason and does not bother to cast ballots in the future.

I simply believe that the status quo is not sustainable and that it is right to consider imaginative, innovative ways to try to change things. Hon. Members on both sides of the House have not been wrong to point out that, to a certain extent, we may be dealing with the symptoms, not the affliction. That may be a criticism of the workings of the European Union or whatever else. Nevertheless, that does not negate the reasons for considering the way we cast our votes.

My central concern is that if there is widespread change, it should embrace the highest possible standards and safeguards, but the Government have yet to convince me that that is in fact the case. I would counsel caution, in as much as progress should not be pursued at the risk of imperfect pilot schemes that might then slow the speedy introduction of reformed and updated voting methods.

The Government should consider various factors, bearing in mind the central premise that we believe that all-postal balloting assists in engaging more of the electorate—something that I support—and we have had many examples from throughout the UK where that is the case. Incidentally, in my book, anything that increases voting by between 20 and 50 per cent. has to be a success, and it would certainly be viewed as a success by people who found it easier to cast their ballots, so that cannot be discounted. Nevertheless, electoral procedures should be improved in a number of ways, so that people have full confidence that postal ballots are secure, fair and efficient.

I turn first to matters of security, which I and other hon. Members mentioned earlier in interventions. As most Members will be aware, one of the most important measures for detecting electoral fraud is the ability for the public and political parties to inspect the marked-up register of those who voted in an election. Despite current problems in certain local authorities, the public inspection of marked registers is an important safeguard. We need only look at the recent examples of marked-up registers going missing in Renfrewshire, where a number of very closely contested council elections took place recently, and where, curiously, the marked-up register seemed to disappear only in the most closely contested wards. As a result, we know that

people value the existence of the marked-up register as a central control mechanism to ensure probity and the highest standards.

The difficulty at present is that the current law does not permit the marked register to show whether a postal ballot has been returned—that is, whether a vote has been cast. All that a marked register will show is that a postal ballot has been sent. In a recent ward by-election in the constituency of my hon. Friend the Member for Banff and Buchan (Mr. Salmond), one could see clearly that a third of postal ballots were not returned, but one could not work out which third of the electorate that was. The Electoral Commission has given oral advice to the effect that it is in favour of the introduction of a marked register and would have wanted that in advance of the European elections, should we go forward with the pilot programme outlined by the Government today. There has been no mention of that from the Government, however, and when I intervened earlier the Minister said that that matter would be considered separately. I strongly urge him and his colleagues to examine whether this matter can be integrated as part of the Government's considerations, as that would put many people's minds at ease.

Another matter that is of central importance is the electoral timetable. A number of electoral procedures should be changed to make all-postal balloting fairer and more efficient, and changes to the electoral timetable will be needed should the norm become all-postal voting. The time scale for the issue and replacement of postal ballots, which has not been raised in the debate so far, needs to be addressed. The earliest that an elector can currently receive their postal ballot paper is 10 days before polling day or the close of polling. When a large number of postal ballots have been issued at a traditional general election, those ballot papers can take up to three to four days after the earliest point at which they can be issued. In some instances, an elector then has six working days in which to respond. If, however, an elector declares that they have not received their postal ballot paper, the earliest point at which a replacement ballot can be issued is three working days before the close of polls. With postal services being reduced in a number of areas in Scotland and, I suspect, elsewhere in the UK, that gives insufficient time for an elector to receive a replacement ballot paper and have it sent back by post. I would have thought that one of the central points of any reform is that every elector should have the same guaranteed right to vote. If problems are inherent in the timetabling of the system, the Government must look at that closely.

On the issue of location of delivery points, it has been suggested that each local authority should have a delivery point for postal ballots to be returned in person or by hand. That could be a safety mechanism, as other Members have mentioned, in the case of industrial action. There is as yet no suggestion as to what number of delivery points should be set up in each local authority area. I would welcome the Minister's views on that, since it is an issue of profound importance in a very large geographic area such as the one I represent. If, for example, someone living in Tomintoul had to get to Elgin, that would be a very substantial journey.

In terms of efficiency, there is another measure which has not been raised so far but is not unknown to many Members of the House. Parliamentary candidates and agents have had experience regarding the efficiency of the Royal Mail in delivering bulk items of post. The experience of the Royal Mail when delivering election addresses in several areas is testament to that. Although postal ballots are addressed items, the Royal Mail gives no guarantee that each elector will receive a postal ballot. I return to a point that I made before: all electors should have the same guarantee of service so that they may exercise their vote. An elector using a postal ballot is in a significantly different position to one who turns up at a polling station.

I shall briefly talk about e-voting. Before I read the Bill, I was worried that pilots might be rolled out meaning that people in some regions could vote electronically while people in other regions would use postal votes. Such a scheme would have been a grave mistake, so I am reassured that the systems will be tried at the same time in the same region. It would be entirely wrong for some people to be able to cast their votes much more easily than others because they could access technology rather than using the post, which is available to all. However, I am worried about past experiences of technological breakdown meaning that, in extreme circumstances, one could not cross-reference and find out whether postal and electronic votes had been cast. The hon. Member for Sheffield, Hallam (Mr. Allan) said that that had happened in his area, so the Government must examine the problem closely to ensure that it never happens again.

For reasons of equity, I disagree with a point made by the hon. Member for Stone (Mr. Cash). He said that it was not a good idea to conduct a pilot throughout a whole electoral region and that it should be more localised. A pilot should take place throughout a whole electoral region rather than in only one part.

The Government should consider a further question, although it does not fall entirely under the scope of the Bill and it has not been addressed by any hon. Member. If ballot papers are to be issued two to three weeks before polling day, as the Minister said in his opening remarks, how will that dovetail with coverage by broadcasters—especially our public broadcasters—and how will it tie in with the Representation of the People Act 2000? If the Government choose Scotland or Wales as pilot regions—although I do not accept the use of the terminology of "region" for Scotland or Wales—they must bear it in mind that Scotland has a seven-party system and Wales has a four-party system. I am sure that the Government are keen to ensure fair and equitable access to the media wherever and whenever an election is held. However, if ballot papers are delivered two to three weeks before an election takes place, at what point will the Act kick in? At what point will the Government and—hopefully—all political parties be keen for everyone to have fair access to the media? Perhaps the Minister did not have time to talk about that during his opening speech, but I would be interested to hear his colleague's view during the wind-ups.

Pilot schemes must be introduced with cross-party consensus. There is a feeling—no one dares speak its name—that one electoral system or another could give a specific party political advantage. I do not share that view because any electoral system on offer gives the same advantages and disadvantages to all. Nevertheless, if we want to go forward, we need to bear cross-party consensus in mind, which is why I strongly urge the

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Government to examine the worries that I have raised on behalf of the Scottish National party and Plaid Cymru—the principal opposition parties in Scotland and Wales. If pilot projects were to be rolled out in Scotland or Wales, it would be advantageous to have cross-party consensus.

3.44 pm

Mr. Russell Brown (Dumfries): I welcome the Bill. I begin by echoing the opening comments of my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris) about the number of people on electoral registers because that point was raised in an Adjournment debate in Westminster Hall on 4 June. The debate was secured by my hon. Friend the Member for Hamilton, South (Mr. Tynan) and he talked about our experiences in Scotland during the local elections and the Scottish Parliament elections. There was a significant decline in the number of people registered. The number of people registered in Glasgow, Maryhill between 2001 and 2003 dropped by 13 per cent.. That is a significant amount. If the 2001 figure had stood, the number of people turning up to vote would have been significantly worse.

My hon. Friend the Member for Vale of Clwyd (Chris Ruane) has an Adjournment debate in Westminster Hall tomorrow on electoral registers. We need to do something. We have passed legislation and numbers have fallen. We need to back that up by carrying out checks at vacant addresses, as some local authorities already do.

John Robertson: Does my hon. Friend agree that the pilot scheme must also deal with electoral registers? We should not wait two years for a register to be updated. We need a rolling register instead. In Glasgow, Anniesland, for instance, where there is a high turnover in council housing, the register is out of date by between 20 and 30 per cent. every election.

Mr. Brown: My hon. Friend is right. There are significant problems in parts of the country. We cannot sit back and be complacent. Although the issue he raises is important, we must also encourage the electorate to go out and vote. The responsibility for that lies at the door of each and every one of us. No one can run away from the fact that we have a major part to play.

The right hon. Member for Wokingham (Mr. Redwood) commented on dealing with the symptoms rather than the causes. We need to get to the bottom of why people are not voting. There has been a steady decline in turnout. The 77.8 per cent. turnout in the 1992 general election fell to 71.4 per cent. in 1997. The hon. Member for Galloway and Upper Nithsdale (Mr. Duncan), in his excellent contribution, tried to lay the blame at the door of the Government. His party was pushed to one side at the 1997 election when the number of people taking part in the process fell by more than 6 per cent. There was a further and more drastic decline in 2001 when turnout fell to 59.4 per cent. It is not good news for us if we, as politicians, who have a role to play in society, cannot engage with people.

Perhaps the problem is the lack of an alternative on the Opposition Benches or the general dissatisfaction at the pace of reform, for which the people in the UK are crying out. Perhaps the problem is our colleagues and friends in the media breeding criticism and dissatisfaction. Although that is sometimes justified, all too often people are only interested in the headlines. So when politicians speak to the general public, what we hear is, "You're all the same. You're all in it for your own ends. Why do you bother?" We need to turn the clock back.

When I intervened on the hon. Member for Stone (Mr. Cash), I explained that the problem is not confined to the UK or the EU. In Canada in the 1970s, 74.6 per cent. of people turned out to vote. By 2000, that had dropped to 61.2 per cent. I may regret mentioning Europe, but the turnout in France was 76.5 per cent. in the 1970s. By 2002, that had dropped to 64 per cent. There are, however, some European countries in which that trend has been bucked. The trend in Denmark, the Netherlands and Finland is against the decline experienced elsewhere.

We are looking at the European Parliament elections today. There was a 63 per cent. turnout across EU countries in 1979, which fell 10 years later to 58.5 per cent. and a miserable 49.4 per cent. in 1999. Even though I have categorised that 49.4 per cent. as miserable, it was double the turnout in the United Kingdom. Political parties and politicians must try to widen their appeal and engage with those who turn out to vote. However, a revival in civil society making it easier to vote can help, which is why I am very much encouraged by the fact that three areas are being considered for postal ballot pilots. In 2003, we can enjoy the advances of the electronic age, including e-commerce and e-voting, yet it has been in the old idea of postal voting that there has been significant progress, and that is to be applauded.

Mr. Cash: I hope that, in connection with the issue just raised by the hon. Gentleman, I may vicariously invite a response from the Minister in his summing-up speech. Can the Government explain why, between 1997 and 2001, there was a 12 per cent. drop in turnout compared with the figure of approximately 75 per cent. in the entire range from 1945 to 1997?

Mr. Brown: I am obviously keen to hear what the hon. Gentleman has to say, but I am not sure whether his question is directed at my hon. Friend the Minister or me. However, I am happy to give my tuppence-worth. There is a problem with people becoming disillusioned. Our friends and colleagues in the press and media hype up the situation, and say that none of us is worth voting for or supporting. However, I wonder where they would be if we were not here.

John Robertson: The media have taken over the role of the Opposition.

Mr. Brown: Indeed. I hope that the hon. Member for Stone agrees to a certain extent that that is what the media have done in recent years.

In 2002, there were 30 postal vote pilots involving 2.5 million electors. The average turnout at all postal elections was about 47.5 per cent., well above the average of 33 per cent. for traditional voting methods.

On polling day for the Scottish Parliament this year, I met people who had already voted through postal voting. They said that it was the first occasion on which they had done so, and they were pleased to have been able to seize that opportunity. They said that in future they would not use any other way of voting. Of course, there are anxieties about the use of postal votes, and the hon. Member for Moray (Angus Robertson) and others have advanced an argument about security and the need for a secret vote.

The Bill will allow three regional pilot schemes for elections to the European Parliament to be held. I appreciate the anxiety that the hon. Member for Moray experiences when some of my colleagues and I talk about Scotland. However, I am sure that at the end of the day he respects the fact that although Scotland is a nation, it is also a European parliamentary region. The Bill does not specify in which areas the pilots will take place, but Scotland would be a good area. The Electoral Commission will make recommendations, and I hope that the Minister, as well as listening to what it says in mid-December, will listen to what Members of Parliament have said.

Angus Robertson: Will the hon. Gentleman take the opportunity to impress upon Ministers that it would be a tremendous advantage to introduce safeguards, in particular with regard to a marked-up register, and that that should happen before any pilot project is undertaken?

Mr. Brown: Yes, that has come across loud and clear this afternoon. I appreciate that the hon. Gentleman and his colleagues have strong reservations about a marked-up register, as do Conservative Members.

I shall briefly consider three previous postal pilots in Scotland. In April 2002 the first pilot took place in a ward of Stirling council. The turnout was more than 63 per cent., far higher than the turnout at the other council by-election held on the same day. In September 2002 there was a by-election in Durn ward, Aberdeenshire. The hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith) has left the Chamber, but he will know about that one. The turnout in a postal ballot was 66 per cent, the highest ever in a postal pilot. That was in contrast to another election that day to the same council, in which the turnout was a mere 36 per cent. In November 2002 in a ward in the Scottish Borders, there was a turnout of 65.8 per cent., which was up 3.1 per cent. on the turnout for the 1999 election.

Three schemes in Scotland's 32 authorities are far fewer than those that have taken place elsewhere in the United Kingdom, such as the 33 schemes held in the 43 local authorities in north-west England. The time is ripe for a widespread scheme in Scotland. As I said in an intervention, the European elections in June 2004 will be the only elections to be held in Scotland, so no comparison can be made with any other European parliamentary region. Scotland's rural nature provides an opportunity to reap the greatest dividends from a postal ballot, which will benefit people living in rural areas. I understand the comments made by the hon. Member for Galloway and Upper Nithsdale, but such an election could turn out to be less expensive than would otherwise be the case. He mentioned that there are more than 5,000 polling stations, but there will be no need to open them.

The electorate of an average-sized European constituency is 3.8 million. Although Scotland has a larger population than that, it would provide a clear indication of the success of postal voting. On the question of how we cover the election and promote the idea of a postal ballot, I hope colleagues would agree that press, television and radio in Scotland are unique. Through those means we have an opportunity to promote the excellent idea of a postal ballot.

We heard from the hon. Members for Moray and for Galloway and Upper Nithsdale their reservations about a full postal pilot being carried out in Scotland. Some of the arguments have already been made as to why such a pilot should be held. I share the concern about fraud, but I am fairly relaxed with clause 6, which covers that. The House of Commons research paper makes excellent reading and highlights some of the problems that have arisen in the past and ways in which they can be dealt with.

The issue of the witness to a postal ballot causes me some concern. When the ballots are returned, we see those who open the ballot papers discarding the witness form. One wonders whether anyone would take any notice if voters had got Mickey Mouse or Donald Duck to countersign their ballot papers. It is important that we ensure that people cast their vote.

I have come across elderly people, in particular, who did not return their postal ballots, even after having requested one, because they had no idea about whom they should secure as a witness or whether it mattered.

The Electoral Commission has indicated that it would not wish parties to be heavily involved in collecting postal votes once cast. There is some justification in that. Although we are all supposed to be right hon. and hon. Members, we are not held in the highest esteem. Sometimes the fraud element is there to be abused by individuals and, dare I say it, parties. Serious consideration must be given to the marked-up register. I hope that my hon. Friend the Minister is able to say something positive about that—if not today, at a later stage.

Some hon. Members are concerned about moving the local authority elections in England and Wales to coincide with the European Parliament elections. In 1999 and 2003, Scotland experienced the marked difference that resulted from combining the two elections and getting people to come out to vote in more than one election on the one day. It is difficult to judge whether the knock-on effect came from people who normally vote at local elections suddenly deciding to cast a vote in another election on the same day, or vice versa, but it is clear that combining the two elections in 2004 will be helpful.

The Minister still has a lot of work to do. I am not sure that I would want to serve on the Committee, but it will be interesting.

None of us should run away from the problem: we all have a job to do, whether by engaging more closely with the electorate whom we are supposed to represent or through the proposed pilots. We must unite and say with one voice that we wish the electorate to play a far greater part in elections.

4.2 pm

Angela Watkinson (Upminster): I should like to concentrate my remarks on the all-postal pilots that took place in the local elections in 2002. My constituency is one of the three component parts of the London borough of Havering, which was chosen as one of the authorities to be piloted. That process gave rise to a range of difficulties, which I hope will be addressed in Committee.

Because what was involved was a new and different way of conducting an election, the local authority faced a challenge in disseminating information in the pre-election period so that people understood what would be expected of them and how voting would differ from the traditional method. They had to understand that everybody was voting by post, not just those who usually chose to do so; that the cut-off date for casting their vote was much earlier than the date of the election; and the nature of the documents that they would receive and how to process them. Many people were unaware that they would be able to vote in person only at the town hall because none of the usual polling stations would be open. Such information had to be emphasised to everybody, especially elderly people, well in advance.

Another problem that arose was the non-arrival of ballot papers: certain electors did not receive them. That posed a series of questions. Had they been lost in the post? Had they been wrongly delivered? Had they gone to the wrong number in the right road or the right number in the wrong road? Had two been posted in the same letterbox? Had neighbours received them by mistake? When they complained to the council, the question, "Are they telling the truth?" arose. The council was satisfied that the ballot papers had been posted, so nobody ever knew what happened to them. Often, it was too late to issue duplicates because the deadline for posting them back was too close. The electors had neither recourse nor a way of obtaining a ballot paper. Some angry people lost their opportunity to vote. The information to electors must make clear the last possible date for alerting the local council of non-receipt of a ballot paper, thus allowing plenty of time for an exchange of phone calls or correspondence and for the duplicate to be sent out and returned to the council so that it can be included in the ballot.

Many residents who had moved into the area since the previous election assumed that the fact that they paid council tax meant that they were automatically on the electoral roll. They were indignant to find that they were not. They believed that paying council tax entitled them to a vote, and I have much sympathy with that. Local authorities have an additional duty to encourage people who have moved into the area to ensure that they are on the electoral roll and not to rely on the fact that they pay council tax.

I am not sure whether the problem that I am about to consider was common to all the pilot schemes, or peculiar to the London borough of Havering, where a one-envelope system was used. Electors had to enclose their declaration of identity and their marked ballot paper in the same envelope, which contained a ward identification mark on the outside. At that point, the ballot ceased to be secret. A basic breach of confidentiality occurred and there was no guarantee that the council received the envelope. At the town hall, the two documents in the envelope had to be separated, and it was possible to see how an individual had voted. Indeed, that was difficult to avoid. I am not accusing council staff, who in the London borough of Havering are beyond reproach, or claiming that that actually happened. I am simply pointing out that it was perfectly possible, and that that is an obstacle that needs to be overcome.

Mr. Mark Hoban (Fareham): Will my hon. Friend clarify whether representatives of political parties were present when the envelope was opened and the declaration of identity separated from the ballot paper? That would reinforce the risk of loss of confidentiality, of trust in the system and of voter anonymity.

Angela Watkinson: I thank my hon. Friend for his intervention. I understand that representatives of political parties were not present, but I am prepared to be corrected on that.

It is also possible for envelopes that are identified by ward on the outside to be diverted or otherwise interfered with. Again, I stress that I have no suspicions that that happened in Havering, but it is possible. Interference could occur for political reasons when the likely voting intentions in a specific ward were predictable or consistent over several elections. It would therefore be possible to affect the outcome of an election.

The system compromises the security of the election in several ways. It involves more people in handling the paperwork at all stages of the election, from the preparation of ballot papers in council offices through their delivery—or non-delivery—by the Royal Mail and their storage for possibly three weeks after their return to the town hall. Ensuring that there is no interference with the accumulated ballot papers is another security issue.

In addition to his call for a referendum on the European constitution, the shadow Attorney-General, my hon. Friend the Member for Stone (Mr. Cash) also refered to the 1,500 items of post that go missing every month in each of our constituencies. In a month in which there would be a large additional number of items—as would be the case when ballot papers were being sent out—it is therefore fair to assume that a number in excess of 1,500 would be likely to go missing.

There is a question here of voter confidence. People want to know that the town hall has indeed received their ballot papers when they have sent them back. Not only are there difficulties with voters receiving their ballot papers, but there is no guarantee, when they have filled them in and sent them back, that the town hall will have received them either. The ballot papers then have to be transferred from their local venue to the Electoral Commission for counting. All these different stages offer additional opportunities for fraud or complications in the electoral process. It is also less convenient for local scrutineers to attend a count in central London, including the London boroughs, than it is for them to go to a local count or to a town hall to observe the counting of postal votes. The whole system is simply not as reliable as the traditional method. In the interests of public confidence, the system has to be seen to be inviolate.

Many people had either not read the instructions that they received before the election, or not understood them properly. Many did not understand that no polling

stations would be open, but by the time they realised that, on the morning of the election day, it was either too late or too difficult for them to get to the town hall, which was the only option open to them at that stage. If they could not get to the town hall before noon, they lost their opportunity to vote.

I have to confess that there was an increase in turnout at that election, but there were a lot of really high-profile local reasons for people wanting to vote. The local electorate were up in arms about council tax. Historically, the London borough of Havering had been underfunded for many years, and the long-awaited review of local government finance and the way in which central Government funds local government was imminent. People were expecting old wrongs to be put right. Unfortunately, their hopes were dashed, but at that stage they were still hopeful, so there was a very high level of interest in that local election, and it is difficult—perhaps impossible—to know how much of the increased turnout can be attributed to the postal voting system and how much to the high level of interest in council tax and other prominent issues.

The insecurity that I perceive in the system, along with the lack of confidence, the opportunities for interference and multiple voting, and the loss of opportunities for people to vote at all, are too high a price to pay for an increase in turnout. There is already a choice for everyone. Anyone who wants to vote by post can do so. People no longer have to justify their request for a postal vote. At one time, they had to give details of the holiday that they were taking, or state that they were likely to be in hospital or give reasons of employment in order to get a postal vote. Now, all that they have to do is request one, and they get it. Nobody is prevented from having a postal vote.

Furthermore, large numbers of people enjoy going and casting their vote personally at the polling station where they have always voted. There is a certain ceremony attached to it, and it seems to give the activity more significance. For those reasons, I would like to see the status quo retained, so that anyone who wishes to have a postal vote may have one, and anyone who wishes to cast their vote in person is still be able to do so.

Other hon. Members have mentioned internet and telephone polling. Those issues give me enormous cause for concern, because I perceive very high risks and far greater opportunities for corruption and interference in the process.

Mr. Cash: Does my hon. Friend agree that another point that has not yet been raised is the problem that would emerge if, in a national election, during the period between the closure of the postal voting procedure—which could be about 10 days before the election—and the election date, a significant statement were made that could dramatically affect the basis on which the people voting in person then decided to cast their votes?

Angela Watkinson: I thank my hon. Friend for his profound intervention. Indeed, such a statement could change people's voting intentions significantly. Many people may have already cast their vote but may wish that they had not done so because they have changed their minds. The Minister may like to consider that in Committee.

The way to increase turnout is to persuade the electorate that there is some point in voting, and that they are voting for candidates who will represent their views, work hard and produce policies that will affect their everyday lives. They would then be far more likely to take an interest in an election. Casting a vote once every four years is hardly an onerous task. Some people enjoy doing it. They enjoy the significance of turning up personally and going through the little ceremony of entering the polling booth and casting their secret vote knowing that no one else knows how they have voted.

I support the status quo. People can ask for a postal vote if they want one, but those who want to vote in person should retain the right to do so.

4.16 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith): Last week the *Sunday Herald* published the results of a survey of attitudes of young people in Scotland. It provides information that has a direct bearing on the debate. The survey was encouraging. When young people are asked what they think, rather than having views imputed to them, the findings show that they have a socially responsible attitude. However, the results of the survey of the attitudes of young people to voting were of concern. A question about the most important things that make someone a good citizen offered a number of options, and for the group aged 11 to 25 the lowest of all was voting in elections. Only 17 per cent. thought that voting in elections was important if they wanted to be a good citizen.

I am sure that that does not mean that the actual turnout for that group when they come to vote will be as low as 17 per cent. There is no immediate election—no general election is in the offing. Nevertheless, that low figure should worry us all, as it shows how little young people identify with the voting process. It does not suggest that the recent reductions in voter turnout will improve in the future when these young people come to vote.

We have had a mature debate, with only the occasional lapse into a more partisan argument. I accept there are a host of reasons why voter participation has declined. I do not believe that the problem of declining turnout will be solved only by technical solutions—some quick fix that will make things better so that more people vote. However, there are a number of ways to make it easier for people to vote, and they have a role in encouraging people to engage more in the electoral process.

I accept that people's alienation from the political process is part of the reason for a decline in turnout. However, before hon. Members get subsumed under a pall of doom and gloom, there is evidence to show that many other factors contribute to lower voter turnout, which we can address more easily than some of the more fundamental problems that have been referred to.

One of the biggest factors, which my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) mentioned, is the change in people's lifestyles. The traditional election day picture that is painted is one of people going along to vote in the morning, walking down to the polling station after they have done their shopping or at 5 o'clock on their way home from work. That picture does not reflect the

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reality of how many, probably most, people now lead their lives. They travel many miles to out-of-town shopping centres, and they return from work at all times of the day. Members leaving this place in the evenings must notice how many people are going home, clearly from work, at 8, 9 and 10 pm. We must not fall into the trap of self-righteously criticising the electorate for deciding that, having got home at that time of night, the last thing they want to do is go down to the polling station to exercise their democratic rights.

It may seem odd to those of us whom the Minister described earlier as aficionados of the electoral process—others might describe us as obsessives—that people do not necessarily want to do that, but we should not say that they are guilty of wilful apathy because they choose to lead their lives as we might not. I say that with respect to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris), who has just returned. If people want to go late-night shopping on a Thursday—Thursday being the traditional polling day—we should not tell them that they are not fulfilling their duty to society because they do not rush out to vote at 9.59 pm.

Mr. Peter Duncan: Surely the hon. Gentleman accepts that, as well as a change in lifestyles, there is disenchantment with the electoral process and the way in which elections are conducted. As he will know, in the recent Scottish parliamentary elections things changed in all too many constituencies: the constituency Member became a list Member, and the list Member became a constituency Member. Did that lack of change not affect the electorate? Such arrangements will disenchant the vast majority of those about whom the hon. Gentleman is talking.

Mr. Lazarowicz: I said earlier that many factors were involved in lower turnouts. I am merely suggesting that we should not fall into the trap of assuming that all those factors explain the drop, given other important factors such as changes in lifestyle. June elections provide an example. Many people now go on holiday at all times of the year, rather than restricting their holidays to the traditional trades fortnight when towns and cities empty. We must not try to fit the voters into our preconceptions of how they should behave; we should make it easier for them to take part in the electoral process.

I mentioned young people's attitudes earlier. We must begin to consider such issues comprehensively. The more voters—young or old, new voters or people who have voted in many elections—become used to not voting, the more the idea that casting a vote is a civic duty will be rejected, by increasingly wide sections of the population.

That is why I believe that the time is right for the Bill. We have had local pilots involving new forms of voting for more than three years, and, for the most part, they have been successful. I agree with the hon. Member for Upminster (Angela Watkinson) that there have been difficulties on occasion, but by and large they have succeeded not just in terms of their operation, but in increasing turnout.

I thought the hon. Member for Stone (Mr. Cash) was a little selective in his analysis of the turnout for postal voting which appeared in the briefing documents. He pointed out that some of the pilots had increased turnout, while others had reduced it. The fact is that, according to the Library, 54 of the 57 instances of all-postal voting featured an increased turnout, and only three featured a reduction—which was in any case a small reduction compared with some substantial increases.

This is the right time to take a further step towards the use of new voting methods, particularly all-postal ballots, and to make them the norm rather than exotic experiments. Of course, I accept the concerns, expressed by several Members, about the possibility of fraud in all-postal ballots and other new voting methods. It is essential that the possibility of fraud be minimised, and the measures that the Minister referred to in his opening contribution will certainly help to reduce that possibility. As has already been pointed out, there are many ways in which the current system is open to fraud. Indeed, if properly introduced the new system could actually reduce the prospect of fraud. Anti-fraud measures can be effective, and at the end of the day the best protection against electoral fraud resulting in an outcome other than that which the voters want is to increase voter turnout by genuine voters. Increasing the number of people voting in elections through the use of all-postal ballots and other new forms of voting will ensure a result that is a fairer reflection of the wish of the voters—a point that certainly outweighs the minuscule number of cases of electoral fraud in traditional or postal ballots.

I welcome the move towards greater use of postal ballots and other forms of voting, but further steps need to be taken if the new system is truly to result in the electorate's greater participation in the democratic process. I hope that the Minister will address some of these points when he replies to the debate, if he has time to do so. I agree that it is essential that the information and instructions given to voters about how to use postal ballots are kept as simple as possible. Examples have been given of people not knowing how to use the postal vote and failing to take advantage of the opportunity given to them; we must avoid such situations. I agree that there should be an extensive advertising campaign at national and local levels to ensure that voters are aware of the new system. That campaign should include not just advertising, but access to telephone helplines and to other ways in which voters' queries about the new system can be answered speedily, so that they are encouraged to use their democratic right.

I agree with the point made about the need to get assurances from Royal Mail about the delivery not just of ballot papers, but of election communications before ballot papers are received. I also agree that it is important that voters have several opportunities to deliver their postal ballot papers by hand, if they wish to do so, to delivery points in the local authority area. In most local authorities, more than just a single central point will be required. Given the absence of any need to provide clerks to issue ballot papers, this is surely the opportunity to provide ballot boxes and places for the receipt of ballot papers in many locations other than the traditional election venues.

I agree with those of my colleagues who have emphasised the importance of ensuring that the electoral register is as accurate as possible. Of course, that should happen anyway, but it is particularly

important that the register be accurate if the possibility of postal ballots being sent to the wrong people is to be minimised. The register for next year is already in preparation, but having a rolling register enables us to add or remove names throughout the year. I should still like the Government and local government to carry out an effective, face-to-face, door-to-door canvass, particularly in those parts of the country in which all-postal ballots are used for European parliamentary elections. If that cannot be done for 2004, government at all levels should certainly introduce it for future elections.

In that connection, it is particularly important to make an effort to register, and to provide information to, ethnic minorities, particularly those for whom English is not their first language. I include in that category citizens of other European countries, who can of course vote in these elections, but who frequently do not realise that they can register and vote. My own experience of electioneering has shown that many citizens of other EU countries are not aware of their right to vote in these and other elections.

Finally, I turn briefly to the issue of which areas of the country should be used for the pilot postal ballot schemes and the elections next year. As a Member representing a Scottish constituency, I certainly welcome any suggestion that Scotland should be one of the pilot areas, and I urge the Electoral Commission to recommend it as one of those areas. I hope that the Government will make the necessary order when the time comes.

As hon. Members have pointed out, Scotland has no local elections taking place on the same day in 2004, so there is no risk of confusion. Another argument for choosing Scotland as one of the pilot regions is that it includes many remote and inaccessible areas, so postal ballots will make it easier for voters living there to cast their votes in the important elections next year. I found it hard to follow the bizarre logic of some Opposition Members—that because Scotland is particularly remote and inaccessible, it is the wrong region for a postal pilot. In my view, people in those areas should have an opportunity to cast their votes in next year's elections as a matter of course.

Mr. Peter Duncan *rose—*

Mr. Lazarowicz: I give way to one of the remote and inaccessible Gentlemen.

Mr. Duncan: I am only too happy to make my position clear to the hon. Gentleman. What I said is that it would be more expensive to have a pilot in Scotland. The hon. Gentleman alluded to people in rural areas of Scotland having the opportunity to vote by post, but such people can already do so now. They have the opportunity to apply for a postal ballot. It is a straightforward process and they can vote by post.

Mr. Lazarowicz: Of course they can vote by post now. However, I see no reason why we should make it more complicated for them to do so. We were told that some people have difficulty accessing letterboxes, but it is difficult not to believe that a polling station is likely to be even further away. That provides a further reason why Scotland should have the opportunity to use internet and telephone polling so that people who cannot get to a letterbox in the constituency of the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan), could use the phone or internet and cast their votes in that way instead.

Above all, it is appropriate to choose Scotland as one of the pilot areas for new methods of voting because it has been fortunate to experience the pushing out of the frontiers of democratic and constitutional reform. I am certainly proud of the Scottish Parliament and of the fact that Scotland has, by having proportional representation in Scottish elections, been at the forefront of the democratic reform of our constitution. I also hope shortly to see proportional representation in local government elections in Scotland. We have already been at the forefront of such reforms and I would like us to be at the forefront in this further respect.

Mr. Nick Hawkins (Surrey Heath): The hon. Gentleman is trumpeting his belief in the Scottish position at the forefront of democratic experimentation, but does he agree that, given that there is a separate Scottish Parliament, we should end the gross over-representation of Scotland in the House?

Mr. Lazarowicz: The hon. Gentleman knows full well that the number of Scottish MPs will reduce when the boundary commission completes its work—and there is no dispute about that. The hon. Gentleman should be concerned that, as a result of that process, his party's representation in the House in respect of Scotland might be reduced by 100 per cent.

In conclusion, I want Scotland to take the lead in democratic change, which will allow more people to reconnect with the political process. All democrats in Scotland should support such a move and only those concerned with narrow political advantage could possibly oppose it.

4.34 pm

Mr. Robert Syms (Poole): I remember well the original Bill that was the starting point for where we are today. The right hon. Member for Blackburn (Mr. Straw) introduced that change in our electoral system from first-past-the-post to the list system, in his usual genial way. He talked about famous Belgians and we discussed Mr. d'Hondt and how the new system would make every vote count, so that increasing numbers would go out to vote. Unfortunately, he forgot an integral part of our electoral system—the candidate, and the influence of an individual in a general election or other election. That influence is good news for us all.

Most of us grow up in a political environment in which people claim that candidates do not count for much. I think that they do. Although the vast majority cast their vote for the political party that they support, they vest their hopes, support and interest in the individual who represents that party in the constituency. We all work and campaign hard in our constituencies, which pushes many of our supporters out to support us. We also probably push many of those who do not support us out to vote against us, and our opponents probably do the same. The level of activity, including the displaying of posters and cavalcades around the constituency, pushes turnout up all round.

[Mr. Robert Syms]

The difficulty with the electoral system that we will have next June is that people will again be asked to vote for a political party rather than an individual, and in such large regions that people do not feel that they can make a difference. Indeed, it is depressing for candidates for the European Parliament to face electorates of 3 million, 4 million or 5 million. The candidates cannot cover the distances and they know that whatever work they do, it probably will not make much difference. The Government have vested their hopes in the system, not in the people who operate it. That is one of the reasons why turnout dropped from 36 per cent. in 1994 to 23 per cent. in 1999.

Although I am sure that postal voting will help to push turnout up, it is a fundamental flaw that people will not have the ability to vote for individuals. If the Government were really radical, they would go back to the first-past-the-post system. The argument at the time was that European constituencies were too large—comprising seven or eight parliamentary constituencies—and that that was not wise. A year later, the Government introduced the Greater London Authority Act 1999, which created first-past-the-post constituencies the size of boroughs, which were almost the size of the old European constituencies.

The Government have missed an opportunity to push turnout up in the most fundamental way by going back to first-past-the-post. A postal voting system will help turnout, but legitimate concerns arise, which have been expressed in the debate. My hon. Friend the Member for Upminster (Angela Watkinson) mentioned the concerns raised by not having two envelopes and questioned the security of postal ballots in her borough. We have already heard about the problems of houses in multiple occupation, or flats, which can lead to fraud. Fortunately, incidents of electoral fraud are rare in this country, but when they happen they almost always involve the operation of postal votes. Someone harvests postal votes in a particular ward and suspicion is aroused. The Government must continue to reassure people that the operation of postal votes will be arranged so as to minimise fraud.

Mr. Lindsay Hoyle (Chorley): The hon. Gentleman makes some good points. He is worried about the prospect for fraud, but we must recognise that the potential for fraud exists in any system. Whatever system is adopted, someone will always try to cheat it. I can reassure him that a postal voting system has been used in two local elections in Chorley, and turnout in the first was more than 60 per cent.—the highest in the country. The next time, turnout was the second highest in the country. The system was successful and I welcome the opportunity to try to increase turnout and encourage more people to exercise their franchise. I am sure that we would agree about that.

Mr. Syms: The hon. Gentleman makes a good point, and Chorley was mentioned earlier in the debate as an example of successful postal voting. The briefing paper from the Library shows an increase in turnout in local government elections of more than 15 per cent., sometimes more, sometimes less. So postal voting has led to higher turnouts, which is why the Conservative party will support an increase in it. People casting votes must believe that secrecy is being maintained, and that the system is being operated fairly.

Chris Grayling: Does my hon. Friend agree that an opportunity for fraud will arise if areas or regions are asked to adopt multiple voting strategies? For instance, where e-voting sits alongside postal voting, returning officers may be asked to monitor two or three separate flows of ballots as they come in. Does my hon. Friend agree that, under those circumstances, the job of policing fraud will become much harder?

Mr. Syms: That is a very good point. The Conservative party's position with respect to e-voting is much more reserved. As has been noted, there are concerns in the US about the security of such votes, and similar concerns have been expressed here.

The pilots that have been held show that postal voting pushes up turnout. I do not think that we need look to other systems of voting, although we should make it easier for people to get postal votes at general elections. If the Government were to say today that the whole of the European election was to be decided by postal vote, I believe that that would be legitimate. However, I am not so sure of the validity of the argument that part of the election should be conducted by postal vote.

A number of pilots have been held, and most have happened where councils have volunteered to conduct the experiment. We are now moving into very different territory. After consultation, the Government will tell certain regions that they will have to adopt the new system, and that causes me certain problems.

Electoral registration departments in many authorities have not received much investment in the past. Many struggle, on limited resources, to carry out their tasks. Some authorities are very good. They are switched on and efficient when it comes to dealing with votes and delivering the count, but other authorities are less so. Introducing a new system on a region-wide basis will mean that there is variety in the delivery of service.

As we have heard, it is very important, when moving to a postal voting system, to be able to inform the parties of what is going on. The experiment earlier this year in Guildford was quite successful in pushing up turnout, but every day the borough's returning officer told the political parties who had voted. The game, therefore, became a giant knock-up exercise, as parties determined who supported them.

John Robertson: Would the hon. Gentleman accept an electronic register, marked on a rolling, day-to-day basis?

Mr. Syms: I have no strong view one way or the other. What is important is that all parties are treated the same. I am concerned to ensure that all authorities in regions with postal voting are efficient enough to be able to tell the political parties about the returns in a particular constituency or borough. That should be the model. We know that provision varies, and that is one reason why the Electoral Commission has been looking into how returning officers provide their services.

The point was made by the hon. Members for Somerton and Frome (Mr. Heath) and for Moray (Angus Robertson) that postal voting makes for a

different type of election. A problem arises that has to do with how political parties time the climax to their campaigns. A mixed system causes difficulties in that respect.

In the normal run of things, the vast majority of voters—90-odd per cent.—go down to polling stations. However, some postal voting takes place even then, and people are able to vote a week or 10 days before the final poll. Broadly speaking, the parties know their expenditure limits and the point in their campaigns when they want to get their message across so that people go out and vote for them. A system that means that the important date is a week or 10 days before polling day for one chunk of the country, when the vast majority of people in the neighbouring region will turn out to vote on polling day, will cause problems in respect of advertising, television and the delivery of a particular message.

That adds to the complications, and we are already confined by the fairly strong straitjacket imposed by the legislation on political parties and referendums.

Mr. Lazarowicz: Is the hon. Gentleman not in danger of saying that elections should be run for the convenience of political parties rather than of voters?

Mr. Syms: It is important, as long as we are sensible, that political parties should be happy with the arrangements, too. If I have a criticism of the Government it is that they have not always consulted widely on some of the changes that they have introduced. It is important that those who operate the system should be seen to be fair as we deliver our message. There is no reason not to take into account the concerns of all the political parties in setting up the arrangements.

We are in favour of postal voting, although we have some concerns about security. We are more anxious about e-voting and some of the newer systems. However, if we are to reconnect with people we must make fundamental changes rather than merely tinkering with the arrangements. We need to get back to individuals and candidates, because they matter more than systems.

I am not a pessimist about turnout. At present, everyone involved in the political process seems to be terribly depressed because turnout is down. However, the Library briefing shows that turnout did not change much between the second world war and 1997; it bobbed up and down during the 1970s; and at some points people had a stronger wish to vote than at others. In the February 1974 election, when I was still at school, there was a high turnout, owing to the miners' strike and the three-day week. Television broadcasts were reduced and there was a sense of crisis, so many people voted, although I would not argue that that was a successful way of getting people to vote. The rise in turnout compared with 1970 may have been a material factor in the Conservative defeat in February 1974. People wanted to express their concern about the state of the country.

In 1992, turnout was high because many people wanted to get rid of the Government and many people wanted to keep them. There was pressure from both ends of the political spectrum, so turnout was high.

Several years before the 2001 election, opinion polls had been telling people that the result was a foregone conclusion, which had a material effect on turnout. Opinion polls influence behaviour, so it would be a perfectly respectable argument that banning them for a period could change the nature of elections and get people to vote. My only reservation would be that if official opinion polls were banned, people might move into the vacuum and make them up, as the Liberal Democrats did in their little newspaper during the Brent, East by-election. However, opinion polls do sometimes depress turnout.

Mr. Tom Harris: A new question in opinion polls is, "Do you intend to vote at the next election?", so does the hon. Gentleman agree that when the media constantly report the fact that fewer and fewer people will turn out to vote, it becomes a self-fulfilling prophecy—and the media should take some of the responsibility for lower turnouts?

Mr. Syms *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I think that we are getting slightly away from the legislation's centre of gravity.

Mr. Syms: We want to raise turnout in the elections next June and some of the Bill's provisions will be helpful. One can be genuinely critical of the fact that we are not going entirely one way or the other. There are problems in focusing on particular regions, as is currently being proposed. We need to consider what has not been included in the Bill, because the Government could have done much more to encourage turnout in general elections.

I hope that turnout will rise in June. As the turnout in the previous European election was so appallingly low, there is a chance that it may be higher next time. There are signs from the last two local elections that turnout is rising. If people thought that elections would be more competitive, turnout would start to increase.

The hon. Member for Glasgow, Cathcart (Mr. Harris) made a good point about the attitude of the public: if there is full employment, when there may be fewer dragons to slay, people may have less motivation to turn out. However, that may not last for ever.If people care passionately about things, they may be more determined to vote. I am not convinced that we shall have ever-lower turnouts. I am sure that in future there will be issues that regenerate people's interest in democracy. It is a pity that we have been landed with this awful list system for the European elections next June.

4.50 pm

Ms Dari Taylor (Stockton, South): I welcome the Bill. I see it as a very important way to introduce innovatory voting methods that could reinvigorate democracy. This is a complex debate and what I say may be full of ifs and buts, but I believe that we need to consider how to reinvigorate democracy.

In my early days, in my first election in 1955, my father fought the seat of Vale of Glamorgan, and the percentage vote cast was 89 per cent. It was a

[Ms Dari Taylor]

Conservative seat, with a 20,000 majority. It is now a Labour seat, and I am sure that my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) will ensure at some stage that he too may achieve a 20,000 majority, but the point is that all of us hang so much on the argument about turnout. How many people vote indicates to us all the sense of importance or value placed on politics, legislation and government. We underestimate or undermine the argument if we do not see the value of turnout—it shows people's trust and their confidence in voting.

The Bill is important, but re-engaging people with politics is not solely about persuading them to vote. We have to persuade them that the political discussions that we are involved in are real and valuable to them. We have listening schedules and on-street surgeries. We all use questionnaires. We do an awful lot to engage with the wider population—with our constituents—to persuade them that there are real debates here. Sometimes, some of us feel overwhelmed by the robust nature of our constituent's opinions. We have only to listen to them talking about hunting with dogs, third world debt or the controls that they want on fireworks to know that they are very engaged with the political debate. So if people are involved in political debates, it is important for us to ask why they find it so much more difficult or impossible to vote in the great numbers that voted when I was a child.

I was singularly depressed in 2001, when the number of people who turned out in Stockton, South went down by 11 per cent. In 1997, 72 per cent. voted. In 2001, 61 per cent. voted. I believed that I had energetically and robustly engaged with my electorate in all manner of ways, persuading them that political discussion—political challenge—is valuable. I was seriously depressed so I carried out a survey. A small team and I spoke to 500 people—not thousands I know—so I do not necessarily suggest that the analysis has to be accepted by all. We asked people why they had not voted. Was it because they could not be bothered? Were they not engaged in the political process? We got a very clear response. Yes, some of them said, "You're all the same. You don't deliver on your promises", but overwhelmingly, people said, "You changed the date of the anticipated election. It was not May, as we thought, but June, and we were too late to request a postal vote."

The hon. Member for Stone (Mr. Cash) asked why the 2001 election bucked the trend, when the number of people who did not vote doubled. We were very concerned about the foot and mouth episode, so the election was delayed. Let me tell him what my small survey shows. People were caught off guard and had not asked for a postal vote.

Other answers were given to me. People work shift systems, and many work offshore and are not available to vote during their normal working activity, as they are away for six weeks at a time. Many of my 18 to 21-year-olds told me that they were in the middle of their final examinations and had no time to consider voting in an election. It is therefore important for us to understand that people have complex lives, which are not run according to a normal 8 to 5 day.

Angela Watkinson: The hon. Lady will of course be aware that it is open to any elector to choose a permanent postal vote. They do not have to ask for one for a specific election—they can have one for every election, and that arrangement can be made well in advance.

Ms Taylor: The hon. Lady is correct, but when unpredictable things happen, people do not have the opportunity to apply, and the time intervals are too tight. Many people felt that they were disfranchised because the election was moved from the anticipated date, not the stated date.

Having done a small piece of research to try to understand why my electorate had dropped, in turnout terms, from 72 per cent. to 61 per cent., I became much less depressed about my ability to engage with people locally. I began to believe that perhaps the electoral system was far too inflexible and rigid for people who perhaps go into hospital or go on holiday at the last minute, who cannot vote in the normal way at a polling station and who require the option of a postal vote. I therefore concluded that we must consider people-friendly voting activity, and pilots of postal voting seem to be an appropriate option.

In the northern region, there have been 13 pilots of postal voting. From my knowledge, the pilots to date have been successful if we consider the one measure on which many of us hang our coats again and again—the number of people who express their voting preference. To date, in all-postal ballots, upwards of 50 per cent. of the population have voted. In fact, the increase in the number of people voting has been 20 per cent. to 25 per cent. My right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) stated her case about Gateshead, but it is also the case for Sunderland. In fact, in some wards in Sunderland turnout was more than 60 per cent., and in my area of Stockton it was well above 50 per cent. That pilot is being used to persuade others to come on board to say that they have the opportunity to express their opinions and that we are giving them a flexible option to do so.

I am keen to say to the Minister, as many of my colleagues have said this afternoon, that because the northern region has had 13 different pilots, we have a great deal of valuable experience. Consequently, that leads me to persuade him that we should be one of the pilots chosen for the 2004 European and local elections. Across the region, we would see Conservative and Liberal Democrat seats as well as Labour seats involved in pilots of postal voting. I also say to him that many people in my constituency who have voted by post once, found that it was so user friendly that they believe that the opportunity will be open to them on all future occasions. It will be very difficult for me to explain to them that it was a one-off pilot and that it will not be available in the future. It is therefore important for the Minister to understand that people adapt quickly to new ways of doing things, and that this has been such a valuable experience that many people, if not the majority, would want to have that opportunity again.

All material published to date by the Electoral Commission, and some published by the Hansard Society, shows the worry about how to get people-friendly politics to work in our community. The assessment of voting pilots to date clearly shows what

people think about voting by post because they use words such as "easy", "convenient" and "popular". The system gives people the opportunity to express their vote in a manner that references their lifestyles and home lives.

Angela Watkinson: Does the hon. Lady agree that there is a world of difference between voting by post out of choice and being compelled to vote by post? People who are compelled to vote by post are deprived of the opportunity to cast their vote in person at a polling station.

Ms Taylor: The hon. Lady makes a valuable point. I listened with great care to the part of her speech about how we can secure the system and ensure that fraud is minimised. However, she described a quite different situation from the way in which the postal vote system operated in my constituency and region, so I quickly wrote some comments down. I could well be wrong but I think that we operated a marked register somewhere in the northern region, if not in Stockton. All parties knew who had voted and at what stage that had happened throughout the process. Secondly, and valuably, voters in Stockton, South could take their postal ballot by hand to a polling station on the day of the election. As the hon. Lady rightly said, we believed that it was important to give people the widest and most flexible possible opportunity to express their vote. People had two options: they could post their vote or take their postal vote to a polling station, so a safety net was established.

It is crucial that we get the system right because many hon. Members have expressed the fear that fraud will occur. I read all the reports on the northern region's pilot studies because, naturally, we do not want to be part of systems that reduce politics in any way. Politics is reduced enough by far too much unscrupulous press coverage, so I do not want any more of the same. I tell the hon. Lady that I know of no concerns about, or evidence of, serious security issues during the pilot studies and that no challenge was made on the basis of fraud. That was said by all participating parties, which included the Liberal Democrats and the Conservative and Labour parties. We were all involved in watching and scrutinising how the 13 constituencies operated postal voting.

Sir Robert Smith: My worry is the potential for fraud and whether safeguards have yet been fully worked out to police fraud so that it cannot take off. When we pass legislation, our worry is about how people will respond in the long term, not necessarily during the first trial.

Ms Taylor: I would not undermine that statement for one minute. Each and every one of us wants to scrutinise the whole system so that we can be reassured again and again that fraud will be minimised.

First and foremost, I believe that we want to reinvigorate democracy and measure democratic involvement using the one method that we have always used—voting activity. However, equally, while invigorating democracy, we all want to ensure that we keep up to date with methods to the same extent as people throughout the country. Time and time again young people say to me, "What about e-voting?" I am cold to that method. I do not want to e-vote because I like going to the ballot box in a polling station, but young people press the case. They ask about text voting. I have no sense of involvement with that either, but it is clear that young people do. It is important for this legislature to have a wide-ranging discussion on possible pilots, as we have done today. We must also acknowledge the views of people outside the Chamber who think that we are not as up to date as they are and do not give them the opportunities to which they believe they are entitled. We are discussing one small pilot. It does not answer the whole case. We are not going to reinvigorate democracy simply by introducing this small measure, which I support.

I stress to my hon. Friend the Minister that the northern region has had 13 successful pilots, in which the turnout increased by 20 to 25 per cent. It is an obvious place to locate pilots for the European and local government elections in 2004.

5.6 pm

Mr. Ian Davidson (Glasgow, Pollok): It gives me great pleasure to speak in support of the Government. I always wish to do so, but sometimes they let me down.

I support what is proposed because we must do everything we can to improve turnout at elections. Getting people out to vote is important. I draw lessons from the Library report, which surveys the various experiments that took place. I note, however, that extending voting hours reduced the turnout in every case: the logical conclusion of that is if we allow people 20 minutes to vote at some point during the day, virtually everyone will make it. I see that the Government have not been sufficiently bold to pursue that.

I support the aim of making it easier for people to vote, but that does not address all the issues. It is necessary, but not sufficient. Parliament is not adequately tackling our failure to interest enough people in politics. There are many problems that the Bill and the Government do not address. The first is the culture of the yah-boo politics of confrontation, which undoubtedly alienates young people. My children and their friends frequently comment on our behaviour. They think we behave like young children in a minor English public school as we shout back and forth at each other across the Benches. I have occasionally indulged in that myself, Mr. Kettle, but none the less I recognise the need to repent, and I am willing to do so if others are willing to do likewise.

Mr. Tom Harris: Two examples do not help my hon. Friend's argument. Neither the Scottish Parliament nor the European Parliament are forums famous for yah-boo politics, yet turnout for the elections to both Assemblies is considerably lower than it is for the House of Commons.

Mr. Davidson: I will come to that.

The second reason why we are losing public support is the culture of spin and over-presentation. Politics as a brand of show business has been introduced to a great extent by some members of the Government. We must consciously break away from that. Spinning the end of

[Mr. Davidson]

spin is not sufficient—genuine recantation and reform are needed rather than just the presentation of them. We should consider seriously the way in which we balance the need to end the excessive rigidity of the whipping system and the need to ensure that parties and groups are not over-divided. That balance needs to be struck in a way that enables us to engage more with the public, who on the one hand do not like clones but on the other do not like undue splits and divisions. It is a question of managing to strike that balance in a mature fashion.

I should like to touch on the serious matter of low turnout, which is politically malign. People who do not vote are usually those who need politics the most, including the poorest and the least educated. Those who most need the state's efforts are often those who make the least effort to influence affairs of state. Politics therefore increasingly becomes a contest for the votes of the prosperous—it is a bidding contest for the votes of the articulate middle class. However, many of the people I seek to represent find themselves neglected and ignored. I do not believe—in this I support the views of one of the Opposition speakers—that that decline is inevitable. It depends on whether or not we can engage with the population as a whole. Had we had a general election or an opportunity for the expression of popular support during the Iraq war, there would have been a tremendously high turnout, particularly among young people, because they engaged with the issue. But there is a disconnection between the issues about which they feel strongly and the ways in which they can express their views.

Mr. Hawkins: As always, I am listening carefully to the hon. Gentleman. Does he agree that if the Government allowed a vote and referendum on the EU constitution—an issue on which he and I would be campaigning on the same side—there would be a large turnout and a decisive rejection of the constitution?

Mr. Davidson: I believe that that is an issue with which the public could engage. Because they would be engaged with it in a way that the Government do not want, the Government are declining to allow a referendum. The reason why we have not joined the euro is that a commitment was made some time ago to have a referendum, which the Government have declined to hold as they know that they would lose. Similarly, they are resisting a referendum on the new European constitution because they believe that they would be defeated. Some people in favour of the new constitution have argued that the only way in which change will be achieved is to engage the public by putting the issues before them through the forum of a referendum, from which a genuine decision will flow. I support that position. We cannot continue to have a political elite leading us further down a particular road in European decision making and politics without the people's consent, which is almost deliberately designed to increase alienation, discontent and unhappiness. When that alienation and discontent cannot find legitimate political expression, there are swings to the extremes, of the kind that have sadly taken place in some parts of Europe in recent years.

However, I digress, and shall turn to the European elections themselves. There are a number of reasons why European turnouts have been so low. First, as many Members have mentioned, there is the question of proportional representation. Undoubtedly, the introduction of huge constituencies with list members with whom virtually nobody can identify has driven down voter turnout, engagement and participation. I fail to comprehend why the Government are not prepared to recognise that. I admit that Europe will probably not allow us to change our electoral system, but the Government ought at least to acknowledge that and say honestly, "We would like to change the system. It is not our fault. We recognise that first-past-the-post Members would allow more of you to be adequately represented, but this is one of the prices that we have paid." A straightforward admission would be helpful.

The closed list system and the jiggery-pokery that has gone on not only in my party, but in the Conservative party and others, whereby people have been selected for lists for various reasons, not all of which are publicly available, has undoubtedly reduced the attraction of participation for many.

The third reason for low turnout is the dislocation between the British public and the great European adventure in general. We must look for ways of re-establishing contact. It was suggested not long ago by one Minister that the European elections should be turned into a referendum on the European constitution. If the Government were prepared to accept that the European elections would be a referendum on the European constitution, I can see that that would be helpful in terms of driving up turnout. However, it would not be helpful to my party's cause, so I very much hope that the Government would not take that course of action, and would seek by any means possible to avoid the European elections becoming a referendum on the European constitution.

The best way of doing that is by holding a separate referendum on the European constitution, thereby parking the issue on one side of the European elections, so that the elections can take place in the context of the European constitution, yea or nay. It would be immensely helpful for the engagement of the British public in politics if spokesmen, of the Government in particular, did not make the entirely false assumption that anyone who wants a referendum on the European constitution ipso facto wants us to withdraw entirely from the European Union. That is a foul slander from which, in the interests of honesty and openness in politics, I hope the Government will refrain in future.

I turn to the provisions for the checks on fraud. Many of the earlier speakers mentioned points that I would otherwise have made. I want some explanation of the process whereby the Electoral Commission came to the conclusion that all the pilots have been acceptable and free from fraud. I wonder how many members of the Electoral Commission have ever stood in a tight selection in a political party context or in a trade union election. That might be a valuable learning experience, which would demonstrate that the theory of elections is not always the practice.

In council elections, wards can be won when there are relatively small amounts of fraud. I agree with my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) that the best way to defeat fraud in

large elections is to bump up the turnout. However, in elections for individual wards, fraud can significantly affect the result. I seek the Minister's clarification of the amount of back-checking that has been done. The fact that there have been no complaints does not necessarily mean that there has been no fraud.

With reference to postal voting, for example, how many signatures accompanying the ballot paper that came in have been compared with the signature on the application form? How many ballots have been ruled out because the two did not match? If there are no examples of checking and no examples of ballot papers being ruled out, I find it difficult to believe that there has been no fraud whatever. My only significant experience of postal voting was an internal Labour party election in Glasgow, where it was run so inadequately that the whole ballot had to be re-run. It is impossible to believe that that has not happened elsewhere. Those ballot papers were ruled out for a variety of reasons, some of which were innocent: for example, people had rushed their signature on one occasion, but not another; or people whose first language was not English had expressed themselves slightly differently on two separate occasions. Nevertheless, it raised enough doubts in my mind to make me somewhat cynical about the merits of postal voting in small electoral divisions.

On e-voting, would the mere possession of a number allow someone to cast a vote on someone else's behalf? The United Kingdom is now a multicultural community, and different attitudes to democracy are found among many of the groups that make up our country. I am not certain whether the traditional view is necessarily the only correct one. If, say, a godfather collects numbers from an extended family, or on the basis of comradeship or commercial links, should that be condemned in every case? Are we right to say that there should be individual, rather than collective, voting? [HON. MEMBERS: "What's the answer?"] I think I know the answer, but I want to know what steps the Government are taking to ensure that what we might see as malpractice is being stamped out. All the evidence—anecdotal, not from the Electoral Commission—shows that such malpractice is occurring.

I am not convinced that the Government are taking that issue sufficiently seriously. I have argued that they should be bold and experimental in several respects, but in some areas more caution is required: we must retain people's trust in the electoral system by ensuring that its integrity is beyond doubt. Can the Minister tell us how many reverse checks have been made? How many people who voted electronically were subsequently approached and asked whether they voted, or whether other people, by a variety of methods, cast votes on their behalf? Let us check whether the system is foolproof.

Angus Robertson: I apologise to the hon. Gentleman for not having been present at the start of his comments. Does he agree that one of the most simple and effective safeguards in making such checks is a marked-up register, and that it is essential to have such a register in any pilot region where postal voting takes place?

Mr. Davidson: I was about to come to that point, but I shall deal with it now. I am not entirely familiar with the details of the marked-up register system, but hon. Members on both sides of the House have made valuable points about it. So far, the Government seem to have provided the strongest possible assurances that as much as possible is being done, and I look forward to the Minister's confirmation that that will be adhered to.

I want to ask the Minister about recounts. Having participated in elections where recounts have been necessary, whether to save a deposit or to determine who has won, I have never been entirely clear about how a satisfactory recount can be conducted where there is electronic voting. The old paper piles have the merit that they can be stacked up and looked through one by one. I am not clear about the electronic voting equivalent. Unless the system can demonstrate beyond peradventure that the votes have been cast and counted accurately, there will always be a suspicion that those who know how to manipulate the technology have rigged the results.

Like many others, I was interested to read in a national newspaper reports of anxiety in the United States about the possible misuse of electronic voting. The Americans cannot run even a mechanical system properly, and it is unrealistic to expect them to run anything more complicated more coherently. We should not simply jump into something that is perceived to be technologically at the cutting edge.

Mr. Parmjit Dhanda (Gloucester): I apologise for missing my hon. Friend's opening remarks. When I was a party agent in Ealing some years ago, there was a recount and genuine difficulties arose because some of the bundles of paper had been lost; they were misplaced under another table. The joy and advantage of electronic voting is that such a problem simply would not occur. It is much easier to compile the information and it should be quicker to count the votes in the first place.

Mr. Davidson: Gosh. I am not sure what constitutes the electronic equivalent to being lost under a table, but if it can be done with bits of paper, I am sure that it can be done with gee-whizzery. I find it difficult to operate my computer and I cannot believe that everybody else operates theirs to the highest possible standard and that there is no scope for jiggery-pokery. It is not clear how we could be confident that a recount was being conducted according to the highest standards.

Mr. Miller: My hon. Friend's argument reminds me a little of that of a constituent, who explained carefully, in a seven-page letter, the reason for voting in pencil. He argued that it was so that "they" could alter the results. I asked him how I got elected when "they" altered the results. My hon. Friend is presenting conspiracy theories.

Mr. Davidson: I can give my hon. Friend's constituent a simple explanation: I always thought that he was one of "they". I rest my case.

Let me remind the Under-Secretary, my hon. Friend the Member for Tottenham (Mr. Lammy), of the saying that we are at our best when we are at our boldest. I hope that when he sums up, he will be a little bolder than his fellow Under-Secretary, my hon. Friend the Member for Shipley (Mr. Leslie), who opened the debate. [*Interruption.*] I am an optimist. Nobody is beyond

[Mr. Davidson]

redemption. My hon. Friend the Member for Tottenham is too young to be completely institutionalised.

We should consider a pilot for first past the post. As I said earlier, I do not understand why we cannot hold a first-past-the-post pilot in Scotland in the European elections to ascertain whether the turnout increases drastically.

Angus Robertson: How is it possible to hold a first-past-the-post election for the European Parliament in any region, given that under treaty obligations, the United Kingdom and every other European Union member state must have the same or a similar proportional representation electoral system?

Mr. Davidson: The hon. Gentleman does not appreciate the extent of the Prime Minister's influence with our European partners. I am convinced that if we had the will, we could debate with our European partners and tell them that we were being bold. We could say, "We are at our best when we are at our boldest and we call on you to agree to the experiment." There would be something in that for many of our European colleagues, because if we managed to find a method of increasing people's connection to the European Parliament, they might want to copy it. The falling turnout in European elections is happening not only in the United Kingdom but everywhere else in the European Union.

It is no coincidence that in virtually every referendum held in the European Union, "they"—whether it is my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) or his colleagues—lose. Those who are running the system lose referendums. It is only when they have to re-run them—as in Ireland—that they occasionally win them.

I notice that the Minister has had to bring in reinforcements now that we are discussing the question of boldness. My second point about boldness was also raised obliquely by my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris); it concerns the question of compulsory voting. Have the Government considered looking at the Australian example? I was in Australia recently and I was struck by the fact that, over there, compulsory voting, which would seem contentious in the extreme to us, is now accepted as part of the furniture. This raises the issue of people's rights and responsibilities. All the citizens of this country have rights—quite rightly so—and we are seeking to expand them. There is also an issue of responsibilities. In Australia, people have the opportunity to go along and not vote, but they actually have to make the effort to make that decision, as it were. We ought at least to be seriously considering that option.

My third point concerning boldness relates to a referendum on the European constitution. I have already touched on whether we could have a pilot on this. We could ask people whether they would like to have a referendum. Public opinion indicates overwhelmingly that people wish to have a voice on the new European constitution. I am not entirely familiar with the position taken by all the Irish parties, but I think that every party bar my own, which is split on this question, is now in favour of a referendum on it. I hope that the Minister will take this opportunity to increase interest in politics and get himself on the news tonight by announcing that we are to have a referendum on the European constitution.

Mr. Peter Duncan: Be bold!

Mr. Davidson: I would also tell the Minister to be bold. This would get him some good coverage. He would be speaking to the Prime Minister pretty quickly if he announced that tonight.

The final point about boldness that I would like the Minister to consider is the question of the simplification of the electoral system. As has already been mentioned, in Scotland, we are in danger of having four different levels of government with four different electoral systems. That is clearly a recipe for confusion. The European Union might well not allow us to consider anything other than proportional representation at European level. However, we are still open to having a similar or equivalent system across the three other tiers. I hope that the Minister will take this opportunity to say that the Government will introduce positive proposals in due course for a first-past-the-post system for the Scottish Parliament. In consequence, we could then ensure that first past the post could be retained for Scottish local government as well.

I would like to say how grateful I am that the new sitting hours of the House have the last speaker finishing at 7 o'clock rather than 10 o'clock. Given the lack of interventions, I am not sure that, if we had had to continue until 10 o'clock, I would have been able to abide by the Whips' exhortation to keep things going as long as possible.

I support the Government in this matter. What they have done is necessary but not sufficient, and I hope that when the Minister comes to his summation, he will be bold and take up some of the very positive suggestions that have been made by my colleagues and me.

5.34 pm

Mr. Lindsay Hoyle (Chorley): This is quite an important debate. *[Laughter.]* Opposition Members may laugh and Liberal Democrat Front-Bench Members chuckle, but some of us have experience of pilot schemes for postal voting. I shall explain what has happened in Chorley in the past two years. It may be a lesson for the Liberal Democrats, but that is never hard. It is important to discuss previous experience.

We were lucky in Chorley. Two years ago, not just the Labour group that runs the borough council—far from it—but all three political parties and the independent councillors wanted to encourage the good electors of Chorley to exercise their franchise again. The Liberal Democrat vote collapsed in the local elections, and we felt sorry for them. We felt sorry for all political parties. Once the vote goes below 30 per cent. in certain wards, the problem must be addressed. One of the ways to deal with the problem of people not voting is to give them more time and more opportunity to vote. We believed that the right thing to do was to apply for a pilot in postal voting.

Two years ago, the leader of the council, Jack Wilson, the leaders of the Liberal Democrats and the Conservatives and a couple of Independants agreed to work together to try to persuade more people to vote. They said that if someone objected they would not proceed. It is important that the political parties work together to ensure that more people use their democratic right.

Angus Robertson: Will the hon. Gentleman advise his hon. Friends on the Front Bench that any pilot in any electoral region in the UK should have the support of the main political parties in that region?

Mr. Hoyle: I am talking about Chorley borough council. The council felt that that was right. If the hon. Gentleman welcomes the position of the Labour leader of Chorley borough council that is fine, but I want to explain how it worked in Chorley. It is up to the people to decide how it should work in the hon. Gentleman's own country. It is not up to me to decide what is good for Scotland. It is up to the Minister and the hon. Gentleman to negotiate and discuss that. It is not for me to influence the views of the people of Scotland. I have no wish to do that, because I do not want my postbag to be full of letters from Scotland. I shall concentrate on the experience of Chorley.

Leaders of all the political parties in Chorley worked together. They wanted to encourage more people to vote, and they wanted to be in the first pilot scheme. The chief executive, Jeff Davies, who has been there a long time, had seen a declining turnout at every local election. In the general election, there was a 62 per cent. turnout. I was asked why I could bring in 62 per cent. whereas in wards the turnout was down to 24 per cent.

It was decided that an application should be made for Chorley to be in the first wave of pilot schemes. That application was successful. Thankfully, it went very well. Councillors had to change the way in which they canvassed. They had a new system to work with, and all political parties were sceptical about whether it would work. We wondered how we would let the public know that there was a new scheme and a new way to vote. We got the newspapers involved, because the media have a role to play. They are good at persuading people not to vote by condemning us and showing us up. However, the local newspapers were helpful and urged their readers to get behind this new idea.

On the side of the town hall and the council offices was a thermometer, and each day as the votes came in the thermometer rose nicely. It worked. People were engaged with the new way of voting. It encouraged people who had never voted before, who did not like the system or were afraid of going into the polling station. I do not know whether it is agoraphobia, but some people have a fear of the ballot box. They were able to vote at home and post their ballot paper to the town hall.

Royal Mail played its part. This is about partnership. We had the co-operation of the media, the council officers, who had a new system to work with, the political parties and Royal Mail, which emptied the postboxes and made two deliveries a day to the town hall. The advantage was that representatives from each of the political parties watched the ballot papers being opened, checked, bundled and put away. The bar codes were also checked, so we knew that the ballot papers were correct. That system was very successful.

Sir Robert Smith: Was it possible, as it is under the normal system, to carry out a daily spot check on the political balance of voting?

Mr. Hoyle: At the end of each day the turnout was shown, so that, as was the case when people stood outside polling stations and asked voters for their card numbers, the candidate knew the percentage and where the votes were coming from. Of course he would have to decide for himself whether those votes were for him or for someone else. No doubt someone as popular as the hon. Gentleman would assume that they had all been for him.

People's imaginations were caught. They were asking each other "Have you voted?" Not wanting to trust their votes to Royal Mail, they were arriving at the town hall to deliver them in person. There was a ballot box for those who wanted to use it, which had to be emptied four or five times a day. That shows how successful was the pilot of two years ago. Indeed, it produced the highest local-election vote in the country. Chorley has a lot to shout about—although I will always shout on its behalf, for I am very parochial and very proud of Chorley.

Paul Farrelly (Newcastle-under-Lyme): My hon. Friend speaks on the basis of great experience—experience of possibly just one election in Chorley. Does he agree that postal voting is often confusing, especially for older people? That applies not least to my area, in which next year not one, not two but three elections will take place—European, local and parish, each featuring a different system. For that reason Newcastle borough council, on a cross-party basis, recently urged the west midlands not to be part of a pilot next year.

Does my hon. Friend not think, notwithstanding his experience in Chorley, that if we do have pilots it will be best to go for the best of both—

Madam Deputy Speaker (Sylvia Heal): Order. Is the hon. Gentleman bringing his intervention to a close?

Paul Farrelly: Should the postal vote not serve as a supplementary to the tried and trusted method of the ballot box, the difference being that people could take their ballot papers along with them on the day?

Mr. Hoyle: I am interested to learn that the west midlands have opted out. That leaves a few of us who can bid. I hope that the north-west will again be one of the chosen areas, so that the people of Chorley can benefit.

I am pleased that my hon. Friend wants to express his views, and to exclude his own authority from the postal vote. That is fine, for this is really about what we believe is best for our areas. I can only describe the success we have experienced in Chorley—and it was not just in one election. Far from it: there were two. I was going to come to the second later.

Angela Watkinson: Claustrophobic people who do not like going into polling booths, and indeed agoraphobic people who do not like leaving their houses, have always had the option of a postal vote. They can have a permanent postal vote if they like. It is not a new option; it is the compulsion that is new.

Mr. Hoyle: That is true, but there has not been much take-up in the past. People have had to apply, and there have always been restrictions. Until recently, reasons for being allowed a postal vote were limited. Some doctors were unwilling to sign the form allowing such a vote, while others wanted to charge a fee. That was one of the problems. Now people are being offered a golden opportunity. Some regions may not want it, but others, such as mine, are saying, "We want to go ahead. We want to be part of the new trial." That is what Chorley wants: all the political parties have agreed that they want to take part for a third time.

Mr. Peter Duncan: Those parties were making a voluntary decision. In this instance, the UK Government are deciding which region will take part in the trial. Should not the financial burden therefore fall on the Government?

Mr. Hoyle: I am glad that the hon. Gentleman mentioned that point, which he keeps trying to get across. In fact, the matter went before the full council, so the full council took the decision. In effect, the hon. Gentleman is saying that this House should take such decisions, and I welcome that view. I totally agree: let us put the question to the House and accept the House's decision. That is exactly what happened with Chorley town hall, which took the decision. The hon. Gentleman is taking a very good line that we ought to encourage.

Richard Younger-Ross (Teignbridge): Will the hon. Gentleman give way?

Mr. Hoyle: I want to get on to the second part of my speech, but I shall of course give way.

Richard Younger-Ross: The hon. Gentleman is so generous in giving way. The point was made earlier about the confusion caused by long and complicated ballot papers, with which people can get assistance at polling stations, if necessary. However, there is also the question of those who spoil ballot papers and have to get another paper from the returning officer's desk. What provision is made for that problem in postal voting, and for fraud, impersonation and the stealing of other people's ballot papers?

Mr. Hoyle: The hon. Gentleman makes some valid points, but those who lost ballot papers or made mistakes filling them in applied for new ones, which were duly issued. We can overcome that problem, but I should point out that this great belief that fraud does not occur under the old system is a little naive. Part of the problem is that under the old system we do not know that the person who goes into the polling station and puts a vote in the ballot box is the person who should be voting. Nor do we know how much fraud goes on. We have heard many stories about people who have impersonated others and voted five or six times, so there has always been fraud. However, you are right to raise the point, and I can tell you that when Chorley undertook the trial, the postal vote—

Madam Deputy Speaker: Order. I wonder whether the hon. Gentleman could remember to use the correct parliamentary term when addressing other Members.

Mr. Hoyle: Of course he is an hon. Gentleman—is that better, Madam Deputy Speaker? We are all hon. Members, which is why this is an important debate. I am pleased that we can get a little humour into the Chamber now and again; nevertheless, this is an important subject.

What is crucial is how many additional people will vote under the new system. I agree that no system can be 100 per cent. right, but in the case of the first trial in Chorley, when we franchised the postal vote system, a security check was carried out afterwards. Certain people were picked off the register, their votes were checked and they were all correct. As with everything, there will doubtless always be some fraud somewhere, but in fairness it should be pointed out that a security check was carried out, and that the electoral returning officer, the council leaders and everybody else were happy with the system.

Because of the success of the first year, Chorley's political leaders decided to put the matter before the full council, and the town hall decided to apply for the second wave. That happened for two reasons. First, the Government provide a subsidy to pay for elections; secondly, the town hall's electoral system had been modernised. For the following election, not only postal voting but texting and computers were used, so votes could be e-mailed. Following the huge success of the first wave—the voting figure was 62 per cent., just 1 per cent. behind the general election figure—we wondered whether the second wave would repeat that success or fall back to 25 per cent. The key point was whether, after the novelty of the first year, the figure would fall right back. So it was crucial to have a two-year trial to discover what people thought of the system. In fairness, the figure did drop in the second year, but not significantly so. It was still well over the magical 50 per cent. figure, which was important. Interestingly, during the first trial the figure for one particular ward was 78 per cent., so there was some enthusiasm in certain wards. People wondered, "Can our ward be better than another ward?"

Mr. Kevan Jones: It is interesting to hear that the beaming light of democracy is strong and vibrant in Chorley, but does my hon. Friend agree that if we take postal voting away from constituencies such as that of my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin), where postal voting has been used for three years, the situation will seem strange and turnout might plummet dramatically? That might even prove true in bastions of democracy such as Chorley.

Mr. Hoyle: I welcome my hon. Friend's contribution. He highlights a problem that could emerge if we are not careful. It is the Chorley experience that we are worried

about. We built up the vote over two years. Did it fall away in the second year? No, it did not. People still welcomed the opportunity of having different days on which to vote. That was important. The danger now is that people have got used to postal voting. If that is taken away, would the vote collapse back to what it was previously?

Angela Watkinson *rose—*

Mr. Hoyle: I shall give way yet again.

Angela Watkinson: The hon. Gentleman is generous in allowing me to intervene. He paints such an exciting picture of elections in Chorley that I almost wish I lived there. Is no one in Chorley unhappy about the removal of choice in how to cast their votes? Do no Chorley electors wish that they could still cast their votes in person? Does no one object to compulsory voting?

Mr. Hoyle: That is a very good point. There will always be someone who argues against any system. Some people argue against the system that we have now. I would say that it was only a minority of people who did not like the new system, but in democracies we must talk about the majority. I hope that we are all democrats here and accept the majority view. That is what happened in Chorley. It was about the majority of people accepting the new system.

It is important to realise that if people wanted the ballot paper to go into the ballot box, that option was available to them, because they could troop down to the town hall with their envelopes. The ballot box was there and they could put their ballot papers into it, just as under the old system. That choice was still there, which is important. If people wanted their votes to go into the ballot box, that was still available to them. That was crucial. Even on the closing of the polls, the town hall's ballot box was still open. If for some unknown reason people missed the mail on the day before or forgot to take the vote in, they could still dash down and vote at the town hall until the close of the poll. That is important when we are talking about systems and it explains why I welcome the system. All we can talk about is experience, and the experience in Chorley shows that the system worked. I hope that the north-west will benefit once again when we franchise the new system and pilot it.

Other hon. Members have quite rightly spoken. Some Members from the west midlands have said that they do not want the system. That is fine; that is their choice. I am pleased to say that I believe that it would be good for the north-west. I would like to see a franchise for the north-west and other colleagues here think the same. Some Members from Scotland said that they would like to try the new system.

It is important at the end of the day that the whole of the country is not trying this. We are going to have pilots. That is why it is called the European Parliamentary and Local Elections (Pilots) Bill. If people want to opt out, let them say so now, and they will not be considered. Those who want to opt in should put that view forward and rightly say that the Bill is important to them. I know that there are exceptions, but I will be pleased if the north-west goes ahead, because it will do well out of postal votes. All political parties will do well because the groundswell of support and the number of votes cast will ensure that we do not collapse to some of the European levels of the past. I believe that people in this country will benefit from having an extra franchise in the way that they vote. We will benefit and democracy will be the winner when the new system comes in. I welcome it for the north-west.

5.53 pm

Mr. Nick Hawkins (Surrey Heath): Conservative Members will not support the legislation this evening. We have substantial concerns and, if I may say so, they have been only exacerbated by some of the arguments made on both sides of the House—from all parties and including Government Back Benchers as well as Conservative Back Benchers. In particular, we strongly oppose the Government's plans to carry over the legislation, and decisions will be taken separately later this evening. We believe that carry-over is wrong in principle and Conservative Members feel very strongly about it. If the Government are allowed to get away with carrying over Bill after Bill, particularly when matters have been consulted on only at short notice, it will be bad for democracy. According to the Government, this legislation is supposed to be about increasing democracy. The proposal to carry the Bill over has nothing to do with that.

I propose to set out some of our concerns, and then I shall seek to summarise some of the important contributions that we have heard from both sides of the House. We are concerned about the Government's proposals for e-voting, especially because the jury is still out on its reliability and security. I shall return to the issue of the concerns that have been expressed by the most senior IT professionals about the lack of security.

Mr. Miller: Will the hon. Gentleman give way on that point?

Mr. Hawkins: I shall do so in a moment. The hon. Gentleman may wish to intervene when I come to the detail of our views on e-voting.

If e-voting is to be piloted at all—we have many doubts about the wisdom of doing so—any pilot scheme should not cover a whole region, given the concerns of the IT profession. Further, the pilot schemes that the Government intend to implement will not address the real, underlying causes of low turnout, especially in European elections. Those underlying causes are, principally, a flawed electoral system, the abandonment of first-past-the-post voting for European elections—we would like to return to it—and a distant and unaccountable European Union, as perceived by the electorate.

If pilot schemes are to be set up, there is a strong case for the Electoral Commission to choose regions in which most of the local authorities are willing to conduct a pilot scheme. Regions should not be compelled to be pilot areas if the majority of local authorities are opposed to it. If necessary, there should be fewer than three pilot areas. In the speeches by Labour Members, we heard strong calls, especially from Scottish Members and Members from the north-east and north-west, for their areas to be pilot areas. If by some magical means—

[Mr. Hawkins]

what the hon. Member for Glasgow, Pollok (Mr. Davidson) memorably called gee-whizzery or jiggery-pokery—the three chosen regions are Scotland, the north-west and the north-east, we would know that the fix was in, in the way of the old Chicago elections.

Mr. Miller: Has the hon. Gentleman examined the results of last May's elections in Vale Royal, which were conducted using an e-facility? That e-facility substantially increased turnout. It also resulted in a swing to the Conservatives, who took control of the authority. Why would the hon. Gentleman deny Conservatives in that area the ability to enjoy that facility?

Mr. Hawkins: I am delighted to congratulate the Conservatives in the Vale Royal area, but it would not be wise to choose one particular small area and generalise its results to the whole country. We have a proper caution about e-voting in the light of the severe warnings that we have received from senior people in the IT industry.

Mr. Miller *rose—*

Mr. Hawkins: I will come back to that issue, as I told the hon. Gentleman I would do, at the appropriate point in my speech. If necessary, the hon. Gentleman can intervene again then.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): The hon. Gentleman makes a strong statement about the potential for fixing, which—to some extent—is a slur on the Electoral Commission. If he examines the election pilot schemes in last year's local elections, he will see that the other parties—including independent candidates, in those areas where they stood—were represented more in the pilots than was the Labour party.

Mr. Hawkins: I am not sure about the slightly confused latter point, but we are not casting any slurs on the Electoral Commission. We are concerned to ensure that if no good grounds are found for having three pilots, we could have fewer. We will continue to make that case. An area should be chosen for a pilot scheme only if a substantial number of local authorities are in favour of that.

Mr. Kevan Jones: Will the hon. Gentleman give way?

Mr. Hawkins: No, I want to make progress. I may give way to the hon. Gentleman later.

The Electoral Commission has already recommended that all-postal voting should become the norm for local elections, subject to legislation against fraud being tightened. It has maintained that

> "there should be a statutory presumption that all local elections be run as all-postal ballots unless there are compelling reasons why an all-postal ballot would be inappropriate or disadvantageous for a group or groups of electors."

That observation comes from the Electoral Commission's paper entitled "The Shape of Elections to Come", which was published in July.

We have concerns about that, and will be very interested to see how the pilots proposed in the Bill work out. As a party, we are not in any way opposed to pilots of further postal elections, and we have recognised that in some areas—but as my hon. Friend the Member for Stone remarked, by no means in all areas—postal ballots have increased voter turnout. However, concerns persist about ballot security. Investigations into the postal voting pilots that have taken place already have been piecemeal and inadequate.

What reliable evidence there is from objective sources suggests that the scope for abuse of postal ballots is wider than the Government care to admit. As my hon. Friend the Member for Stone pointed out, senior police officers have raised concerns that the greater use of postal voting, including postal votes on demand, in normal elections could lead to suspicions of vote rigging.

Detective Chief Inspector Dave Churchill of the West Midlands fraud squad has remarked that

> "the current election system is based on trust and that trust is being eroded. That is why some form of identity is needed from voters, both at polling stations and for those who vote by post. The new postal voting system provides an opportunity for malpractice".

We think that what is proposed in the Bill by way of increased powers of arrest for personation is important, but that it is not sufficient in itself. We are very concerned about the proposed removal of the countersignature by a witness from postal ballots, as happened in many previous pilot schemes. We are worried that the Electoral Commission appears to support that removal. It could encourage fraud, as many hon. Members of all parties have noted, and especially in areas with a large number of houses in multiple occupation.

Although we recognise that the countersignature is not a foolproof method of ensuring the identity of the person completing the ballot paper, it is an extra safeguard that does increase confidence. The countersignature requirement has remained the norm for postal voting in normal elections.

We strongly support a limit on the number of ballot papers that may be sent to an address that is not the registered address of the voter concerned. That would help to increase the public's confidence in postal voting by making large-scale abuses more difficult. We believe that some of the recommendations made by the Electoral Commission could have been introduced in the Bill. We will explore that further in Standing Committee, as we try to improve the proposals. The recommendations include clarifying the law on undue influence and specifying a secrecy warning to be included in postal voting literature.

On voter confidentiality, concerns have been raised that voter secrecy has been compromised in all postal pilots. In some past pilot schemes, the declaration of identity was even attached to the ballot paper, and only detached at the count. We believe that it would be better to retain the traditional method of placing the ballot paper in a sealed envelope, separate from the declaration of identity. That would help to reassure voters that their ballot would remain confidential during the delivery, handling and counting processes.

If it remains unamended, the Bill will impose all-postal pilots on local authorities that may not wish to participate. In such cases, we believe that it would be very important to have delivery points in each local government ward. That would allow electors, if they so wished, to drop off their ballot envelopes by hand, at a secure location convenient for them.

As my hon. Friend the Member for Stone made clear, we are very concerned, in the light of current and likely future strike action by Post Office staff in various parts of the country, that there might be a doubt about the reliability of the postal service in an all-postal election. Independent organisations such as Postwatch have commented that since 1997 the postal system has unfortunately become increasingly unreliable. As my hon. Friend the Member for Upminster (Angela Watkinson) pointed out, on average 1,500 items of mail are lost each week in every parliamentary constituency. That is a lot of misdelivered or lost mail, which is of great concern if there is to be an increase in postal pilots.

A delivery point in each ward, arranged by the local authority, would act as a measure of last resort during postal industrial action. It would reassure voters who did not trust the postal service, thereby increasing turnout. Large rural areas may need more than one delivery point per ward. Greater clarification of opening times would also be helpful for voters.

David Taylor (North-West Leicestershire): Does the hon. Gentleman acknowledge that the vast majority of the 1,500 items that are lost or misdelivered every day in each constituency bear a confusing or unclear address, whereas postal votes would be unambiguously addressed to the local electoral returning officer?

Mr. Hawkins: I realise that, but I am sure that the hon. Gentleman will agree that when we propose to change the system and are setting up pilot schemes it is important that we take every possible safeguard. We have referred to the importance of the proposals in restoring faith in democracy, so we must ensure that voters have confidence that the system is as safe and secure as possible.

Although the Government have promised to fund the pilot schemes, we feel especially strongly that there should be a firmer guarantee in the Bill that all the extra costs that may fall on local authorities will be met by central Government. One of the main complaints from local authorities in my area is that the Government constantly lay greater and greater burdens on them without providing the money to deal with those burdens. One crucial reason why council tax bills for band D properties have soared by 60 per cent. since 1997 is the succession of underfunded burdens and regulations placed on local councils by the Government.

During the pilot schemes, some local authorities provided marked registers at various stages before the final deadline for the return of ballot papers, an issue raised time and again today by Members on both sides of the House. The provision of marked registers helped to increase turnout by allowing local political parties to remind people who had not yet voted about the election. As several hon. Members have pointed out, people who had already voted were thus spared from being bothered by political parties. We should like the provision of marked registers established in law, under the Bill, as without a statutory obligation there is a danger that some local authorities might go slow and fail to supply the information.

All political parties already face problems with rolling registration, and electoral registration departments in some councils fail to provide updated electoral registers on time. I should be grateful if the Under-Secretary of State for Constitutional Affairs would deal with marked registers in detail in his response to the debate.

I promised the hon. Member for Ellesmere Port and Neston (Mr. Miller) that I would return to our concerns about e-voting. If the Bill is passed in its current form, e-voting in the 2004 elections might entail remote voting by telephone, text messaging—SMS—digital television or the internet. As the region adopting e-voting will also be an all-postal one, voting electronically in a polling station will not be relevant. We are not convinced of the merits of conducting an e-voting pilot throughout a whole region, rather than setting up e-pilots, if one could devise a secure system, in local authorities that had volunteered to hold them and understood the complexities of the scheme.

We are extremely concerned about the Government's suggested target of offering e-voting at the general election after next. If e-voting is rushed and bungled in the 2004 elections, the whole method could fatally lose credibility and create a Florida-style, hanging chad-type debacle in the High Court.

I have some details for the hon. Member for Ellesmere Port and Neston on the concerns of experts about e-voting. Dr. Ben Fairweather, a research fellow at De Montfort university's centre for computing and social responsibility has said:

"I have seen most, if not all of the pilot schemes demonstrated, and have spotted substantial flaws with some of them . . . There are serious worries about SMS voting. Operators can discard text messages if their systems are busy. Also people are obliged to key in long sequences to vote by text. It's a pale imitation of a cross on a piece of paper. Electronic voting in general has not reached maturity."

The Foundation for Information Policy Research has asserted that election integrity can be assured only if e-voting machines produce a paper audit trail that can be verified by voters and, later, by election scrutineers. It remarks:

"The only safe way to allow electronic voting is through machines controlled by election officials that produce an auditable paper trail. Anything else is an invitation for fraud to hackers and virus writers around the world, and could destroy public confidence in our elections. It's always a bad idea to look for technical fixes for social problems. Election turnout would be increased if citizens were convinced that their vote would make a difference. Simply computerising the current system is unlikely to achieve this."

[Interruption.] Before the hon. Member for Ellesmere Port and Neston tries to intervene again, I wish to say that the Electoral Reform Society has asserted:

"The fact is that that e-voting, whether by telephone, internet, digital TV or text messaging, does not raise turnouts in any significant way . . . We are concerned that any form of remote voting is potentially more open to abuse than polling station voting."

[Mr. Hawkins]

The Conservative party does not want to trivialise elections or to pretend that something as important as voting in a general election, a European election or a local election is as trivial as voting in "Big Brother" or "Pop Idol".

Mr. Miller: I absolutely agree that it is vital that any system adopted has a proper audit trail, but we need to put that in context and recognise that there is no proper audit trail that guarantees that, when the hon. Gentleman last went to the ballot box, it was the Nick Hawkins who cast the vote. There is no paper trail. Such things are just lost in someone's memory—"Ah yes, I think it was him"—but no one can be certain. At least with the electronic systems, one can devise technical solutions that improve that certainty. No system is perfect, but this is a step in the right direction.

Mr. Hawkins: I beg to differ, and I am sure that we will debate these matters further in Committee if the hon. Gentleman serves on it.

Our real concern was expressed by a very experienced IT journalist, Bill Thompson, who said:

"I do not think it is possible to design an e-voting system that can be guaranteed secure against a concerted and well-funded attack . . . The Government's continued obsession with e-voting in its many forms, especially voting over the internet, is a perfect illustration of how style has triumphed over substance. Instead of finding ways to make people believe that voting actually matters, they want to reduce it to the level of texting a friend or buying a book online."

That is a classic example of the Government's trivialising approach, and we are concerned about it.

In the few minutes that remain to me, I want to summarise some of the important points that hon. Members have made. The Minister was less than frank about the difficulties of postal voting in respect of houses in multiple occupation. My hon. Friend the Member for Buckingham (Mr. Bercow) rightly described him as being studiously opaque, even in reply to the sensible questions asked by the hon. Member for Ellesmere Port and Neston. I was slightly concerned about the acronym for the Minister's proposal: the electronically enabled electoral pilot—a pretty unfortunate phrase if we have to deal with EEEPs in discussing the Bill, but we can return to that in Committee.

My hon. Friend the Member for Epsom and Ewell (Chris Grayling) intervened on the Minister to ask about the scale of the areas and the fear that using different systems in each area might distort elections because one method might be more effective than another. Again, I do not think that the Minister had a good answer.

In response to the intervention by my hon. Friend the Member for Poole (Mr. Syms), the Minister was rather complacent about the dangers of postal strikes wrecking all-postal ballots and the threat of possible trade union blackmail by postal workers at election time. There is undoubtedly a question about the robustness of the process that the Government propose in case of any strike, and we felt that the Minister did not handle that at all convincingly.

The hon. Member for Somerton and Frome (Mr. Heath) said that he had deep reservations about the Bill. He indicated that he worries about the idea of pilot schemes within a national or international context: for example, whether the whole of a local authority would use a pilot in a council election in one area when a different local authority might be using a different system, which will also affect the national campaign. He made it clear that he opposed, as we do, the closed list for the European elections.

The hon. Member for Glasgow, Anniesland (John Robertson) said that a voter's decision to vote or stay at home might be affected by many different factors. He said that he wanted to solve the problems of door-knocking voters who had already voted. He also suggested rather cleverly that the hon. Member for Somerton and Frome was making a convincing case for ID cards, which would be a novelty from the Liberal Democrat Benches.

My hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) wanted to give the hon. Member for Glasgow, Anniesland a reality check. He was right to be suspicious that the devil will be in the detail, and he was worried about ensuring that the system would not produce too many politicians. His view—I think he is right—was that there are already far too many politicians in Scotland. Perhaps one could go further and say that there are too many Scottish politicians in Westminster. He had particular concerns about partial trials, but he pointed out that there was a high turnout in his constituency under the current first-past-the-post system. He was supported in an intervention from the Labour Back Benches by the hon. Member for Glasgow, Pollok (Mr. Davidson), who also wanted to return to first-past-the-post. The crucial point made by my hon. Friend the Member for Galloway and Upper Nithsdale is that we must be careful to scrutinise the Government's arguments about so-called modernisation, as has always been the case in this Government's history so far. He rightly wanted to know where the crescendo in any general election or European election under the proposals in this Bill would be.

The hon. Member for Wigan (Mr. Turner) said that he would have preferred postal voting throughout the UK instead of pilots of postal voting. It is fair to say that the hon. Member for Somerton and Frome supported his view that either introducing postal voting for the whole country or sticking to the traditional system would be better than just having pilots. The hon. Member for Wigan, however, made the case in favour of the north-west being one of the pilot areas.

My right hon. Friend the Member for Wokingham (Mr. Redwood), in a particularly powerful speech, referred to the Minister having said that the Government's prime aim was to raise the turnout in elections. We must therefore ask ourselves why the turnout is so low. My right hon. Friend rightly said that it is because people do not think that those who are elected will change their lives. Far more people turn out for general elections because they think that it may well matter, but they do not believe that in relation to Members of the European Parliament. My right hon. Friend pointed out that there remains a huge democratic deficit in the European Union. Euroland is under the control of the governor of the European Central Bank, and MEPs have no power over it. At the moment, we can directly influence foreign policy in the UK Parliament. After the introduction of the European

constitution, however, nobody will influence the foreign policy, and defence procurement, as my right hon. Friend said, will face the same problem.

The question was whether the Bill is tackling the problem in the right way. The answer is no. We should have a Bill that remedies the democratic deficit and that brings unelected European officials under democratic control. The Opposition do not want unelected Eurocrats having such control. Unless and until that democratic deficit is remedied, as my right hon. Friend rightly said, not enough people will take an interest in European elections. There has been a move towards list systems, and the closed list has also been partly responsible for the decline in voting. If we look at the recent general election, one of the reasons for the lower turnout in 2001 as opposed to 1997 was that more and more powers had been taken away from the House of Commons, as my right hon. Friend said. As my right hon. Friend also pointed out, there is a great danger of the debate being summed up as MPs meeting and thinking that turnout could be addressed by giving people easier ways of voting. The style of voting is not nearly as important to people as whom they are voting for and what those people can achieve. Power should not be dissipated from elected hands toward the European Union, officials or the quangocracy.

The hon. Member for Glasgow, Cathcart (Mr. Harris) made a powerful speech in which he said that he was worried about the impact that the media have had on the decline in voter turnout—I agree. If politicians of all parties and at every level of government are constantly sniped at and there is a cynical view that no one in public life has any worthwhile motive, it increases voter cynicism. I wholeheartedly agree with his worry about the instant gratification society. We need an opportunity to encourage voters to believe that there is something worth while about public life. I hope that he will serve on the Bill's Standing Committee because I have no doubt that he would make a positive contribution toward improving the Bill along the lines that he set out in his speech.

The hon. Member for Moray (Angus Robertson) spoke on behalf of the Scottish National party and, apparently, Plaid Cymru, in the absence of any of its representatives. He said that he wanted all-postal ballots because any measure that increased voting by 20 per cent. to 50 per cent. must be a success. He said that under the current law, it is not known whether a postal ballot has been returned, only that it has been sent out, and that the Electoral Commission has given oral advice that marked registers should show returns. We agree with him about that.

The hon. Member for Dumfries (Mr. Brown) referred to an Adjournment debate secured by the hon. Member for Hamilton, South (Mr. Tynan) and talked about the 13 per cent. decline in the number of people registered—he cited the example of the Glasgow, Maryhill electoral roll. He also talked about the three previous postal pilots in Scotland.

My hon. Friend the Member for Upminster talked about the all-postal pilot during the 2002 local elections in the London borough of Havering, of which her constituency forms one third, and said that people were unhappy that they were unable to cast their votes in person. She said that she preferred the status quo and said during her speech and in interventions that it was possible for people to ask for postal votes and that such votes could be requested for every election, if necessary. She said that voter confidence would be enhanced if we stuck with traditional systems.

The hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz) gave us his opinion of what young people in Scotland had been reported as saying by local press. He said that he wanted assurances from Royal Mail about the delivery of both ballot papers and election communications. I agree that if we want to increase voter turnout, we must consider the postal system for both ballot papers and election communications, and I have raised that point with senior people in Royal Mail.

My hon. Friend the Member for Poole (Mr. Syms) reminded us with cynicism about the mis-statements made by the Foreign Secretary when he introduced the list system for European elections. I remember the debates about the d'Hondt system—"a famous Belgian", as the right hon. Gentleman called him. My hon. Friend also talked about problems faced by candidates in European elections and said that he wanted to return to the first-past-the-post system for those elections—we all share that view. He talked about the current variety of provision that means that some parts of the country could have a different election deadline from that of its next-door area, thus causing problems for media coverage. We shall return to that point in Committee.

The hon. Member for Stockton, South (Ms Taylor) welcomed the Bill and said that she wanted to reinvigorate democracy. She talked about her father's experience of standing for the first time during the 1955 local elections in the Vale of Glamorgan. She also raised a point that no other hon. Member had raised by asking how voters can be engaged with single issues rather than wanting to vote in an election. We must contend with the rise of single-issue lobby groups and the media's overemphasis on such groups, rather than wider issues, during elections.

In one of the most entertaining speeches, the hon. Member for Glasgow, Pollok (Mr. Davidson), a fellow Eurosceptic, noted that every case of extended voting hours resulted in a reduced turnout. He did not think it essential to have yah-boo politics and believed that they put off young people, although he pleaded guilty to indulging in such politics himself occasionally. He urged his Ministers to be bold and complained about the culture of spin and over-management in his party. He said that the general public did not like clones and that that was one reason why turnout had declined. The hon. Gentleman mentioned the closed list system in Europe. He agreed with me that there would be a massive turnout in a referendum on the European constitution and a massive rejection of it. He rightly said that malpractice must be stamped out. He was worried about the interest in e-voting because if things could be lost physically, they could be lost by gee-whizzery, which he wants to combine with jiggery-pokery.

The hon. Member for Chorley (Mr. Hoyle), in a belated contribution inspired, perhaps, by the Government Whips, mentioned his constituency, which participated in the pilot projects, more times than any other Member has ever managed to refer to his or her constituency. If it has won him a place on the

[Mr. Hawkins]

Committee, he can help the Opposition to improve the Bill. It has many flaws and must be massively improved if it is to win the confidence of the Opposition and the British people.

6.26 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): I thank hon. Members for contributing to an interesting debate. The aim of this important Bill is to continue and to expand a successful electoral pilot programme. The debate has been thoughtful and thorough. I am grateful for the support of my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) and my hon. Friends the Members for Glasgow, Anniesland (John Robertson), for Wigan (Mr. Turner), for Glasgow, Cathcart (Mr. Harris), for Dumfries (Mr. Brown), for Edinburgh, North and Leith (Mr. Lazarowicz), for Stockton, South (Ms Taylor), for Chorley (Mr. Hoyle) and for Glasgow, Pollok (Mr. Davidson).

The hon. Member for Stone (Mr. Cash) raised important issues on fraud, which I hope to address. He could not resist the temptation to bring up the dreaded subject of Europe. That was replicated by the hon. Member for Surrey Heath (Mr. Hawkins). The hon. Member for Somerton and Frome (Mr. Heath) admitted that his area had benefited from the pilots, but was unable to support the Bill. The hon. Members for Galloway and Upper Nithsdale (Mr. Duncan) and for Poole (Mr. Syms) urged the Government to return to a first-past-the-post system for European elections.

We are attempting to develop our traditional voting system to make voting easier for all groups in society. A modernised system will recognise the needs of today's changing lifestyles, including people's work and family commitments. Much of what we heard harks back to a time when people did not have the same commitments. Experience at a local level clearly shows the benefits of the pilots. My right hon. Friend the Member for Gateshead, East and Washington, West commented on how the new piloted voting mechanisms have benefited her constituents. All-postal ballots in the 2003 local election resulted in an average turnout of just under 50 per cent. compared with 33 per cent. generally. We should applaud that.

Mr. Heath: I was worried by one aspect of the contributions from the Minister's hon. Friends, several of whom had had a number of postal ballots in their constituencies and liked the arrangement. However, they did not appear to appreciate the fact that under the Bill, the Representation of the People Act 2000 is suspended. Unless they have one of the three pilots in their region, they will be forbidden from having another postal ballot in their borough elections this year.

Mr. Lammy: The hon. Gentleman clearly did not hear the same debate as me. Labour Members were clear on that point, which is why many of them said that they wanted postal balloting in their area. While electronic pilots have not yet led to significantly higher turnouts, where electronic voting was available it provided people with more choice, with 20 per cent. of the electorate using it. That is important because younger people are keen to use new voting methods. Of course, there is a limit to the extent to which changes to the electoral process alone can increase turnout, but by making voting easier and more convenient we will attract voters whose reason for abstaining is the inconvenience of traditional methods.

Mr. Redwood: If postal voting is as good as the Minister says, what holds him back from making it universal immediately? What worries make him want pilot schemes?

Mr. Lammy: The Government do not want the chaos of the poll tax and the Child Support Agency that took place under the Conservative Government. We want to upscale the regional pilots and hope that after 2006 we can run national pilots.

My hon. Friend the Member for Edinburgh, North and Leith made some important points about simplicity, the need for information and advertising, which I support. A number of hon. Members raised the issue of marked registers. The Electoral Commission has yet to make up its mind about what it will recommend in relation to marked registers, so it would be premature to include anything in the Bill in advance of its determination. However, it is no doubt aware of the strength of feeling across all political parties on the issue and the views expressed once again in today's debate.

Angus Robertson: Is the Minister prepared to give a commitment that if the Electoral Commission made a recommendation before the end of the legislative process, the Government would be happy to amend the Bill to include an update on marked registers?

Mr. Lammy: The hon. Gentleman would expect me to say that the Government hope to look at these things seriously. I am sure that the issue will raise its head again in Committee.

The hon. Member for Somerton and Frome was concerned that MEPs will not all be elected in the same way. In the pilots that have taken place so far, we have purely been testing innovative voting systems. In next year's pilots, we hope to test the scalability, as it were, of those systems. The hon. Gentleman seemed to suggest that we should move from local pilots straight to national pilots, and that was supported by Conservative Members. It is the Government's view that that would be negligent. It is important that we test the systems properly in pilots before rolling them out generally. The Government are mindful of the necessity for any programme of pilots to be of a scale and size that reflects the available resources, including the capacity and expertise available for managing electoral pilots.

As the hon. Member for Somerton and Frome heard from my hon. Friend the Member for Wigan, it is not the case that in all local government pilots, all wards have voted the same way. Some pilots took place in only a few wards within a local authority.

The hon. Member for Stone, supported by the hon. Member for Upminster (Angela Watkinson), raised security issues. We recognise that the traditional methods of voting rightly have a good reputation for being secure and have not shown any significant evidence of fraud. Through the pilot programme, we hope to learn

lessons about how new ways of voting work and to build the same level of public confidence in them. We will proceed only with voting methods that are proven to work satisfactorily and which maintain the integrity of the ballot.

Any electoral system is potentially open to fraud, and it is important that safeguards are in place. That is why we have ensured that all previous pilots have been properly evaluated, and that particular attention has been paid to any allegations of fraud, which have all been investigated.

Richard Younger-Ross: Is part of the difficulty of evaluating fraud that people incorrectly remember whether they voted and which party they voted for? In the 2001 election, opinion polls showed that more people thought they had voted than actually did, and in 1992 so many people thought that they had voted Labour that Labour should have won the election by a landslide, but of course it did not.

Mr. Lammy: That is an interesting point, but largely irrelevant. It applies as much to present voting mechanisms as to new ones. Any electoral system is potentially open to fraud, and it is important that safeguards are in place. As further security measures, the Bill provides for the extension of two electoral offences in pilot regions—first, the extension of the power of arrest without warrant for the offence of personation in any location, and secondly, providing magistrates with the power to allow the police or a prosecutor up to two years after the date of offence to commence prosecution.

We are aware that there has been some public concern about the security and secrecy of all postal and electronic voting, so we were encouraged to see that the Electoral Commission, in its extensive evaluation of the pilots held in the 2003 local elections, found no evidence—I repeat, no evidence—of an increase in fraudulent activity. That was also the commission's finding after the pilots in 2002.

Mr. Davidson: The Minister tells us that the Electoral Commission did not find any evidence of electoral malpractice. Did the commission go looking for it? What efforts were made to identify whether or not there had been fraud?

Mr. Lammy: As my hon. Friend knows, the Electoral Commission takes its job of work very seriously, and on these serious matters works closely with the police, as he would expect. The Government's position is that there is no room for complacency on the issue. That is why we have proposed new measures to enhance the security of voting in pilots.

The hon. Member for Stone raised some very serious allegations involving personation and intimidation in the May 2002 local elections in Birmingham. No allegations have been proven and no legal action has been taken.

Mr. Cash: The fact that no action was taken is no doubt largely due to the fact that the law was inadequate to deal with the situation. The real problem, as was pointed out by the chief inspector in question, is the need to change the law. Conservative Members are worried that the Government have not implemented the recommendations on changing the law, including those of the Electoral Commission, in the Bill.

Mr. Lammy: We have an open mind on these issues and keep them under review. As I said, no legal action was taken. The hon. Gentleman put his comments in very strong terms, and it is important that I rebut them.

Several hon. Members discussed e-voting. A range of measures were put in place to guarantee against abuse or fraud in the 2003 e-voting pilots, and similar measures will be implemented in any pilot that takes place next year. They include voter-specific PIN numbers and passwords, real-time electronic registers to cast and record votes, and the subjection of all votes to pre-election technical and security checks, as well as monitoring during the election.

Chris Grayling: My point was that it is asking too much of returning officers to monitor several different kinds of new voting system across an entire region. Surely it would be more sensible to pilot just one system.

Mr. Lammy: As some hon. Members said, returning officers in several areas are up for these pilots. Many regions and local authorities have expressed an interest and are lobbying to take part in them. It is possible that some will wish to run pilots but will be prevented from doing so. We understand the frustration that people in those areas will feel, but it is important that the security of the ballot is not compromised in any way by the running of schemes in regions where various factors would complicate the process.

Mr. Peter Duncan: Will the Minister give way?

Mr. Lammy: I am sorry—I want to make some progress.

It is worth reiterating that without the Bill no pilots would be able to occur at next year's combined elections. It represents a scaling up of previous attempts.

Several hon. Members, including the hon. Members for Surrey Heath and for Upminster, asked about the ability of the Royal Mail to handle all postal votes. I remind them that the Royal Mail handles 82 million items of mail every day. Electoral mail will receive priority treatment. We will of course work with the Royal Mail and other firms delivering postal services to ensure that appropriate contingency plans are in place.

Several hon. Members, including the hon. Member for Surrey Heath, mentioned multiple occupation. Key measures adopted by local authorities in previous pilots have included special checks, guidance issued to managers of multiple occupancy buildings and dedicated phone numbers. We hope that that will be repeated.

The Bill is part of the Government's plan to improve choice, security and ease of voting. Choice comprises different ways of voting: in person, through a postal vote or electronically. Different methods will suit different people in a changing world. Security means ensuring that people can vote in secret and cannot be impersonated by others. Two provisions help to enhance security. Ease means improving access for those who may have difficulty at conventional polling stations, for example, the disabled and carers.

[Mr. Lammy]

Although the Bill is small, it is important because it will enable significant scaling-up of electoral pilots, thus extending to millions of people the opportunity to take part in trials of new approaches to voting. Approximately 2.7 million people were eligible to vote in the 2002 pilots—*[Interruption.]*

Madam Deputy Speaker: Order. I am sure that those who participated in the debate wish to hear the Minister's response.

Mr. Lammy: The 2003 pilot encompassed 6.5 million potential voters—the largest test of remote electronic voting at public elections anywhere in the world. We should be proud of that.

The developments were intended to make voting easier for all groups in society, especially those who, through disability, age or ethnicity find traditional polling methods difficult. Some say that the existing system ain't broke and ask why we should fix it. We should always look for ways in which to improve choice and access for people who typically face social exclusion and to reflect the lifestyles of people today. On that basis and for that reason, the Bill enables us to go further and I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 306, Noes 172.

Division No. 331] **[6:47 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Ewing, Annabelle
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*

O'Brien, Bill *(Normanton)*
O'Hara, Edward
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Fraser Kemp and Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Tonge, Dr. Jenny
Tredinnick, David
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Mr. Robert Syms

Question accordingly agreed to.

Bill read a Second time.

EUROPEAN PARLIAMENTARY AND LOCAL ELECTIONS (PILOTS) BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the European Parliamentary and Local Elections (Pilots) Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 30th October 2003.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the day on which proceedings on consideration are commenced.

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Margaret Moran.]*

The House divided: Ayes 302, Noes 180.

Division No. 332] **[6:59 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*

O'Hara, Edward
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Gillian Merron and Mr. Fraser Kemp

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Robert Syms and Hugh Robertson

Question accordingly agreed to.

EUROPEAN PARLIAMENTARY AND LOCAL ELECTIONS (PILOTS) BILL *[MONEY]*

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That for the purposes of any Act resulting from the European Parliamentary and Local Elections (Pilots) Bill it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenses of the Secretary of State in making arrangements for the purposes of the Act in connection with the holding of the European Parliamentary general election of 2004;

(b) any increase attributable to the Act in the sums so payable under any other enactment.

(2) the payment out of the Consolidated Fund of any increase attributable to the Act in the sums which under any other Act are payable out of that Fund.—*[Ruth Kelly.]*

Question agreed to.

EUROPEAN PARLIAMENTARY AND LOCAL ELECTIONS (PILOTS) BILL (CARRY-OVER)

Motion made and Question put forthwith, pursuant to Order [29 October 2002],

That, if at the conclusion of this Session of Parliament, proceedings on the European Parliamentary and Local Elections (Pilots) Bill have not been completed, they shall be resumed in the next Session.—*[Mr. Heppell.]*

The House divided: Ayes 349, Noes 125.

Division No. 333] **[7:13 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Ewing, Annabelle
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice

Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Opik, Lembit
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(CIwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Gillian Merron and
Mr. Fraser Kemp

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Hendry, Charles
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Robert Syms and
Hugh Robertson

Question accordingly agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

ELECTRONIC COMMUNICATIONS

That the draft Electronic Communications (Networks and Services) (Penalties) (Rules for Calculation of Turnover) Order 2003, which was laid before this House on 8th September, be approved.—*[Mr. Heppell.]*

Question agreed to.

PETITION

Palliative Care

7.26 pm

David Taylor (North-West Leicestershire): In March 2002, the availability of terminal, respite and day care facilities for the communities of North-West Leicestershire, South Derbyshire and adjacent areas was seriously reduced when Sue Ryder Care summarily closed its much valued and greatly loved hospice at Staunton Harold Hall. Although the local NHS trust has since supplied alternative services and obtained some extra places in nearby hospitals, the view of many people who have worked unstintingly for years giving time to and raising finance for Staunton Harold is that a successor facility is needed to help to provide improved palliative care in the area.

Banded together as Hospice Hope, Dorothy Lacey, June Matthews, Carol Smith, Jan and Stewart Shepherd, Lee Cooper and others have prepared a petition containing 2,260 signatures to the House of Commons and I am privileged to present it.

The petition declares that:

Hospice Hope and the supporting signatories believe that North West Leicestershire and adjacent areas need the restoration of its own hospice and associated day care centre for those requiring palliative care.

The petitioners therefore urge the House of Commons to pass the necessary legislation to provide the resources needed to afford the people of North West Leicestershire and surrounding areas an adequate level of access to palliative care in a hospice or day care environment.

And the petitioners remain etc.

To lie upon the Table.

Sports Lottery Bids

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heppell.]*

7.28 pm

Stephen Hesford (Wirral, West): I am obliged to you, Madam Deputy Speaker, and to the House authorities for granting me the opportunity for a debate on what is a serious and urgent matter for my constituents.

The reason for the debate is an allegation of bias in the distribution of lottery funds from Sport England, which I shall consider by examining two bids made in my constituency, although my remarks are not limited to those bids. I shall make a more general proposition about north-south bias in the distribution of lottery funds.

The House will know that this year Sport England experienced a funding crisis and had to review lottery funding. I am not concerned about the extraneous events but about Sport England's response to the crisis.

The two bids from my constituents were for sports facilities at Pensby high school for boys and for West Kirby sailing club. The House will know how much effort is put into preparing such bids and what a disappointment it is for them to be turned down by Sport England.

Without a shadow of doubt, Pensby boys school's bid for £900,000 to refurbish and build sports facilities on its playing fields would have benefited the local community—some 30,000 possible users of those facilities in an area that does not have the required facilities for activities such as five-a-side football, netball, tennis and so on. West Kirby sailing club's bid for about £80,000 to extend its clubhouse and training facilities would have enabled it to expand its training facilities for disadvantaged youths from inner-city Birkenhead. Those bids are currently the subject of an appeal, and I shall return to that in a moment.

I want to address three issues: how the specific applications were dealt with; what I consider to be the bias in the distribution of money by Sport England, which is perhaps part of a north-south divide; and the sham nature—I hope that that does not overstate the position—of the appeal system to which those two bids are subject.

The trail started on 14 July this year, when Sport England wrote to the possible recipients of the money. Almost identical letters were sent to Pensby boys school and West Kirby sailing club, and one of the features of the letter detailing the rejection by Sport England is that it contained no real information. I ask the House to bear in mind that considerable criticism because it is a feature that will crop up continually in my speech. Those involved also indicate rather curiously that the bids were refused partly because they were based on criteria that had already been set out in a letter in April. I question that because the criteria set out in the April letter were not relevant to what has been subsequently described as the new business case.

On 17 July, West Kirby sailing club wrote to Roger Draper, chief executive of Sport England, to query the refusal and said:

"We have been given no reason for the rejection of our application, other than the comment in the Press Release, which says that the projects which have not been approved did not meet Sport England's new business objectives."

I shall say why that is problematic for West Kirby sailing club. I should make it clear to the Minister that the bids were not new; they were submitted as long ago as early 2002. The House will know that the bids go through a staged process to be granted. Stage 1 involves the initial vetting. Stage 2 involves the allocation process. Both bids had gone through stage 1 and were well on their way to being sanctioned when they hit a snag.

On 26 February, Gordon Tebay, who was Sport England's senior development manager for facilities in the north-west, sent an internal memo that suggested that the tender figure represented tremendous value for money and used the words:

"representing a good value for money course of action to take."

Later on, the e-mailed internal memo says that the facilities development checklist was discussed with the club and DL&E—one of the contractors—and that it was

agreed to address the points formally by way of tying up these loose ends in a written response as far as"

facility development

"issues at Stage 2 are concerned."

It continues:

Overall, I feel that the Club has worked prudently and the facility"

development offers good value for money to Sport England and the lottery fund.

It goes on:

"The Club is extremely keen to proceed to get the scheme converted to award"—

stage 2—

at the March case conference".

At that point, therefore, it looked as though Sport England's representative was in effect signing up to getting the stage 2 permission when the funding crisis hit. The e-mail finishes:

"I do hope the Club can achieve conversion to Award asap and trust you can oblige them in this respect."

Based on that information, the club was entitled to think that, in effect, it had the go-ahead. Yet in the fullness of time, the process came to a shuddering halt, for reasons that are not convincing.

In terms of the Pensby boys school bid, its appeal note indicates that it feels that it was disadvantaged by the time lag caused by Sport England taking 10 months for the formal approval to stage 1, as opposed to the three months advertised. That put back the decision process to such an extent that the bid hit the funding crisis, which it would not have done had it been dealt with in a timely way. My first point is that the reason for rejection is unclear. The various reasons given in correspondence appear to be fluid, but the response to attempts to get information about the two bids was secretive.

On the question of appeal, I wrote to Sport England because concerns were being expressed by those two bids as to what the appeal meant. On inquiring, Paul Churchill of West Kirby sailing club learned from others who were in the process of appealing that some people had been told that there was not an appeal—there was a suggestion of people being fobbed off. I wrote to Sport England to clarify what the appeal meant, and I received a letter on 18 September. I do not know whether Sport England intended any irony when it composed the letter—probably not—but it sets out the so-called appeals process as follows. It set up what it calls an independent adjudicator—the appellate body—which turns out to be an ex-employee of Sport England. What the appellate body can do is very little, because the Sport England letter states:

"The adjudicator cannot decide that a rejection of an application for funding should be overturned."

That is an astonishing proposition. It gives rise to the question, "What is the appellate body for?" In effect, the ex-employee sifts appeals, perhaps makes a comment, and then sends the appeal back to the very body from which the appeal is being made.

It is even worse than that. The appeal goes back to what is called a case team, which has had no involvement in the original assessment, which reassesses the application. But that independent reassessment cannot overturn the original decision, because when it has looked at it, it goes back to the original decision makers, who then take the decision. One has to ask whether it is likely that the people who turned something down in the first place are going to overturn their decision. I called the appeals system a sham, and in reality it is. I have no confidence that it will work, although I hope that the decisions in relation to my constituents will be overturned.

Further to that, to underline—if it were needed—the way in which the appeal system has been less than helpful to Pensby boys school and West Kirby sailing club, Mr. Sillitoe, the independent adjudicator, sent identical letters to both appellants, despite the fact that on the face of it their cases were radically different. He told them that he would be away until November and that they should not expect to hear from him until then, although I am not sure whether that was supposed to help them. In fact, we know that he will not be part of the decision-making process, so a lot of help that was.

I was worried by some of the things that I have mentioned, so I wrote to Sport England on 7 October setting out those and other issues. It may or may not surprise hon. Members to know that I am yet to receive a response; I do not know if or when I shall receive one, or what its form might be. My letter made it plain that I did not think that the appeal process was fair or reasonable or that the original decisions were balanced. I said that the decisions were inconsistent, and that inconsistency was inherent in the process, which leads me on to my third point.

When I wrote to Sport England about its appeals system, I asked it to send me details of all the bids that had gone through the same procedure as those from Pensby boys school and West Kirby sailing club. I also asked for a list of successful and a list of failed bids. I drew the following conclusions after calculating the value of bids and examining where awards were made. Nationally, one in four bids in the tranche were rejected but one in three bids from the north, which is made up of the north-western, north-eastern and Yorkshire regions, were rejected. Only one in five bids from the southern region, which is made up of London and the south-eastern and south-western regions, were rejected. Only one of all London's bids was rejected. Nearly half all rejected bids came from the north and nearly a third came from the north-west, which is where my constituency is. Nearly twice as many bids were rejected

[Stephen Hesford]

from the north as from the south. More than half the total money allocated for successful bids went to the south and nearly half all successful bids were from the south. On average, a successful bid from the south received £200,000 more than a successful bid from the north. Fewer than a third of all successful bids came from the north and they received only a third of the total money for successful bids.

David Taylor (North-West Leicestershire): Does my hon. Friend accept that the patterns and worries that he is outlining as examples of the north-south divide also apply to the midlands—especially the west and east midlands? The east midlands is at the bottom of the league table under most lottery distribution assessments, and its failure rate for bids is even worse than that of the north.

Stephen Hesford: My hon. Friend is doing his best for his region and he has a point, which I am sure the Minister and the House have heard.

When I compared more closely the kind of bids from the south that were successful with the two bids from my constituency, I pulled out two examples that might enlighten the Minister in relation to the definite appearance of bias. Bexhill sailing club, which is not on a needy or deprived part of the south coast, received backing to the tune of more than £112,000. Likewise, Weymouth and Portland sailing academy received £2.5 million. Although I do not know the details of those bids, I cannot believe that they were so different from the bid by West Kirby sailing club which was rejected.

I also noted applications that I thought similar to the bid by Pensby boys school. Portsmouth local education authority, on behalf of the Prior school on the Hampshire coast, was awarded £992,000, and Herschel grammar school, which I think is in Sussex, received £2.5 million.

David Taylor: Needy causes.

Stephen Hesford: Clearly.

Those bids demonstrate the type of applications that are successful. They got past the new criteria applied by Sport England whereas it rejected the bids from my constituency. They stand in stark contrast to the bids by Pensby boys school and the West Kirby sailing club.

One of the various suggestions why the bids were rejected—I emphasise that I am not talking about a key single suggestion that one can understand and get a grip of—was that they had no long-term viability. That is a joke. West Kirby sailing club has been established for 102 years. There is no reason to think that the club, which is thriving and could have gone on to benefit my constituents and others in poorer parts of the Wirral, would not have been in operation for another 102 years.

The bid by Pensby boys school had the backing of the local authority, which pledged £400,000 as match funding. The idea that that did not have long-term viability or that it was connected with an excessive risk leaves my constituents cold. Martin Jones, the head teacher, Glyn Davies, the then deputy head teacher, and Paul Churchill, the commodore of the sailing club, put a lot of work into the bid. I look forward to the Minister dealing with some of the concerns raised, because it looks as though that is something that Sport England does not want to do.

7.48 pm

The Minister for Sport and Tourism (Mr. Richard Caborn): I congratulate my hon. Friend the Member for Wirral, West (Stephen Hesford) on securing the debate. He made a forceful case in which he raised a number of points about Sport England, in particular the process of adjudicating on lottery awards, to which I shall return in a moment.

My hon. Friend said that about twice as much sports lottery funding is received by applicants from the south than by applicants from the north, leaving aside the national stadium, and he quoted figures from Sport England to support his case. I have some sympathy with him. At times we see too much of the London syndrome in our national life, and that can be unfortunate. However, the figures on which he based his case do not bear close scrutiny.

Sport England has nine regions. I shall not list them all. It does not draw a line across the country between the north and south when it makes policy decisions, and nor do the Government. Aside from anything else, I am sure hon. Members from the midlands and the eastern region would not thank us for placing their constituencies one side or the other of an arbitrary line.

Let us keep things simple and compare the three northern regions—the north-east, the north-west and Yorkshire and the Humber—with the three southern regions, consisting of the south-west, the south-east and London. My hon. Friend has a fair point if we look only at 2002–03, the last year for which full Sport England statistics on awards are available. In that year, the north received 120 awards totalling £32.5 million. On the face of it, that does not compare well with the south's yield of £67.8 million from 163 awards. But matters are not so simple. Across the lottery field, a relatively high proportion of London awards relate to projects that are national in scope, and that does not just mean Wembley stadium.

That is true of awards in other regions, but the concentration of lottery projects that can be said truly to benefit the whole UK is, as one would expect, highest in the capital. In any event, when the figures are adjusted per head of population, the comparison is not nearly as skewed in favour of the south. The population of the three southern regions is much greater than that of the north. I will not do the maths, but others can do the calculations if they wish. The long-term figures show that any perceived inequalities in awards have broadly evened out over time.

Lottery grants, as many hon. Members know, are cyclical, and my hon. Friend is looking at only one year. If we look at the whole period from 1995 to 2003, the north received a total of 1,200 grants totalling £466.3 million. That compares favourably with the 1,751 awards totalling £579.4 million received by applicants in the three southern regions over the same period. It could be said—indeed, it has been mentioned this evening—that the central regions have a common complaint. The midlands and the eastern region received 1,278 awards totalling £351 million, which is a respectable showing, but well behind the north and south before adjustments per head of population.

That is the position under a funding structure without a significant regional focus. Until this year, Sport England has not been formally required to ensure an even spread of awards. Its policy directions required it to take into account

"the needs of sport . . . the need to ensure that all parts of England have access to funding"

and

"the scope for reducing economic and social deprivation."

Sport England built on that with its 1999 lottery strategy, which confirmed that

"local projects will respond to local priorities."

It put that into practice by designating 12 sport action zones, which are deprived areas that qualify for additional lottery support. Going back to our definitions of north and south, six of the zones are in the north—in Bradford, Manchester, Liverpool, south Yorkshire, the Wear valley and Cumbria—and only two are in the south. The designation of the zones sprang from admirable sentiments, and was backed up with real achievements. Sport England has gone a long way towards putting regional equity into practice, but its directions, strategy and action zones did not amount to a formal requirement to spread funding fairly across the country when addressing need.

That is changing with the reorganisation of Sport England. As part of the Government's modernisation drive, Sport England will in future make 60 per cent. of its total funding available to sport through the new regional sports boards. Each of the nine boards will receive its share of the total based on population, weighted for the index of social deprivation. Each brings together local and regional expertise to ensure that the awards truly reflect regional priorities.

With my Department, I have spent a great deal of time getting the structure right. I am confident that the nine boards will make a significant impact on the way that sport is funded in the regions. The boards will not only make sure that money goes to where it is needed in the regions; they will have the necessary clout and powers to bring in supporting funding from both the public and the private sectors. My hon. Friend will be reassured to learn that I know the chairman of the regional board in the north-west, Andy Worthington. I know from speaking to my hon. Friend earlier that he also knows him well, as he worked in his authority. Andy Worthington will bring a great deal to sport in the north-west.

Stephen Hesford: Amid a situation that is dreadful for my constituents, I confirm what my right hon. Friend said: Andy Worthington worked as a director of leisure services. I know him well, and I wish him well in his new capacity.

Mr. Caborn: I am sure that that will be passed on to Andy Worthington and that he will put an effective board together. That will no doubt have an impact in the medium to long term on the structures for sport in the north-west.

Let me take a brief look at the wider lottery position. Since 1995, the three northern regions have received a total of nearly £2.6 billion in all lottery funding. That compares favourably with the £3.3 billion received by the three southern regions, so the north has not done so badly in the past, after all. In sport at least, I believe that it will do even better in the future. So much for the bigger regional picture.

My hon. Friend is understandably concerned with the interests of his constituents. He put that case forcefully to the House. He referred to two sports lottery applications that, he maintains, were affected by this year's reforms at Sport England. As he said, the reform programme included a stock-take of all lottery-funded projects in January. That led to a number of applicants' schemes being capped, deferred, or—in Sport England's terminology—decommitted. Fifty-four projects were decommitted, and 41 deferred. Of those 95, 20 were in the north-west.

On the face of it, that appears to be a high proportion. Why the proportion should be so high is a matter for Sport England. I cannot answer the specific question raised by my hon. Friend, but I will write to Sport England and, I hope, be able to give my hon. Friend a much fuller answer. As he said, two of the decommitted projects were in his constituency in the Wirral. West Kirby sailing club's application for £88,000 for a new boathouse was turned down, as was Pensby high school's application for £893,000 for sports facilities.

My hon. Friend asked for my views on those two Sport England decisions. He knows full well and acknowledged in his contribution that, as both applicants have appealed to the independent adjudicator, it would be improper for me to comment on either case while the adjudication is going through. For the same reason, I cannot comment on the points he made about officials in Sport England's regional offices, other than to note that these—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at two minutes to Eight o'clock.

House of Commons

Wednesday 22 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

HEREFORD MARKETS BILL [*Lords*]

Read the Third time, and passed.

Oral Answers to Questions

OFFICE OF THE DEPUTY PRIME MINISTER

The Deputy Prime Minister was asked—

Council Tax

1. **John Barrett** (Edinburgh, West): What estimates he has made of the cost to local authorities of administration of (a) council tax and (b) council tax benefit for 2002–03. [133433]

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): In 2002–03, budgeted council tax benefit administration costs in England totalled £205 million. Council tax collection costs totalled £318 million.

John Barrett: I thank the Minister for that answer. Given the costs of the administration of council tax, which remains one of the most unjust, unfair and regressive taxes, will the Minister, in the balance of funding review, follow the leader of the Scottish Executive and consider scrapping the council tax and replacing it with a tax based on ability to pay?

Mr. Raynsford: Yesterday, there was a meeting of the balance of funding review at which we agreed to look at a number of options. The hon. Gentleman will no doubt be pleased to know that the issue of a local income tax is one that we have thought worthy of the consideration. He and his party, however, should not be so optimistic about the potential savings that they have trumpeted—some £500 million. The letter that I have received from the Liberal Democrat spokesman confirms that on virtually every point that I raised they are considering options for the administration of a local income tax. They have not worked it out. It is the usual Liberal Democrat story—their talk is good but they have not done their figures. I suspect that they will be in for a nasty shock.

Mr. Jon Owen Jones (Cardiff, Central): I hope that the Minister will not be beguiled by the seeming attractions of local income tax. Is it not true that some of my constituents who live in mansions worth millions of pounds would find themselves not paying anything to the local council, whereas hard-working families in much more modest accommodation would find themselves paying thousands of pounds more?

Mr. Raynsford: My hon. Friend makes an extremely good point. That is why we are approaching this whole issue in an extremely open-minded and thorough way. We are not going to come out with glib promises of quick improvements. We want to look at this closely, because it is a serious issue, and my hon. Friend rightly highlights one of the obvious anomalies that would flow from the abolition of the only property tax that currently exists in this country. One of the bizarre features of the Liberal Democrat proposals—

Mr. Speaker: Order. The Minister can tell that to the hon. Gentleman privately.

Mr. Eric Pickles (Brentwood and Ongar): Capping would have an effect on the costs of collection. I would like to commend and endorse the views of the right hon. Gentleman on capping. I am sure that he spoke for many in the House when referred in this Chamber on 24 June 1992 to

"the unfairness and unsatisfactory . . . process"

of capping. He concluded:

"We see a sad and sorry picture of the imposition of centralised diktats by Ministers who cannot possible understand the intricacies and the detailed implications for local communities".—[*Official Report*, 24 June 1992; Vol. 210, c. 344–46.]

That is in stark contrast to his present views, expressed in his letter to *The Daily Telegraph* today. He now threatens to break his promise of no capping for excellent councils. With pensioners on strike and chief constables warning of a breakdown in law and order, is that U-turn evidence that the Government are now panicking because their stealth tax has finally been rumbled by the public?

Mr. Raynsford: I find that somewhat rich coming from a party that capped, capped and capped again when in power. What the Government are doing is rightly focusing on the real concerns that are felt by many people throughout the country at the unreasonably large council tax increases that have been imposed, interestingly, predominantly by Conservative councils—councils such as Wandsworth, which cut its council tax by 25 per cent. in election year, and put it up by 45 per cent. last year—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Brentwood and Ongar (Mr. Pickles) should hear the Minister's reply.

Mr. Peter Pike (Burnley): Does my right hon. Friend agree that for many people who are just above council tax benefit level, the council tax increases are becoming increasingly unacceptable? That is why I welcome the type of statement that he made a few moments ago—that the Government are looking at the matter in a positive way. In the meantime, will he recognise that councils should look more positively at people who are struggling to pay and not incur a cost by summonsing them if they clearly show that they are going to pay by 31 March? Being late with one or two instalments should be accepted if people are struggling to pay.

Mr. Raynsford: My hon. Friend is absolutely right to say that people are increasingly concerned about the council tax increases that have been imposed by some councils. As I said, it was predominantly Conservative councils that had an average increase in council tax this year of 16 per cent., which is by far and away the highest and should cause concern.

It is right that people should pay council tax, but it is equally right that those responsible for administering it should be sensitive in its collection and accept the fact that some people have difficulties. A firm but sensitive approach is obviously correct.

Mr. Edward Davey (Kingston and Surbiton): Will the Minister confirm that the total administration costs of council tax—the figures that he has announced today and other related figures such as the valuation appeals costs—amounted to a massive £569 million last year? Will he also confirm that that means that 4 per cent. of council tax revenue goes on bureaucracy alone? That compares with 1 per cent. for income tax administration costs. Will he therefore say that, in the balance of funding review, the Government will not only get rid of this unfair tax, but make sure that hundreds of millions of pounds of savings can be given back to hard-pressed council tax payers?

Mr. Raynsford: The hon. Gentleman has not done his figures right, and this is the usual story with the Liberal Democrats. The figures that I have just given show that expenditure on council tax collection and council tax benefit administration is £520 million. I put it to the hon. Gentleman that it is a pretty fantastic proposition to put to the public that the Liberal Democrats expect to save £500 million and that their whole scheme for local income tax could be administered for a mere £20 million. He admits in his letter that he has not yet worked out what administration system he will use, so he is telling us something that is totally non-credible.

Air Conditioning

2. **Sue Doughty** (Guildford): What plans he has to introduce inspections of air conditioning systems with an effective rated output of more than 12 kW. [133434]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): We plan to introduce inspections of air conditioning with an output of more than 12kW in order to support improvements to energy efficiency as part of the implementation of the energy performance of buildings directive, which needs to be transposed by 2005.

Sue Doughty: I thank the Minister for that reply, but we need to recognise that the directive could save 9 million tonnes of carbon dioxide by 2010. Given the number of requirements in the directive, would it not be prudent for it to be incorporated in primary legislation so that the Government can get on and deliver as rapidly and effectively as possible the huge environmental benefits resulting from the directive?

Yvette Cooper: The hon. Lady is right. There are clear environmental benefits from the directive and, as air conditioning becomes more popular, this issue will become increasingly important. As part of the review of building regulations, we are consulting on how the measure should be introduced. I draw the hon. Lady's attention to the information on the departmental website if she is interested in the detail in that respect.

Councillor Payments

3. **Bob Russell** (Colchester): When he last discussed with the Local Government Association the level of payments made to councillors. [133435]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I have not held any recent discussions with the Local Government Association about the level of payments made to councillors. The level of allowances payable to elected members is for each local authority to determine. However, before we introduced the current regulations on councillors' allowances in May this year, we consulted extensively all local authorities and a number of local authority organisations, including the LGA, on the proposed changes.

Bob Russell: When the Minister next meets the LGA, will he inquire what its view is of the benefits—financial and otherwise—to council tax payers of the introduction of cabinet systems in local government and, with them, the higher payments to councillors? Are council tax payers getting value for money and better democratic decisions as a result?

Phil Hope: The hon. Gentleman is right to suggest that it is a matter for local councils to determine the level of payments. The new system of basic payments and special responsibility allowances is there to enable local councillors to make their own decisions. They have the freedom to decide the levels, and with that comes responsibility and accountability to the electorate for the levels of payments that they decide to make.

In addition to the responsibility payments that the hon. Gentleman mentioned, I would also like to refer to the new dependant carers allowances that are now available to local authorities. I hope that they will allow more parents, particularly women, to consider standing for office as local councillors.

Gypsies

4. **Julie Morgan** (Cardiff, North): What plans he has to increase access to sites provided for gypsy travellers. [133436]

The Minister for Housing and Planning (Keith Hill): As a Welsh Member, my hon. Friend will be aware that responsibility for gypsy and traveller accommodation in Wales has been devolved to the National Assembly. In England, over the past two years, the Government have spent £17 million on refurbishing 150 unused or under-used gypsy sites, and a similar amount is available over the next two years. From April this year, the funding is available for the provision of new transit sites.

Julie Morgan: I thank the Minister for that answer. Is he aware that it is estimated that 30 per cent. of gypsy and traveller families have no legal place to stay? Does he agree that one way forward might be to impose a statutory duty on local authorities to provide and facilitate sites?

Keith Hill: I am aware that many gypsies and travellers do not have access to authorised encampments. We are aware that that is a growing problem and we know of the great difficulties caused by unauthorised encampments, which is why we are bringing in a new power under the Anti-social Behaviour Bill to allow the rapid removal by the police of illegal encampments. The plain fact is that we need more authorised sites—both transit and residential. I am pleased to say that the number of sites that are privately owned by gypsies and travellers is increasing but there is also a clear need for local authorities to provide more sites. We are keeping all options under consideration.

Mr. Henry Bellingham (North-West Norfolk): I do not often praise Ministers, but I congratulate the right hon. Gentleman on making an effort to get to grips with the problem, because he seems to be coming up with proactive and interesting ideas. Does he agree that the management of sites is important? One of the problems is that there is often fly-tipping, litter and other rubbish on the sites. Until the Conservatives took control of King's Lynn and West Norfolk borough council, the main traveller site at Saddlebow really was one hell of a mess. What will he do to ensure that the sites are better managed?

Keith Hill: The hon. Gentleman is absolutely right. We are well aware that the appearance of gypsies and travellers can create a nightmare for local residents and that the sites can be left in an appalling condition. We are seized of the issue and anxious that local authorities should have the opportunity to deal with fly tipping. As the hon. Gentleman knows, we are introducing further powers on fly tipping in the Anti-social Behaviour Bill and, of course, we expect local authorities to deal with such matters proactively.

Mr. Mark Todd (South Derbyshire): Derbyshire county council has tried to extend a site in my area of South Derbyshire. It would make a considerable difference to the potential success of the project if it received full funding rather than the 75 per cent. funding offered by the Government. That would also relieve the pressure of illegal camping, which is a blight on much of my area. Will the Minister reconsider the 75 per cent. contribution?

Keith Hill: I understand my hon. Friend's point. The Government are making significant investments—£35 million over four years—and we contribute 75 per cent. toward costs. There are always pressures from local authorities to extract more money and there are finite resources for local government. Of course, our ears are open to all representations.

Andrew Selous (South-West Bedfordshire): When will the Government ensure that planning law is applied as stringently to gypsies as it is to members of the settled community?

Keith Hill: We continually keep the matter under review. We are certainly considering the further strengthening of planning powers. We are seized of the fact that the availability of authorised sites has dried up over the years. As to extensive new provision, it is interesting to observe that, from 1968 to 1994, when there was a requirement on local authorities to establish gypsy sites, some 300 sites were brought in—300 of only 324 authorised sites nationwide. Let me assure the hon. Gentleman that we are well aware of the issues. They are under consideration and we expect to come forward with new proposals in due course.

Regional Government Referendums

5. **Mr. David Borrow** (South Ribble): When he will announce whether the proposed referendums on regional government will be conducted by postal ballot. [133437]

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): Following a series of pilots in local authority elections and thorough evaluation by the Electoral Commission, it is clear that all-postal ballots can significantly increase levels of participation in elections. We have considered this evidence carefully, and I am pleased to announce today that the Government intend to hold the referendums on elected regional assemblies and on associated local government changes by all-postal ballots.

Mr. Borrow: I thank the Minister for that reply. It is the one that I hoped to get, and will encourage those of us who intend to campaign for a yes vote because we want to get the devolution of power that we deserve in the north-west.

Mr. Raynsford: I wish my hon. Friend every success with his campaign. We will do our utmost to ensure a high turnout in those very important referendums, which will determine the scope of devolved power to the English regions.

Peter Bottomley (Worthing, West): Will the Minister confirm that there is no call for a referendum in the south-east? In addition, what level of increased fraud—*[Interruption.]* The right hon. Gentleman's colleagues

think this is worth barracking. What level of increased fraud as a result of postal ballots will get him to revise his opinion? Will he keep that under review?

Mr. Raynsford: The whole principle on which we based our policy is one of choice. Those regions with an appetite for elected regional assemblies can have referendums. Those that have not expressed an interest are not required to do so. It is a simple matter of giving choice to the English regions.

On fraud, I referred to the Electoral Commission's thorough evaluation of the local government pilots. It found no evidence of increased fraud, although it did find clear evidence of a substantial increase in turnout, and it is on that basis that we are proceeding. I assure the hon. Gentleman that we will continue to look closely at the issue because it is vital to maintain the integrity of the ballot.

Geraldine Smith (Morecambe and Lunesdale): Although regional government may excite some politicians, is it not the case that the soundings exercise in the north-west proved that the vast majority of people were totally uninterested and unenthusiastic about a referendum? Will not those people consider a postal ballot a complete waste of taxpayers' money?

Mr. Raynsford: No, I profoundly disagree with my hon. Friend. I remind her that there were several thousand responses in the north-west from a wide range of organisations representative of many thousands more people. I am surprised that my hon. Friend is resisting the option given to people in the north-west to determine whether they should have an elected regional assembly. They will decide. That is democracy.

Mr. Andrew Rosindell (Romford): In the same spirit of democracy and choice, will the Minister announce a postal ballot for the people of London so that we can choose to get rid of the monstrous bureaucracy of the Greater London Assembly?

Mr. Raynsford: I do understand that the hon. Gentleman has only been here a little while, so he will perhaps not be fully aware that the people of London expressed a view in a referendum less than six years ago in favour of a Greater London Authority. When the party that he supports was in government and it abolished the Greater London council, the people of London were given no choice. That is the difference between the parties: we give the people a choice.

Rural Housing

6. **Tony Cunningham** (Workington): If he will make a statement on the results of his visit to Workington to examine rural housing issues. [133438]

The Deputy Prime Minister (Mr. John Prescott): I had a very productive visit to my hon. Friend's constituency of Workington, including discussions with key partners on the delivery of sustainable communities in Cumbria. I am committed to increasing the supply of affordable houses in rural areas. That is why we have increased the Housing Corporation's rural target to provide a total of 3,500 affordable homes over the next two years, restricted the right to buy in rural areas, given councils the power to reduce council tax discounts on holiday homes, and given rural communities a voice on the new regional housing and planning boards.

Tony Cunningham: I thank my right hon. Friend for that reply. His visits to my constituency are always greatly appreciated. Does he agree, however, that even if we find available land in rural areas and provide the financial packages to build houses, without greater flexibility in the planning system, we will never build the homes that people so desperately need?

The Deputy Prime Minister: As my hon. Friend knows, I am extremely concerned about the restrictions on planning permission for land for affordable housing, which is why I was pleased when I visited the area in February to agree with the Cumbrian strategic partnership that it would set up a review of the impact on economic sustainability of the lack of affordable homes. It will look at the problems of barriers, whether legislative, planning or financial, and its report will be published at the end of the year, giving us a greater understanding of what more we need to do to provide affordable homes.

David Davis (Haltemprice and Howden): Despite the Deputy Prime Minister's opening remarks, I shall resist the strong temptation to ask him about ministerial second homes, either in the lake district or elsewhere. In the context of rural housing, does he agree with the following quotation:

"There is no doubt that the homelessness problem has been increased by the shortage of affordable rented housing... Labour's approach will be founded on the basic aim of ensuring that everyone has the chance to a decent home—both the majority who want to own their own homes and the minority who cannot afford to buy or choose to rent"?

Does the Deputy Prime Minister agree?

The Deputy Prime Minister: Yes.

David Davis: I am glad that the right hon. Gentleman does so, because that quotation about the shortage of affordable rented housing was from the Prime Minister, his boss. Why is it, therefore, that under his Labour Government the construction of social housing in English rural authorities has halved?

The Deputy Prime Minister: I believe that the right hon. Gentleman has said that before, but it is just not true. The amount of social housing has yet to be determined following the recommendations from the regional boards on housing. I do not know where the right hon. Gentleman got his figure from, but it is not true. Like his first question, it is not accurate.

Overcrowding

7. **Ms Sally Keeble** (Northampton, North): What plans he has for measures to help families living in overcrowded conditions. [133439]

The Minister for Housing and Planning (Keith Hill): As my hon. Friend will be aware, about 2 per cent. of households are overcrowded under the standard used in

the survey of English housing, with about a third of those in London. The Government believe that the way to help overcrowded families is investment in new homes. That is why we are investing £5 billion in more affordable homes over the next two years, double the level of investment that we inherited in 1997.

Ms Keeble: I welcome the extra investment and the relief that it would provide for families living in overcrowded conditions. Does my right hon. Friend accept, however, that the standards established in 1935 on overcrowding are now out of date? We need some simple standards that will safeguard the well-being of families living in overcrowded conditions.

Keith Hill: Of course, I agree with my hon. Friend that the 1935 statutory standards are outdated. The problem, however, is that they cannot be raised in isolation from other factors. Some of the current proposals would have the effect of increasing twentyfold the number of households statutorily defined as overcrowded, imposing a quite unrealistic demand on the resources of local authorities and diverting them from the excellent decent homes programme and their responsibilities to homeless families, who often live in far worse conditions than overcrowded households.

Mr. Gary Streeter (South-West Devon): Surely the primary way to overcome overcrowding is to build more affordable homes to rent? Despite what the Deputy Prime Minister has just said, is it not now clear that whereas in 1997 more than 30,000 affordable homes to rent were being completed in this country, the figure has halved and was below 15,000 last year? What is the Minister going to do about that?

Keith Hill: I will tell the hon. Gentleman what we are going to do about it. In 1997, we inherited a disastrous £19 billion of arrears in the modernisation and refurbishment of social housing. We are putting that right. By next spring, 1 million social homes will be brought up to the decent homes standard and we will have brought all such homes up to that standard by 2010. In addition, this year, we are building more than 22,000 new homes, and we are committed to £5 billion of new investment in affordable housing over the next two years, double the level of investment that we inherited from the Opposition.

Parks

8. **Ms Joan Walley** (Stoke-on-Trent, North): What additional funding is available in this financial year for parks in urban areas. [133440]

The Deputy Prime Minister (Mr. John Prescott): The budget from which local authorities fund improvements to the local environment has been increased by £1 billion over three years in the current spending review. In addition, the sustainable communities plan set out a package of local environment measures worth £200 million over the next three years, including the liveability fund. Finally, the national lottery distributors, particularly the Heritage Lottery Fund, as well as the new opportunities fund and the community fund, also provide substantial funding for parks and other green spaces.

Ms Walley: I welcome the work that the Government are doing to invest in parks and green spaces, and the fact that the Landscape Institute chose Stoke-on-Trent to launch the liveability policy. When my right hon. Friend considers the bids coming through from local authorities, will he examine closely the bid submitted by Stoke-on-Trent city council? Does he agree that there is an urgent case for an application to the Heritage Lottery Fund for Burslem and Tunstall park?

The Deputy Prime Minister: The House is well aware that my hon. Friend is a great advocate of investment in green spaces. We have received bids from many authorities for a grant from the liveability fund. The successful bids will be announced shortly, in early November.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [133448] **Mr A.J. Beith** (Berwick-upon-Tweed): If he will list his official engagements for Wednesday 22 October.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Beith: I welcome the Prime Minister's rapid return to robust health—[HON. MEMBERS: "Hear, hear."] Indeed, I should like to see all three party leaders remain in robust health and leaders of their parties. May I turn the Prime Minister's attention, however, to an unacceptable aspect of the war against terrorism—namely, the continued existence of a legal no-man's-land at Guantanamo Bay, where UK citizens and others do not face trial under UK law or US law or according to international law? The Prime Minister has said that there must be a point in time when the issue is brought to a head. Is that point in time not before or during President Bush's forthcoming visit to London?

The Prime Minister: First, I thank the right hon. Gentleman for his good wishes. Secondly, yes, the issue must be resolved soon. I cannot say exactly when, but there are two alternatives: either sufficient undertakings will be given about the form of trial that the detainees will have under a military commission, or they will be returned to the United Kingdom. The British Attorney-General has been in touch with his American counterpart in order to try to make sure that sufficient undertakings are given. It may not be possible to bring the US rules into conformity with ours, in which case the detainees will be returned to the UK.

I want to make a further point to the right hon. Gentleman. It is important to realise that there is a reason why those people have been detained, and there is a reason why it is extremely important that we exercise a great deal of care about how they are tried, not merely for their sake—they are entitled to a fair trial—but for the security of this country.

Mr. Bill Tynan (Hamilton, South): My right hon. Friend will be aware that the Fireworks Act 2003 is now on the statute book. *[Interruption.]* I hoped that would get a cheer. Is my right hon. Friend aware that the major problem that we face is the importation of illegal fireworks? More than 1,000 tonnes have come in through Felixstowe over the past six weeks and are causing enormous problems throughout the country. Would my right hon. Friend try to resolve the problem and make sure that we maintain safety in our communities?

The Prime Minister: I am happy to respond positively to my hon. Friend's remarks, and I congratulate him on all the work that he did on his Bill on the issue. Fireworks are a real source of antisocial behaviour. That is why the Government support the measures set out in my hon. Friend's Bill. I very much hope that even in advance of those measures coming into effect, people will realise, particularly in respect of the sale of fireworks to young people, that there are strict laws that should be upheld and not breached, and that those who breach them should face the full severity of the law.

Mr. Iain Duncan Smith (Chingford and Woodford Green): May I personally welcome the Prime Minister back to the Dispatch Box, and say that I am glad to see that he is clearly back to full health?

Following yesterday's disappointments in Northern Ireland, does the Prime Minister agree that Sinn Fein-IRA have not done enough to demonstrate their commitment to exclusively democratic and peaceful means? In April, the Prime Minister asked Gerry Adams to say that all IRA paramilitary activity would end. Could he tell us where Mr. Adams made that clear in his statement yesterday? Do we not need to be certain that for the IRA the war is over?

The Prime Minister: I thank the right hon. Gentleman for his good wishes.

In respect of the IRA, two very important things happened yesterday. First, there was a clear statement by Gerry Adams, which was then endorsed by the IRA, that the implementation of the Good Friday agreement means the end of the conflict in Northern Ireland. It is the first time that that has been said in those terms, and that is very important. Secondly, that statement—I do not have the exact text in front of me—made it clear that there should be a cessation of all paramilitary activity. Furthermore, the position of the two Governments—as stated in our joint declaration, paragraph 13 of which lists those paramilitary activities—is that any breach of what is set out there will incur the full sanctions of the Independent Monitoring Commission. The existence of that monitoring commission and those sanctions gives us the best chance not only of having the words—which, obviously, are merely words—but of ensuring that the deeds are done and that the IRA or any other organisation can be held to account for what it does.

Mr. Duncan Smith: On monitoring, there is clearly a need for greater openness on the issue of IRA weapons. We need to clarify the timetable by which illegal weapons are finally to be put beyond use. Last night, the media reported that British officials had spoken in briefings about the kinds of weapons that had been decommissioned. Yesterday, the Prime Minister said that if the people of Northern Ireland knew what he knew, they would be satisfied. Can he explain, then, why details of all decommissioned weapons cannot now be placed in the public domain?

The Prime Minister: I can explain that, although I agree that it is an unsatisfactory situation—we are trying to resolve it at the moment. Under the decommissioning legislation, it is open to paramilitary organisations to decommission with confidentiality as to exactly what has been decommissioned. That is the arrangement that they entered into with General de Chastelain, who, for perfectly obvious and honourable reasons, feels bound by it. He gives certain information—not the full information, but certain information—to us, as the two Governments. Although we are not at liberty to disclose that information without his permission, we are working hard to try to find a way in which we can do so, because I believe, on the basis of what we know, that people would be satisfied if they knew the full details.

I entirely understand that from the perspective of the Unionist community people need, given all the history of this issue, to be sure that what is said to be a substantial act of decommissioning is indeed a substantial act of decommissioning. Over the next few days, we have to try to find a way to resolve this, because that will allow the right atmosphere, conducive to sustainable institutions, to surround the elections in Northern Ireland that take place on 26 November.

Mr. George Howarth (Knowsley, North and Sefton, East): Does my right hon. Friend agree that once the dust settles on the events in Northern Ireland over the past 24 hours, we are left, still, with the Good Friday agreement? Will he further agree that that is more likely to be delivered in its entirety if there is bipartisan support across this House?

The Prime Minister: That is true. I hope that people in Northern Ireland realise that it is deeply frustrating and disappointing that we were unable to achieve the full range of agreements that we thought we would be able to achieve yesterday. However, people should not lose sight of the fact that enormous progress has been made in Northern Ireland over the past few years. We have had the quietest summer for some 30 years; we have parties sitting down and talking to each other who some years ago could barely bear to be in the same room together; and we have the economy expanding probably faster than in any other part of the United Kingdom.

The truth is that there is an enormous prize to be gained if we can get this last bit of the way. As far as the Government are concerned—I am sure that this is true

of the Government in the Republic of Ireland—we will carry on working all the way to make this agreement a reality, because it is the only agreement on offer and it is the only prospect of a secure and stable peace for Northern Ireland in future.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): On a separate subject, in the previous Labour party manifesto, the Prime Minister explicitly stated:

"We will not introduce 'top-up' fees".

Does he stand by that commitment to the British public?

The Prime Minister: We have made it clear on many occasions that because of that commitment, we cannot introduce variable fees until after the next election.

Mr. Kennedy: That is a lawyer's answer. The Prime Minister said at the time of the general election that he was against university top-up fees, yet he will legislate to introduce them. Given what he has said and what he now proposes to do, how can the British public trust him or his Government?

The Prime Minister: For the simple reason that I have made it clear that the proposals cannot come into effect until after an election. The issue at the next election will be how we fund universities better and improve access for our students. Three policies are on offer. The Conservative party's policy is to cut the number of students and their funding. The Liberal Democrats' policy is to say that they agree that universities need more money and that there should be greater access, and that the money will come out of a 50p top-rate of tax.

Let me explain the problem with that policy. I have been looking at Liberal Democrat policies—[HON. MEMBERS: "Why?"] They are an excellent form of relaxation. The top-rate of tax will pay for not merely student fees, but council tax, as well as Liberal Democrats' plans for care for the elderly, and increases in pensions and in spending on the national health service. Furthermore, we have gone through their spending commitments in the past two years.

Mr. John Bercow (Buckingham): Read them out.

The Prime Minister: I could not—it would take too long. In 2001–02, the Liberal Democrats had more than 40 different spending commitments. At their conference last month, they pledged another 30. They run into literally billions of pounds. I shall tell Liberal Democrat Members what misleading the British people is. It is telling them they can get something for free when they cannot.

Hon. Members: More!

Mr. Speaker: Order. Mr. Jonathan Shaw.

Jonathan Shaw (Chatham and Aylesford): Granada Television, which runs the popular news programme "Meridian Tonight", is threatening to close its television centre in my constituency, putting jobs at risk. Given that we have only one independent television company, does the Prime Minister share my belief that the regulator should take a robust line to protect the quality and relevance of regional news programmes throughout the country?

The Prime Minister: I agree that it is important that the regulator takes a robust line, but I hope that my hon. Friend agrees that the decision is a decision for the regulator.

Q2. [133449] **Mr. Alistair Carmichael** (Orkney and Shetland): The Prime Minister knows that fishery scientists called again this week for a total ban on cod fishing in the North sea. Will he explain why, if cod stocks are so poor, the Government continue to allow the Danish industrial fishing fleet to fish for almost anything with scales, including a massive by-catch of immature cod?

The Prime Minister: I understand that the issue is important, not least in the hon. Gentleman's constituency. For that reason, negotiations will take place at the Agriculture and Fisheries Council in December, when we shall make precisely the points that the hon. Gentleman raised. Although more member states agree with our position, more scientific evidence is needed to convince others. We are setting about doing exactly that. I appreciate that we are already convinced, but we must convince the others so that we get a majority behind our position at the Agriculture and Fisheries Council. I hope that we can do that.

Alan Simpson (Nottingham, South): On the war on Iraq, will the Prime Minister make one point clear? When the Attorney-General gave his advice about the legality of the war, did he know that the 45-minute warning related only to battlefield weapons and not to weapons of mass destruction?

The Prime Minister: The Attorney-General's advice was clear, and dependent not on that specific information but on the legal position in United Nations resolutions. I refer my hon. Friend to an excellent article that was written today and makes precisely the same case that the Attorney-General made in his advice.

Q3. [133450] **Ann Winterton** (Congleton): Will the Prime Minister rule out completely reports in the press that a Labour Government—*[Interruption.]*

Mr. Speaker: Order.

Ann Winterton: Will the Prime Minister rule out a Labour Government using an Englishman's home—his castle—as a cash register for the Treasury?

The Prime Minister: If the hon. Lady means the report about capital gains tax on house sales, that has already been comprehensively denied by the Treasury.

Q4. [133451] **Mr. Neil Turner** (Wigan): The sure start programme has been hugely successful in tackling the root causes of social deprivation and exclusion. The Wigan borough has two such schemes, neither of which is in my constituency. May I ask the Prime Minister when he will be able to extend the programme to cover areas such as Pemberton, an area of severe deprivation

in my constituency, so that we can ensure that the programme will break the cycle of deprivation that passes from generation to generation, and release the full potential of all our people, no matter where they were born?

The Prime Minister: I cannot give a precise commitment on my hon. Friend's constituency, but he has already drawn attention to the two local sure start programmes in Wigan. I can say that we are increasing spending up to £1.5 billion a year for the sure start unit, which is an enormous undertaking. It is now helping some 400,000 children in some of the most disadvantaged parts of the country, as I saw for myself in Southampton a few weeks ago. The fact is that it is not merely excellent for the children; it is also giving the parents—often lone parents—a chance to get a qualification, a job and some hope in life. It is therefore a huge programme to combat poverty and social exclusion. I hope that it will go from strength to strength, not merely in my hon. Friend's area but throughout the country.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The Prime Minister once promised to be tough on crime. Can he tell us how many incidents of violent crime were recorded last year?

The Prime Minister: I cannot tell the right hon. Gentleman the precise figures. I agree that violent crime has gone up. However, crime overall has fallen under this Government, and, of course, crime doubled under the last Conservative Government.

Mr. Duncan Smith: The answer is that, for the first time in our history, there were more than 1 million victims of violent crime last year. That is an increase of more than 70 per cent. in the past five years under this Labour Government. Will the Prime Minister now tell us how many gun crimes were recorded last year?

The Prime Minister: Gun crime increased by some 3 per cent. last year. I think that it was an increase of 35 per cent. before that, so that is something of a tailing off. I would also point out that the chances of being a victim of gun crime in this country are lower than in virtually any major country in the industrialised world.

Mr. Duncan Smith: It is no good the Prime Minister listening to his Home Secretary telling him all about the "eye-catching initiatives". People do not want any more eye-catching initiatives; they want criminal-catching initiatives. The answer to my last question is that, again for the first time, there were 10,000 gun crimes last year. The Prime Minister once said:

"Crime figures are the measure of whether"—

his—

"Government is succeeding or failing".

Do not the recorded crime figures show that his Government have totally failed?

The Prime Minister: The right hon. Gentleman is on slightly difficult ground here, since the British crime survey makes it absolutely clear that crime has fallen under this Government, not risen. I would also point out that crime doubled under the last Conservative Government. In fact, violent crime actually went up by 73 per cent., mugging went up by 70 per cent., burglary more than doubled and car crime doubled. So our record stands very well in comparison with his. However, he says that we must have measures to do something about this, and I agree. That is why we have a Criminal Justice Bill now going through the House of Lords. Yet measures in that Bill that would have a real impact on violent crime, organised crime and gun crime are being opposed by the Conservatives in the House of Lords. Perhaps the right hon. Gentleman will say whether he will agree to let those measures through, particularly those dealing with organised crime and the previous convictions of defendants, because it is no use his asking for action, then denying the police the powers to get it.

Mr. Duncan Smith: The Prime Minister should check his own figures. They show that, overall, crime is up under this Government. *[Interruption.]* Oh, no. The Home Secretary should calm down. There were 800,000 more offences this year than when the Prime Minister came to power. Those crimes are the ones that were recorded by the police, not by surveys. I remind the Prime Minister that that set of figures is the same set that he used in opposition when he promised to be tough on crime. They show that violent crime is up 70 per cent., gun crime has doubled, detection rates are down and overall crime is up. Everybody in the real world knows that crime has risen. Only in Blair world is crime coming down. Is that not the reason why, when it comes to crime, nobody believes a word he says any more?

The Prime Minister: First, I repeat the fact that crime has gone down under the Government, but I accept that violent crime has gone up. However, to go back to the record of the last Conservative Government—*[Interruption.]* It is a useful comparison, I think, that crime doubled under them. The real point is that measures in the Anti-social Behaviour Bill and the Criminal Justice Bill are going to make a difference.

Let me tell the public what the Conservatives are opposing. We say that where there is a trial involving organised crime and the jury is nobbled by organised criminals, the right to jury trial should be withdrawn. That measure, which the police say is essential to dealing with gun crime and organised crime, is being opposed by the Conservative party. In the second measure, we say that we should make greater use of defendants' previous convictions, because juries are often appalled when they hear the long list of previous convictions read out. The police say that that information is essential to dealing with crime, but the Conservative party is opposed to that proposal, so we will take the Conservatives seriously when they start to support the measures necessary to fight crime.

Mr. Chris Mole (Ipswich): I am glad that the Prime Minister has mentioned the Criminal Justice Bill. Can he tell me what comfort it will offer to my constituent Lisa Ellinor, who has been continuously stalked for the last 15 years by the same man? She feels that jurors should be given more information about his previous

convictions in order properly to protect her from his threatening and unwanted attentions, which are making her life a living hell.

The Prime Minister: My hon. Friend makes the very point that I was seeking to make to Conservative Members. The fact is that they are opposing measures in the Criminal Justice Bill right now, while telling the public that they want firm action against crime. The very things that provide firm action against crime they oppose. They are also, incidentally, still opposed to the Proceeds of Crime Bill, which, on a different point, will allow us to seize the assets of drug dealers. That is vital in the fight against organised crime. I really think that before the Conservatives start giving us lectures on law and order, they should get their own policy sorted out.

Q5. [133452] **Mr. Ian Liddell-Grainger** (Bridgwater): The Prime Minister may or may not be aware that last week two Somerset colleagues and I had an excellent meeting with the Secretary of State for Education and Skills. We asked to see him because of the scandalous mismanagement of funds by Liberal Democrat-controlled Somerset county council. Does the Prime Minister agree that the three E's of education, education, education are vital for teachers, governors and children in Somerset, and that any county council that misappropriates state funds should learn one of the three R's of arithmetic, arithmetic, arithmetic?

The Prime Minister: Fortunately, I am not responsible for Liberal Democrat education policy, but I agree with the hon. Gentleman. To be absolutely fair, I know that he would want to point out that, as a result of the Government's extra investment in education, there is an extra £630 per pupil going into Somerset local education authority. That makes the hon. Gentleman's point all the stronger, so it would have been even better if he had mentioned it.

Q6. [133453] **Ms Joan Walley** (Stoke-on-Trent, North): May I say to the House that it is good to see the Prime Minister here on top form, fighting inequality? May I also say that much will depend on the outcome of Sir Michael Lyons's report, which will relocate Government Departments from Whitehall and from the south-east? Does the Prime Minister agree with me, other north Staffordshire Members and the North Staffordshire chamber of commerce that the bid from Stoke-on-Trent council—it is leading our bid—is important in order to deliver the Government's agenda and get jobs relocated? Ensuring that jobs go to north Staffordshire, which has wonderful transport facilities and really needs more highly paid jobs and where—

Mr. Speaker: Order. I am sure that the Prime Minister will manage an answer.

The Prime Minister: Of course, I cannot prejudge the outcome of Sir Michael Lyons's review, but my hon. Friend makes an important point. It is one reason why we are trying to get more money into regeneration. I know that Stoke Works, which is the single regeneration budget scheme in Stoke, is putting some £8 million into the area between 2003 and 2005. Obviously, a major relocation would help. I am sure that Sir Michael will be interested in my hon. Friend's comments.

Q7. [133454] **Mr. Nick Hawkins** (Surrey Heath): As a direct result of the Government's policies, sub-post offices are closing all round the country, including in my constituency. Last year, in one of my villages, a sub-post office that is heavily used by pensioners and the disabled closed. Last week, it was announced that the next-door village is also to lose its sub-post office. Will the Prime Minister recognise that pensioners in my constituency are very angry about that, and will he desist from giving them his usual smug answer?

The Prime Minister: First, let us realise that the Government have put a substantial amount of money into rural post offices. However, the fact is—as the hon. Gentleman knows, because under the last Conservative Government thousands of post offices closed—over time, pensioners, for natural reasons, will get more and more of their money through bank accounts. Now, some do not want to do that and that is why we have tried to set up a process that allows them to get their money from the post office in the normal way. But without putting vast extra sums of money in, we cannot guarantee every post office. What we can do is the best we can to work with sub-postmasters and others to introduce greater investment and to save those post offices we can. However, it is irresponsible to say to people that every single sub-post office can be saved, because it cannot.

Q8. [133455] **Mr. Jim Cunningham** (Coventry, South): Given my right hon. Friend's commitment to tackling crime and the causes of crime, is he satisfied with policing levels in the west midlands, and Coventry in particular?

The Prime Minister: It is important to recognise that huge gains have been made by the police in those areas, and it is right to say so. I think that my hon. Friend will realise—I hope that everyone does—that the police recognise that there is still a long way to go. That is why they are making the reforms and changes in the police service and why they are so anxious to have the new powers and legislation. I come back to that point, because one of the other measures that we are introducing in the Criminal Justice Bill is designed to ensure that people who will offend again do not get bail. At the moment, far too many people are let back out on the street again, virtually automatically, where they commit further offences. Yet that measure is running into opposition in the other place, led by Conservative and Liberal Democrat peers. Yes, the police need to improve and they are doing so, but they also need the powers that this Parliament should give them on a united basis.

Q9. [133456] **Lembit Öpik** (Montgomeryshire): Private Cheryl James would have turned 26 today had she not died at Deepcut barracks on 27 November 1995. Her parents, Des and Doreen James, who are my constituents, were told that her death was suicide, but they have never been confident that that was the case.

Will the Prime Minister meet Des and Doreen, and other parents in similar circumstances, to hear their concerns and what they feel should happen next?

The Prime Minister: I know that my right hon. Friend the Minister of State, Ministry of Defence, will meet the families once the coroners and the police have finished their business. I would prefer it, if the hon. Gentleman will allow me, that that meeting should take place first, and then we can take it from there if necessary. It is right that after the police and coroners have finished their work he undertakes the meeting that he has already agreed to.

Mr. Tom Harris (Glasgow, Cathcart): When was the last time the Prime Minister had a clear view of the milky way galaxy? He will know from his close reading of the most recent report from the Science and Technology Committee that the growth of light pollution means that our own galaxy is now viewable from only 30 per cent. of the United Kingdom. Does he share my concern that such inter-stellar vandalism means that generations of children are growing up without ever having an opportunity to see for themselves the beauty of the night sky? Will he now instruct his Ministers to present a positive and constructive response to the report?

The Prime Minister: I am a little bit outside my area of expertise on that point, but fortunately I have a full brief. It says:

"Possible question: light pollution. Welcome the Science and Technology Select Committee report. The Government will respond soon."

Well—that's what we'll do.

Q10. [133457] **Andrew George** (St. Ives): Decisions on genetically modified crops should be based on sound science, but if the Prime Minister accepts that the report commissioned by the Government shows that consumers do not want GM products, that supermarkets do not want to stock them, that liability issues are far from resolved, and that the science is at best inconclusive, is he satisfied that the Government can make a decision about the permanent release of GMs into the British countryside? If not, when will that decision be made?

The Prime Minister: We will act according to the scientific evidence. I think the system that we have set up is robust, because it is allowing us to get proper scientific evidence. For some GM crops, for example, there are problems to do with biodiversity, but others are said to have fewer such problems. I know that there is a huge campaign against GM but, to be frank, the Government have no interest in the matter one way or the other, other than to try to do the right thing. However, the biotechnology industry is a vital part of this country's industry. Many people believe that the science of genetics will be the most important science of the first half of the 21st century, and I can tell the hon. Gentleman that other countries are piling investment into this area. Therefore, we must proceed with care. We will proceed only according to science, but we must allow that science to be carried out. When we make a determination on this matter, we must not be prejudiced, either in favour of it or against it.

Northern Ireland

12.31 pm

The Secretary of State for Northern Ireland (Mr. Paul Murphy): With permission, Mr. Speaker, I should like to make a statement about political developments in Northern Ireland. Before I do, however, I want to bring to the attention of the House the bereavement of my right hon. Friend the Member for Warley (Mr. Spellar), the Minister of State with responsibility for political development in Northern Ireland, who lost his wife yesterday.

The House will be aware that yesterday, although a day of progress, ended in disappointment. We had high hopes that a sequence of actions involving political parties, the IRA, the Independent International Commission on Decommissioning and the Governments would result in a positive new atmosphere of trust at the beginning of the election campaign.

I believe that we were close to achieving that result. My right hon. Friend the Prime Minister and the Taoiseach devoted much effort to the task both yesterday and in the preceding weeks. But the significant feature of this recent phase of the process was the direct engagement between the leaderships of the Ulster Unionist party and of Sinn Fein.

These discussions and related developments have, in my view, brought us a good deal further than the position that we reached in April. Let us be clear about what has now been achieved.

First, we have concluded that an election should now be held in Northern Ireland. The date, Wednesday 26 November, was announced yesterday. Secondly, we have an important statement from the leader of Sinn Fein, which was endorsed by the IRA. When Mr. Adams says that there will be full and final closure of the conflict and his remarks are endorsed by the IRA, I regard that as a significant and welcome step forward.

Thirdly, with the Irish Government we have established the Independent Monitoring Commission to ensure that the promise of the full and final closure of the conflict is a reality. Fourthly, the IRA authorised its representative to re-engage with the IICD with a view to putting arms beyond use at the earliest opportunity. Fifthly, there was an important act of decommissioning, about which General de Chastelain reported to the Prime Minister and the Taoiseach. He confirmed that the arms dealt with included light, medium and heavy ordnance and associated munitions and that the quantity involved was considerably larger than that dealt with in the previous event. His colleague Mr. Andrew Sens pointed out that the material involved could have caused death or destruction on a huge scale if it had been used.

It is, of course, a matter of great disappointment that the international commission, constrained by the confidentiality insisted upon by the IRA, was unable to report all this in a manner that was sufficiently detailed to enable the right hon. Member for Upper Bann (Mr. Trimble) to make a positive statement about his party's willingness to re-enter a devolved Administration following an election. However, he did say that there were very good things in Mr. Adams's speech which were encouraging.

The two Governments have made it clear in the joint declaration that arms need to be put beyond use in a manner that is conducive to creating public confidence. That has not so far been achieved.

As my right hon. Friend the Prime Minister indicated at Hillsborough yesterday, we shall continue to try to find a way through that difficulty. Further discussions between the parties are obviously essential. The international commission will need to be involved and the British and Irish Governments will do all they can to resolve that problem quickly.

In the meantime, the necessary legal steps need to be taken so that the election announced yesterday can take place. Accordingly, I have made an order to enable fresh elections to the Northern Ireland Assembly to be held on Wednesday 26 November. I have also made an associated order to defer the publication of the new electoral register, due on 1 December, because the necessary work cannot be carried out during preparations for an election. I am putting forward a further order to permit the Electoral Commission access to polling stations.

I cannot hide my disappointment at yesterday's turn of events. I hope and believe that agreement can be reached so that the comprehensive acts of completion for which the Prime Minister called last October can be achieved and we can move to a stable and devolved Government for Northern Ireland.

Mr. Quentin Davies (Grantham and Stamford): I thank the right hon. Gentleman for his courtesy in giving me a copy of his statement in advance. May I offer my sincere condolences and those of the Conservative party to the right hon. Member for Warley (Mr. Spellar), on his tragic family bereavement?

Despite the Secretary of State's brave attempt to put a good face on it, may I say what an appalling shambles we have had in the past 24 hours in Northern Ireland? I do not blame the right hon. Gentleman personally. I do not think he calls the shots in Northern Ireland—it is my view that things would be rather better if he did. The Opposition really do try to support the Government over Northern Ireland when they are doing, or attempting to do, sensible things, as we showed over Hillsborough in March. I was genuinely hoping to give them a supportive response today, but they surely cannot expect the events of yesterday to pass without comment.

It is the great importance of the prize of peace in Northern Ireland that means that the House must take very seriously indeed mistakes in tactics that endanger that peace. Of course, it is undesirable that the IRA did not allow General de Chastelain to be more open about their act of decommissioning. Indeed, it was very foolish of them, since they have denied themselves on this, as on previous occasions, the full political benefits of their actions. But surely the Government, who were a party to the negotiations since they were offering their own concessions, on elections, for example, and since they take overall responsibility for the peace process—or I think they do—would have dealt with that point in advance and would have been clear about what was coming and whether it was acceptable.

Is it not the case that one of two things has clearly happened? Either the Government left the negotiations in the hands of two of the parties, took it on trust that

[Mr. Quentin Davies]

everything had been satisfactorily settled and never asked to see or confirm the details or have them tied down in any way, which was extraordinarily incompetent; or else they thought that the details of the statement that General de Chastelain would make and the extent of transparency displayed were unimportant, which was almost unbelievably naive and showed that they had entirely forgotten the lessons of the two previous acts of decommissioning.

Did the Government even try to negotiate the text of the statement that the IRA were to authorise General de Chastelain to make? If not, will they tell us why they did not try to do so? If they tried, will they tell us what the response from Mr. Adams was and why they accepted it?

If the Government's understanding of what had been agreed was so vague, why did they hype it up and spin up what was supposed to happen yesterday? Has that not made a bad situation even worse? Why get half the world's press corps to go to Belfast to witness what, only yesterday morning, the spin doctors were calling "the greatest day for Northern Ireland since the Belfast agreement"—*[Interruption.]* Yes indeed, that phrase was all over the media yesterday morning, even though the Government did not know, or had not confirmed, the details of what had been agreed.

Does the Secretary of State agree that one of the many, many tactical errors made on this occasion was to leave out of the circle entirely the Social Democratic and Labour party and the smaller pro-agreement parties? If they had all been party to any understanding, it would have been far less likely that any misrepresentation or slippage could subsequently have occurred, and the Government would have had quite a lot of cover if it had, whereas in fact they have no cover at all.

Will the right hon. Gentleman say specifically why the SDLP, which has done so much, so bravely, to contribute to the peace process since its inception, was so insultingly left out of the loop? Surely, the SDLP—as a member of any potential Executive—is just as indispensable as any of the other major pro-agreement parties?

On a matter that goes beyond Northern Ireland, is it not very sad that this week the Government should again have treated Parliament with such levity? The announcement yesterday that elections would be called in Northern Ireland was not made in this place, as it should have been. I gather that it was made early yesterday morning in a mobile telephone call from No. 10 to a BBC journalist waiting outside Hillsborough Castle, who then announced it to the rest of the world. Once again—but in enormously important, potentially tragically important, circumstances—spin and the media circus were the priorities. The Government took their eye off the essential details and the people of Northern Ireland have been deeply disappointed on what should have been a very good day.

Mr. Murphy: First, I do not think that the holding of elections of Northern Ireland is a concession to anybody. The holding of elections has been argued for by the hon. Gentleman, his party, the Liberal Democrats, other parties in Northern Ireland and many others as an important way of ensuring that the momentum of the peace process in Northern Ireland continues. It is not a concession to any one party, but something that is, we believe, the right thing to do. At the same time, however, we have always insisted that, if we can reach an understanding that after elections we achieve a stable Executive that is inclusive of both Unionism and nationalism, which indeed is the only way to get the Executive up and running, it is better to do that.

The hon. Gentleman touched on the question of why only two parties—the Ulster Unionist party and Sinn Fein—were deeply involved in negotiations and discussions about the issues before us. He also touched on other parties, and I shall come to that point in a second. It is important to realise why, just over a year ago, the Assembly was suspended in the first place. It was suspended because there was a collapse of trust, especially between the Ulster Unionist party and Sinn Fein. It was clear to everybody that until that trust was restored—we have not restored it yet—it would be impossible to restore devolved government in Northern Ireland. It was thus clearly sensible for those two parties to meet to try to thrash out their differences.

The hon. Gentleman referred to the SDLP and to other parties. In no way do the Government demean the work, activity, commitment or dedication of those parties; indeed, there would be no Good Friday agreement unless they had been involved. However, those parties were not responsible for the suspension of the Assembly last year and we have to address the issue that was central to that suspension.

It is clear to me that the work of all the parties in Northern Ireland is extremely important in ensuring that the peace process goes forward—of course it is. We respect that point of view, but at the end of the day, over the last number of weeks, there have been very many meetings between the Ulster Unionist party and Sinn Fein to try to resolve the difficulties. Clearly, some of those difficulties were resolved; I touched on those in my statement. The re-engagement of the IRA with the Decommissioning Commission, the fact that we now have an election, and the fact that Gerry Adams made a statement that certainly went further than the statement he made back in the spring, are all things to be welcomed, and because I agree with the hon. Gentleman that the prize is the prize of peace, I do not think for a second that we are talking here about hype and spin. What we are talking about is everyone trying to do their best to achieve the peace process and success in that process, and we will keep on trying. We did not succeed yesterday but we will carry on, and I do hope that in the days ahead we might well still succeed.

Mr. Seamus Mallon (Newry and Armagh): I ask the Secretary of State to accept that I share his frustration and disappointment and, to some extent, the anger at the failures yesterday to move the process forward. I would ask him three questions, if I may.

The Secretary of State agrees, I am quite sure, that the population of Ireland—the people of Ireland—took ownership of the Good Friday agreement on the day of the referendum, and subsequently gave custody of it to the political parties in their mandate in the election that followed. Was it not a foolish, and indeed a shabby, decision for the Prime Minister and the Taoiseach to

give exclusive negotiating rights about the future of the people of the north of Ireland—my future—and the future of the agreement, to two political parties who, in their various ways for various reasons, had damaged the Good Friday agreement, failed to work it and failed to implement it properly? In the light of the debacle that derived from that yesterday, may I ask the Secretary of State to use his good offices to persuade the Prime Minister and the Taoiseach to please return custody of what belongs to us—the Good Friday agreement—so that it can be properly dealt with in the only way: that is, by all the political parties acting equally and collectively?

May I ask the Secretary of State a second question, because my mind boggles at this? For five years, decommissioning has been debated in every nook and corner and every way. Is it not down to this? Did Sinn Fein say in the negotiations that the act of decommissioning would be transparent, and did they renege? Or did the Ulster Unionist party forget to ask them about the confidentiality clause that this Parliament wrote? Can the Secretary of State answer that simply? Can he confirm that it was Sinn Fein deviousness, or was the UUP simply incompetent?

May I ask the Secretary of State a third question? Despite all the problems, will he now ensure that common sense is put back into the thinking in Downing street and Dublin, to ensure that the political process in the north of Ireland regains that which was shabbily and foolishly taken from it by two sovereign Governments?

Mr. Murphy: I understand the point that my hon. Friend is making about the importance of ensuring that all political parties in Northern Ireland are involved in the political process; of course I understand that. He knows that he and I worked for many years together in such a process and I believe that in the weeks and months ahead, during the election period and indeed when we have to enter the review of the agreement in the weeks ahead of us, there will have to be an inclusivity about that process which means that everyone is involved. But I must also remind him—I am sure he would agree with me on this too—that even when we had the Good Friday agreement talks, the peace talks, for many years in Northern Ireland, that did not mean that there were not extensive bilateral talks between parties to try to sort out the difficulties that were between them. My hon. Friend himself would have been engaged in some bilateral talks. Of course he would say that that was in a different context, but nevertheless bilaterals are held between parties that have differences between them, because it is sensible to try to resolve them.

I cannot comment on who said what to whom in those negotiations. Of course I cannot do that because they were negotiations between the political parties. Indeed, hon. Members will have seen on the media that those parties have different and differing views about what was said and what was not said. But, frankly, what we now have to do is go ahead and try to resolve the difficulty that is immediately in front of us. We will not be thanked by the people of Northern Ireland if all we do is recriminate about what has happened over the past few days. We have to deal with the issues in front of us. It behoves all hon. Members and all political parties in Northern Ireland, if they feel that the effort that has gone into the negotiations over the past weeks has failed, to come up with an answer and to produce something that succeeds.

Lembit Öpik (Montgomeryshire): The Liberal Democrats welcome the elections that are to be held at long last, but can the right hon. Gentleman guarantee that the elections will proceed on 26 November, without any danger of the outcome of the Ulster Unionist Council influencing the Government and causing a further postponement? The Liberal Democrats also welcome what sounds like a pretty significant decommissioning gesture by the IRA, and I am optimistic that it is an indication of genuine co-operation in the process by that paramilitary organisation. To what extent did the language used by Sinn Fein and, indeed, the IRA signify that they accepted that they had to address all aspects of paragraph 13 of the joint declaration, including paramilitary attacks and exiling? Incidentally, may I ask to what extent the Government have now committed to implementing the comprehensive review, which is scheduled, according to the agreement, to come into effect this December?

Crucially, does the right hon. Gentleman realise that the Government's decision to leave the negotiations to two parties—Sinn Fein and the Ulster Unionists—effectively excluded the rest of the organisations, individuals and parties of good will and those who are pro-agreement, who could quite possibly have exerted sufficient pressure to ensure that we had a positive, instead of a negative, outcome yesterday? Does he not accept that he has squandered a large degree of the good will that was being offered to him and the Government by the Alliance party of Northern Ireland and the other parties, one of which has already represented itself in the debate?

To what extent—I close on this—did the right hon. Member for Upper Bann (Mr. Trimble) and Gerry Adams agree regarding the transparency of the information relating to decommissioning? We should already know the answer to that question because the other parties should have been there. I cannot believe that two highly experienced negotiators like the right hon. Member for Upper Bann and Gerry Adams would have done anything other than arrive at a specific and clear agreement in relation to that decommissioning activity. It is in the interests of the very transparency that the right hon. Member for Upper Bann has called for himself that the Secretary of State is now transparent about what was agreed, so that we can determine who has reneged on the deal.

Mr. Murphy: The answer to the first question is yes; there will be elections in Northern Ireland on 26 November. I have signed that order and elections will go ahead. As for transparency, that is precisely what we are trying to deal with in the next few days. The whole reason why we failed at the end of the day yesterday, having succeeded in other areas, was that there was disagreement about how transparent, how detailed and how significant was the act of decommissioning. As I said in the statement, I believe that there was a significant and substantial act of decommissioning—an act that General de Chastelain himself said was considerably greater than the acts that we have seen

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before. Also, of course, had we indeed known the full detail of what was decommissioned, we would have known that it could have caused death and destruction on a massive scale. So it was big, but clearly, it was not enough in terms of illustrating to the people of Northern Ireland and the Ulster Unionist party what indeed was transparent. Obviously, that has to be the core of the talks and discussions in the days ahead.

The hon. Gentleman talks about paramilitary activity. Of course the Governments stand by paragraph 13 in the joint declaration, and the new dimension to all this is that the Independent Monitoring Commission will now be in existence to test paramilitary activity. That is the purpose of that body.

The hon. Gentleman made a point about the Alliance party and others. Again, I met the Alliance party last week. I have talked to David Ford, the leader of the Alliance party, on more than on occasion in the past few days. I will continue to talk with all the leaders of the parties in Northern Ireland and to other party representatives, too. I do not think that we have squandered anything because the leaders of those parties are still determined to try to find a way forward.

Over the years, we have sometimes stopped because the process is inadequate, and found another one. We find the best process that will do the trick and enable us to move forward. For example, some months ago, we tried meetings of the implementation group with all the parties in Northern Ireland, and we got nowhere—they simply did not work. So let us find other ways of doing things. At the end of the day, I believe that it is important that all parties are involved, but we cannot stop, nor should we try to stop, parties resolving the difficulties between themselves.

As for the review, yes, we will have that review, as determined by the agreement itself, before the year is out.

Lady Hermon (North Down): First, may I tell the Secretary of State how very saddened we were to learn of the death of the wife of the Minister of State? Please, on our behalf, extend to him and his family our very deepest condolences.

Secondly, may I apologise to the House for the fact that the right hon. Member for Upper Bann (Mr. Trimble)—my colleague and friend—is not in the House now? It is simply a matter of logistics—he was not able to get here in time for the statement—and I apologise to the Secretary of State and other right hon. and hon. Members for that.

I share the disappointment that the Secretary of State has expressed in the statement, but we are where we are, and, like him, I do not wish to see further recriminations. I wish to build on what the Prime Minister said before he left Northern Ireland. The fact that, after his hospitalisation at the weekend, the Prime Minister came back to Northern Ireland as his first public appearance was very much appreciated by the people of Northern Ireland as a sign of his support for the agreement and the peace process. However, before leaving, he told the people of Northern Ireland that it

"would be something more than faintly ludicrous if we were in a situation where a substantial act of decommissioning has taken place"

that he, the Irish Government and de Chastelain were aware of, but, unfortunately, the public of Northern Ireland were not aware of. Will the Secretary of State please explain to the House how we resolve this ludicrous situation and how quickly the public of Northern Ireland can be made aware of the latest event of decommissioning? That would be enormously helpful.

Mr. Murphy: The hon. Lady is right to say that much had been achieved, and that it does not make sense to people watching the peace process in Northern Ireland—particularly, of course, the people in Northern Ireland itself—that what seems to be a relatively minor matter is holding up the process, but, as she knows, minor matters can have different significance to different people. What is important is to try to resolve those issues in the next few days, because we have agreed on so much and because there has been a great deal of engagement between her party and Sinn Fein over the past few weeks. There is every reason to commend that engagement, and I want it to continue—of course, we do—so I hope that the parties will be able to talk with one another in the next few days. I hope that they will be able to talk to General de Chastelain, and we in the two Governments will do our utmost to try to facilitate such discussions and bring these things together so that we are able to resolve the difficulties that, quite clearly, my right hon. Friend the Prime Minister referred to yesterday.

Mr. Peter Mandelson (Hartlepool): First, may I dissociate myself rather strongly from the earlier remarks made by the shadow Secretary of State for Northern Ireland, the hon. Member for Grantham and Stamford (Mr. Davies), which were wholly unbalanced and, in the context, extremely trivialising of what is a very serious and complex situation? The House is entitled to expect greater understanding and greater maturity from the holder of his position.

May I also, on this occasion, decline to join the criticism of republicans in relation to their actions yesterday? I rather endorse the comments made by my right hon. Friend that the statement made by Gerry Adams and accepted by the Provisional IRA and their commitment to the cessation of paramilitary activity, should that now be carried out by PIRA, are both significant statements, and I only wish that they had come earlier in the Northern Ireland process and, indeed, during my time in office.

In the context of the breakdown of trust and confidence that characterises the Northern Ireland peace process at the moment, however, decommissioning in such secrecy is no longer a viable way forward. I understand the difficulties that General de Chastelain has in interpreting the legislation enacted by this House, but the need and, indeed, the environment for greater transparency in these matters has grown, not diminished, since the first act of decommissioning took place in 2000. Therefore, the bottom line if the peace process is to remain strong, as I believe it will, is that non-republicans are entitled to greater satisfaction about precisely what has been decommissioned, and of what order. Will my right hon. Friend please communicate that to General de

Chastelain and encourage him to use his good office and his interpretation of the legislation to make sure that there is greater transparency in this matter?

Mr. Murphy: My right hon. Friend is right on a number of counts. First, with regard to the nature of the re-engagement of the IRA with the independent commission, he was right that that was very important for the peace process. Secondly, he was right in terms of the statements that General de Chastelain made yesterday on the scope and the scale of the decommissioning, which is also significant. He is also right, however—and he draws on his experience as a former Secretary of State for Northern Ireland—that it is important that transparency is part of the process. I hope that the next couple of days will ensure that that is precisely the issue that is addressed. We know that the general is chairman of an independent commission, and he will have to make his own decision on how he engages with the parties. He, like everybody else, wants to ensure that this process moves on and that, ultimately, we have devolved government in Northern Ireland.

Sir Brian Mawhinney (North-West Cambridgeshire): I, too, welcomed what the president of Sinn Fein said yesterday. Given that we are now three and a half years beyond the point at which all weapons were to have been decommissioned, and given the well-known worries about personal humiliation among those sensitive souls in the IRA, why did the Government permit yesterday's talks to take place at all, given that they would have known in advance that what General de Chastelain was going to say would not get within a million miles of the clarity and transparency that was necessary for yesterday to be the success that most of us hoped it would be?

Mr. Murphy: The right hon. Gentleman, of course, has considerable experience of Northern Ireland. He is right to draw the House's attention to the Good Friday agreement, which says that decommissioning of those weapons is an integral part of that agreement, and it has taken too long for those weapons to be decommissioned. It is also worth mentioning that there are weapons held by loyalists, too, although we were not dealing with that matter yesterday. It is an important matter, however, and one of which the House should be reminded.

On the decommissioning event, as I said to my right hon. Friend the Member for Hartlepool (Mr. Mandelson), General de Chastelain heads an independent commission. It was for him to decide how best to reveal what he could to the people of Northern Ireland in the way that he did. Of course, it would have been much better if yesterday we had had the transparency that was required by the Ulster Unionist party and all of us, but it did not happen. I still think that what he did say was significant, however, both in terms of the re-engagement of the IRA with his commission and because the scope, scale and details that were revealed were considerably better than they were previously.

Jeff Ennis (Barnsley, East and Mexborough): We can all agree that the Good Friday agreement is still the only show in town, and it is not the property of us as politicians but of the people of Northern Ireland and the Republic of Ireland. Does the Secretary of State agree, however, that what is more important now is the decommissioning of minds of all politicians concerned with the continuing agreement, and the fact that they need to make a leap of faith with each other and show a degree of trust, rather than embroiling themselves too much in the issue of decommissioning of weapons?

Mr. Murphy: My hon. Friend is right about the decommissioning of minds, as he puts it, and indeed many minds have been decommissioned over a number of years. There has been an engagement between all parties in Northern Ireland, including those who have not been in favour of the Good Friday agreement, to try to make devolution work—and I believe that it did. In a way, he puts his finger on the issue: it is not just about the decommissioning act itself, but about the trust and confidence between parties that that act represents. Over the next few days, whatever the details of the discussions and negotiations that take place, it will be about trying to re-establish trust and confidence between those parties, and between other parties in Northern Ireland, too.

Mr. Nigel Dodds (Belfast, North): May I, on behalf of my hon. Friends, associate myself with the expressions of condolence with regard to the tragic loss of the right hon. Member for Warley (Mr. Spellar)?

The Secretary of State will recall that last week I warned the House that the two parties invited to Downing street to negotiate would not deliver sustainable peace and stability in Northern Ireland, and I have been proved to be absolutely correct. Were the Government taken by surprise by General de Chastelain's report yesterday, or did they think there was a deal in place? Will the Secretary of State confirm that the terms under which the general operates—terms of secrecy—were agreed by the Government, legislated for in this House and agreed by the pro-agreement parties? Indeed, on many occasions the right hon. Member for Upper Bann (Mr. Trimble) told us that he would be satisfied with the word of General de Chastelain, while others, including ourselves, warned that it would not be enough.

Does the Secretary of State accept that regardless of issues of transparency or visibility, what happened yesterday in terms of statements and actions fell, to coin a phrase, a million miles short of acts of completion? Where was the commitment by the IRA to disband? Where is even the commitment to paragraph 13 of the joint declaration? Where is the commitment to acts of completion, not another act of decommissioning? I welcome the fact that the Secretary of State has committed to elections come what may, and I look forward to the people of Northern Ireland at long last delivering their verdict. Will the right hon. Gentleman accept, however, that when the people speak, he should not put his head in the sand but should listen to the verdict of unionists as well as nationalists when they deliver their verdict?

Mr. Murphy: I hope that I never put my head in the sand. When the elections are held, and when the people of Northern Ireland have spoken, it will be the democratic wish and desire of those people who exercise

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their vote to give the parties their mandates. I was disappointed yesterday, as I said in my statement. I believed that we were on track for success in getting agreement between the two parties concerned that they would go into an Executive together if they were elected into such a position. At the same time, I repeat that there were some good signs yesterday. One sign is that the people will be given their say, which the hon. Gentleman has already welcomed. Secondly, there was the re-engagement of the IRA with the commission, and the fact that there was decommissioning of a different nature than we have had previously. In addition, there were words said by the leader of Sinn Fein that went beyond what was said in the spring.

Taken all together, what was important was the point made by my hon. Friend the Member for Barnsley, East and Mexborough (Jeff Ennis), namely, that trust and confidence had been building up between parties over a number of weeks. Unfortunately, yesterday may have dented that. I sincerely hope, however, that those parties will be able to talk together, along with other parties in Northern Ireland, and exercise their minds as to how best to ensure that we move forward.

Mr. Adrian Bailey (West Bromwich, West): I welcome the progress that has been made over the last few days in these negotiations and the public statements that have been made and recognised on both sides of the House, but regret that we were unable to come to an agreement at the end of the day. The reality is that since the signing of the Good Friday agreement, the threshold of trust within the Unionist community required for the smooth working of the agreement and the Northern Ireland Assembly has risen. Will my right hon. Friend impress upon Sinn Fein the need for a degree of transparency in the decommissioning process, over and above the confidentiality level that was originally agreed, if we are finally to complete this process to everybody's satisfaction?

Mr. Murphy: My hon. Friend, who serves on the Select Committee on Northern Ireland Affairs, is aware of the difficulties that we face in Northern Ireland on these issues. I certainly assure him that my right hon. Friend the Prime Minister and I will do our best to try to ensure that we resolve the difficulties that we currently face; the main one of which, of course, is transparency.

Mr. Andrew Mackay (Bracknell): As a strong supporter of the Anglo-Irish agreement who has been very critical of the fact that it has not been fully implemented, may I put it to the Secretary of State that I was impressed with the president of Sinn Fein's speech yesterday? It seemed a major move forward. Therefore, it was all the more surprising that nobody had seemed to understand that there was a need for much greater transparency in General de Chastelain's statement. May I urge the Secretary of State to ensure that that transparency is forthcoming soon? If it is not, there is going to be a dreadful tragedy.

Mr. Murphy: The right hon. Gentleman has spent many years considering the questions around Northern Ireland. I know that he understands that these things are never easy. As I said earlier, issues that appear to be relatively simple can sometimes be very difficult for the parties concerned, for all sorts of historical and other reasons. Nevertheless, the right hon. Gentleman is right. The Governments have a duty to try to ensure that the parties come to some agreement on these issues, and particularly on the issue of decommissioning and its transparency.

Mr. Eddie McGrady (South Down): On behalf of my party, may I express our deep sympathy to the right hon. Member for Warley (Mr. Spellar) on his recent bereavement? I reciprocate the sympathy that he has expressed to me.

In terms of the debacle yesterday that had been billed as the most historic event in Irish history, will the Secretary of State perhaps ponder the fact that, by excluding all the custodians of the development and implementation of the Good Friday agreement, he did a grave disservice to it? In negotiating only with Sinn Fein and the Ulster Unionist party, he was, in fact, putting our future democracy and development into the hands of the decision making of the army council of the IRA on the one hand and a split and divided Ulster Unionist Council on the other. That has excluded those people who had driven the process all these years, particularly my party, which people seem to forget is the largest party in Northern Ireland, as well as being the most democratic and the one without hang-ups about full implementation. Does the Secretary of State further recognise that the two parties with which his Government were negotiating are the two parties that have failed to implement their agreement, have failed to honour what they agreed to and signed up for five years ago, and have brought down the institutions in the process and put us in the mess that we are now in?

May I make two further points? Will the Secretary of State explain to the House why, in this so-called new beginning, Sinn Fein has not committed itself—it has done the very opposite—to joining and developing the new Police Service of Northern Ireland? Local Sinn Fein representatives refuse to allow the PSNI to enter certain areas of my constituency and instead say that they will administer their own justice.

Will the Secretary of State also address the issue of the continued paramilitary activity by Provisional Sinn Fein and the loyalist paramilitaries? Provisional Sinn Fein kidnapped and abducted one of my constituents 10 days ago, and a Sinn Fein member has been charged with participation in that activity. Is that the sort of peace that this so-called negotiation will deliver to the people of Northern Ireland? If it is, it is doomed to failure before it starts.

Mr. Murphy: Even though my hon. Friend gave me a bit of a hard time, may I welcome him back to the House of Commons after his difficult time over the past few weeks? I wish him well.

On the issue of process, there is no intention by either Government to exclude anybody. I have gone through this on a number of occasions and I will repeat it for my hon. Friend—it is important that if there is to be a settlement between two parties in Northern Ireland—which must be reached for the stability of any future Executive if the elections go a certain way—it is right and proper for them to try to sort out their differences. That is what the past few weeks have been all about.

I repeat that I do not for one second underestimate the work and the commitment of my hon. Friend's party to the peace process in Northern Ireland. There would not have been a Good Friday agreement had it not been for the work of the SDLP and his colleagues. In particular, we would not be in the position that we are in today with regard to the Northern Ireland Policing Board and the Police Service of Northern Ireland. My hon. Friend's party took courageous action in ensuring that Catholics not only join the board but become policemen and women, too. I think everybody acknowledges its stand on that.

I do not know what lies ahead of us, except that there is nothing wrong in people talking to try to resolve their difficulties. The negotiations, as my hon. Friend put it, between the Governments and the two parties were of an exclusive nature because the two parties have to talk. Of course, they came to the Governments to clarify certain issues but, at the end of the day, the negotiations were between themselves. The success or failure of the negotiations did not determine whether we would have elections. I have announced today that there will be elections irrespective of what now happens. At the same time, I think that it is in everybody's interest for those two parties to try to sort out those differences and move the process ahead.

Several hon. Members *rose—*

Mr. Speaker: Order. I gently remind the House that, on a statement, only one question should be put to the Minister. In other words, hon. Members must be brief.

Mr. Jeffrey M. Donaldson (Lagan Valley): Is it not the case that the Irish Prime Minister, Mr. Ahern, was raising concerns about transparency on Monday, well before the events of yesterday? Will the Secretary of State explain why our Government did not have those concerns before then?

Will the Secretary of State also explain why he said in his statement that he was looking forward to and hoping for comprehensive acts of completion? Does that not imply that what happened yesterday did not represent comprehensive acts of completion? Will he also confirm to the House that the Government have given a commitment to legislate for IRA terrorists who are on the run? What is now the status of the joint declaration?

Mr. Murphy: The hon. Gentleman may have misheard what I said in the statement—I was referring to matters of public confidence. Nevertheless, he raised the issue of transparency, and I have touched on that many times this afternoon. I do not think that there is anything that I want to add to what I have said already.

On acts of completion, the statement yesterday by the leader of Sinn Fein was very significant in that it was much advanced on what happened in the spring. Commitments were made that all of us must welcome. I also welcome the re-engagement with the Independent International Commission on Decommissioning as that is so important to re-establishing public confidence. However, at the moment, I am sure that the hon. Gentleman will agree that we now have to address the issues that are immediately in front of us and try to resolve the difficulties that are faced.

Jeremy Corbyn (Islington, North): I thank my right hon. Friend for pressing ahead with the election date and for ensuring that elections will, indeed, be held on 26 November, despite the events of yesterday.

Can my right hon. Friend throw some light on what happened between yesterday morning, when Downing street and his office were trailing the events of yesterday, and the point later in the day when the leader of the Ulster Unionist party apparently had a change of heart and a change of mind? Will he enlighten us on how that was communicated to him and why it came about?

Discussions are taking place about this historic IRA decommissioning statement, but what equivalent statements have been received from loyalist paramilitary groups? What does my right hon. Friend propose to do about the current state of the loyalist paramilitary groups who are not on ceasefire?

Mr. Murphy: My hon. Friend is right to draw the House's attention to the loyalist paramilitary groups because they have not gone away and their decommissioning is also necessary. They told us in the past that they would decommission as soon as the IRA does, but it is our view that acts of decommissioning should happen at the same time—we will continue to make that view publicly known. I do not want to get into a position of talking about who said what to whom and who is to blame because I am not sure that that would help the peace process in Northern Ireland. We have to try to move forward from the substantial, but not complete, progress that was made yesterday to enable us to find the success in what the Ulster Unionist party and Sinn Fein were trying to achieve, which was an agreement between them that they could go into government with each other if the elections fell in a specific way. As I said earlier, that is a matter for the two parties to consider. I must not underestimate for a second the fact that progress was made yesterday morning, although I was disappointed when we reached the afternoon and did not get the transparency or confidence needed to take the process forward. These things happen, so we have to keep trying.

Mr. Andrew Hunter (Basingstoke): Will the Secretary of State clarify the specific point, paragraph or sentence in yesterday's speech by Mr. Adams that he regards as adding something to, or being different from, the position that Mr. Adams adopted last April and May? Is it not the case that the Provisionals' position remains that the Belfast agreement contains the potential to remove the causes of conflict, as they see them, and that unless those causes of conflict are removed there will be no final act of completion?

Mr. Murphy: I am sure that the hon. Gentleman read yesterday's speech by Mr. Adams. I mentioned it in my statement when I referred to the full and final closure of the conflict and said that the IRA endorsed those remarks. The significance of that, which the hon. Gentleman knows because he studies these matters carefully, is that the IRA's historical position over the years was that there would be no end to the conflict until

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a united socialist republic of Ireland was created, but that has changed. The reason why there may now be final closure of the conflict is the implementation of the Good Friday agreement, which is a world away from what used to be the case. I believe that full and final closure of the conflict is the intention of Sinn Fein and the IRA.

Mr. Tony Clarke (Northampton, South): I wish my right hon. Friend success in future negotiations. Does he agree that the Good Friday agreement can be implemented only when all illegally held weapons, on all sides, and paramilitaries are removed? Do we not run the risk of over-concentrating on transparency and confidentiality, the terms of which, incidentally, were agreed by this House? Do we not run the risk of building trust in one community at the expense of diluting it in another? I echo what was said earlier about the need to move forward on the decommissioning of arms that are illegally held by loyalist paramilitaries that are not participating in allowing us to get the Good Friday agreement implemented in full.

Mr. Murphy: My hon. Friend is aware that the reason why there has been such heavy concentration on republican decommissioning is that Sinn Fein is a party of such a size in the Assembly that the d'Hondt system gives it an entitlement to Ministers. There is no such comparison with loyalist representatives in the Northern Ireland Assembly. My hon. Friend is right that the Good Friday agreement contains a specific reference to decommissioning being essential. He touched on the fact that trust is at the bottom of everything. The balancing act is always to ensure that trust may be achieved right across the political spectrum.

Rev. Martin Smyth (Belfast, South): Reference has been made to the decommissioning of minds, and I wonder whether part of the problem is that minds have been decommissioned. You will know, Mr. Speaker, that 26 November is the date that is earmarked for state opening. Was a subliminal message being given to others in Ireland about Northern Ireland's relationship with this House, given that it would not be possible for some Members to be here for that if there were an election in Northern Ireland? May I press the Secretary of State a little further? I agree with the point about the decommissioning of weapons right across the division because not only loyalist groups, but other republican groups, exist. Surely it is in the psyche of the Northern Ireland people, which is fed by the media and intelligence reports, that although the Provisional IRA has been prepared to decommission some weapons, its current chief of staff has been purchasing new pistols that will be used to obviate a forensic trail and used once so that he may continue his extortion rackets.

Mr. Murphy: Obviously, I cannot comment on the last matter, but it is clearly of no use to decommission a quantity of weapons only to replace them. Everyone who was involved in the negotiations that led to the Good Friday agreement understands that decommissioning is a matter of trust as much as a matter of decommissioning the weapons themselves. On the hon. Gentleman's first point, the date of the state opening was not in anyone's mind when the election date was discussed.

Mr. Harry Barnes (North-East Derbyshire): While Gerry Adams made an important statement yesterday, after things collapsed and he later answered questions asked by an assembled audience he said that there must be no humiliation of the Provisional IRA caused by giving details of its decommissioned arms. However, will not the real humiliation be that caused if it is discovered that insufficient arms have been put out of use and that we are not moving toward acts of completion? Could General de Chastelain at least give us an indication of how close to, or far away from, acts of completion we are, because that will show us all where we stand?

Mr. Murphy: The general indicated yesterday that he had taken inventories of all three acts of decommissioning and that the last act was much bigger than previous acts. He is in a difficult position because he is bound by legislation that includes provisions on confidentiality, although I believe that he said significant things in his statement. When my hon. Friend refers to the speech made by Mr. Gerry Adams and the humiliation of the IRA, I assume that he is referring to the IRA's historical position of not wanting to surrender, to use its terms, and especially not to the British Government. Things have changed dramatically since the Good Friday agreement, as has the way in which we look at each other—the world has changed. The peace process and its success must come first for the IRA and political parties in Northern Ireland.

Mrs. Iris Robinson (Strangford): Is it not about time that the Government grasped reality and accepted that no deal—secret or otherwise—has any chance of working unless the majority of both Unionists and nationalists support the institutions and the Government value equally the views expressed by all people of Northern Ireland through the ballot box? Will he assure me that he will respect the will of the people after 26 November, especially if the Democratic Unionist party represents the majority of Unionists? Will he allow for new negotiations?

Mr. Murphy: Of course we will respect the democratic wish of the people of Northern Ireland, although we will all have to wait and see what that will be. Responsibility will then fall on the hon. Lady's party and other parties. Her party puts forward views on the renegotiation of the agreement. We know that we have to enter a review under the terms of the agreement, but the larger parties in Northern Ireland, especially, have a responsibility to bring back devolution to Northern Ireland so that local Ministers can make local decisions for local people. We can achieve that for Northern Ireland only if there is agreement between nationalists and Unionists.

Mr. Simon Thomas (Ceredigion): We welcome the announcement that there will be elections and that the election date is set in stone. In the light of the parts of the statement on the electoral register in Northern Ireland, will the Secretary of State describe the steps that will be

taken to ensure that voting in the elections, which might be based on an out-of-date register, will be as transparent and correct as possible? Further to points that have already been made, will he tell us the principles that he will use after the elections to ensure that devolved government begins once again in Northern Ireland as soon as possible?

Mr. Murphy: The hon. Gentleman is right to draw attention to the electoral register and other changes that have taken place over the past few months. We will use the register published on 1 September 2003. He knows, as other hon. Members do, that many improvements have been made to the way in which people cast their votes in Northern Ireland to ensure probity. I sincerely hope that those measures will be effective.

As for devolution, as a fellow Welshman the hon. Gentleman will know that it can benefit the people of our different nations and regions. I hope that it will happen as quickly as possible in Northern Ireland so that I can shed my direct rule responsibilities and hand them back to people from that part of the UK.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 116(1)(Standing Committees on Delegated Legislation),

NORTHERN IRELAND GRAND COMMITTEE

That the Order of the House [8th September] referring the matter of the future direction of community relations policy in Northern Ireland to the Northern Ireland Grand Committee for consideration on Thursday 23rd October be discharged.—*[Charlotte Atkins.]*

Question agreed to.

Motorcycles (Bus Lanes)

1.30 pm

Mr. Bill Wiggin (Leominster): I beg to move,

That leave be given to bring in a Bill to allow motorcycles to use bus lanes.

As possibly the only Member of Parliament who motorcycles to work every day, I am one of more than 1 million motorcyclists in Britain who recognise the pleasure and convenience of filtering past the gridlocked traffic and steering clear of public transport. However, transport policy on motorcyclists is inconsistent and unfair. It does not provide for motorcyclists as vulnerable road users, yet it encourages people to get out of their cars and on to a bike. The Bill seeks to turn promises into actions to give motorcyclists a fairer deal.

The Government recognise the important role of motorcycling. A Treasury consultation document on vehicle excise duty for motorcycles stated in November 2001:

"The Government believes that motorcycles should be encouraged where they replace car use . . . because of the lower environmental impact and the reduced congestion of travelling",

and that they were

"an affordable alternative to the car".

Despite that recognition, however, the Government's overall policy towards motorcycles is inconsistent. On the one hand, motorcycles are exempt from the congestion charge in order to promote the motorcycle as a more desirable mode of transportation, which I support. That has produced the desired effect, with more than 20,000 motorcycles being bought in London last year, and it could well be a longer-term solution to traffic gridlock. On the other hand, however, the Government are penalising and placing motorcycle users at a disadvantage by not providing for them in road traffic and safety schemes.

The Bill would introduce a national system of bus lane access for motorcyclists. It would require the Government to carry out their commitment to reduce congestion, improve safety and reduce carbon dioxide emissions by giving motorcycle users the extra incentive of traffic isolation, ease of access and life itself. With more than 1 million motorcyclists in Britain today, it is only correct and fair that, as citizens of a free society, we should have the right to ride where it is safest and most convenient. This is about civil liberties and the Government protecting the lives of a growing population of motorcyclists—a group whom they are promoting. By allowing motorcycles in bus lanes, we would be saving lives. Traffic isolation is the key to motorcyclist safety and accident reduction, which pedal cyclists have been afforded through schemes of segregation and access to bus lanes.

Such schemes have proved successful, with pedal cyclist casualty rates decreasing by 22 per cent. since 1997, which is likely to be a direct consequence of road isolation schemes. Most motorcyclist casualties arise from collisions with cars. Allowing motorcycles to travel independently of those vehicles would minimise potential collisions. Thus, motorcyclists nationwide want a share of the benefits of traffic isolation that are currently enjoyed by pedal cyclists across the country. Surely the correct position to adopt is a net safety benefit that takes the casualties of all road users, motorcyclists as well as pedal cyclists, into account.

[Mr. Bill Wiggin]

I understand that access to bus lanes would mean motorcyclists overtaking in the inside lane. That is a risk, but it would be their choice and decision to do so. Obviously, riders who chose not to do so would travel in other lanes. The point is that motorcyclists should be able to ride where they feel safest. For a great many, including me, that may well be in the segregated bus lane.

The Bill aims to make available nationwide a policy that has been successfully tried and tested in nine places across the country: London, Bristol, Reading, Swindon, Bath, Hull, Colchester, Birmingham and the M4 bus lane. I ask the House to consider the experience of those trials, which have successfully admitted motorcycles to bus lanes. The Government welcomed the pilot studies in their 1998 transport White Paper in order to:

"help inform decisions on whether there is a proper case for motorcyclists to be allowed in bus lanes".

How many successful precedent local authority schemes do the Government need to conclude that that is the best policy for transport, especially as local authorities had to fund the initiatives themselves to provide the Government with the proof that they said they require? The Government stated that the work of the advisory group on motorcycling would be completed by 2004. The Bill would ensure that motorcycle access to bus lanes nationwide was included in their strategy.

In my role as shadow Environment Minister I can highlight the positive environmental impact that results from the replacement of cars by motorcycles. A typical scooter consumes up to 81 per cent. less fuel than a car on the same journey. We should be doing everything we can to have a low-carbon economy, targeting transport as one of the worst climate change offenders. Providing motorcyclists with the option of travelling safely and more conveniently in bus lanes is likely to act as an added incentive to travel in that much more environmentally friendly way. Motorbikes do not create demand for new roads and they occupy efficient parking and garaging space. Indeed, five motorcycles can be parked in the space occupied by one car.

It is a simple equation. First, motorcycle admittance to bus lanes would improve motorcycle safety, which equals accident reduction. Secondly, giving people the incentive to filter past the traffic gridlock without the risks they currently face will encourage more to switch from their car, which will alleviate traffic congestion. Thirdly, encouraging people to use a motorcycle benefits the environment, potentially helping the UK to achieve its ambitious commitment of reducing carbon dioxide emissions by 20 per cent. by 2010.

I am grateful for the help of the British Motorcycle Federation in introducing the Bill. It has campaigned widely for freedom of motorcycle travel in bus lanes in the UK. I hope that the Bill will be approved because it can only mean fewer people in cars, the alleviation of traffic gridlock, more lives saved through traffic isolation, a reduction in environmental damage and a fulfilment of people's rights. It is a fair deal for motorcyclists. For those reasons, I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bill Wiggin, Mr. Don Foster, Angela Watkinson, Mr. Mark Todd, Mr. Stephen Pound, Peter Bottomley, Dr. Brian Iddon, Mr. Robert Key, Mr. Adrian Flook, Mr. Bill Tynan, Mrs. Jackie Lawrence and Mr. Roger Gale.

MOTORCYCLES (BUS LANES)

Mr. Bill Wiggin accordingly presented a Bill to allow motorcycles to use bus lanes: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 166].

Opposition Day

[19TH ALLOTTED DAY]

Iraq (Judicial Inquiry)

Mr. Deputy Speaker (Sir Michael Lord): We now come to the main business on an Opposition motion. Mr. Speaker has selected the amendment in the name of the Prime Minister.

1.38 pm

Mr. Michael Ancram (Devizes): I beg to move,

That this House is concerned at growing public confusion since the summer adjournment as a result of increasingly conflicting accounts of intelligence relating to and events leading up to the recent Iraq war and what has happened since; and calls for the setting up of a comprehensive independent judicial inquiry into the Government's handling of the run-up to the war, of the war itself, and of its aftermath, and into the legal advice which it received.

The purpose of the motion is not to rehearse the arguments for and against the war in Iraq; nor can the debate clear up the confusion that has grown since the beginning of the summer recess about the Government's handling of the run-up to the war and its aftermath. The House has many strengths as both a legislature and a forum for debate, confronting, testing and holding to account. I am the staunchest of supporters of the parliamentary process, but are we, who are so closely involved in the events surrounding the war, credible arbiters of the truth about them? Let us be frank. In the six months since the end of the war, particularly since the House rose in July, there has been a constant stream of charges against the Government. I do not seek to add to them today—they are there, and they are growing. They relate to the Government's handling of intelligence before the war, the case that they made for the war, the lack of planning for post-war Iraq and the legal advice that they received. They are serious charges made by serious people. They are highly damaging, and they strike not only at the Government's reputation, which I can live with, but at the machinery of government and the integrity of our intelligence services themselves.

Those charges should be fully answered, but they are not being answered and they are not going away. For all their excellent work and reports, neither the Foreign Affairs Committee nor the Intelligence and Security Committee has managed to make them go away. Indeed, in some areas they have raised new questions that in turn need to be answered. The charges will not go away until we have a comprehensive, independent judicial inquiry with the legal power to get to the very bottom of the facts and make a clear assessment and judgment of the truth. That is what the motion seeks, and that is what we have been seeking since the end of May.

Mr. Andy Reed (Loughborough): For those of us, especially those on the Government Benches, who opposed the war and still feel that that was the right decision, is not the problem with the motion the fact that it abrogates our responsibility to establish the truth of what did or did not happen? I have listened carefully to the right hon. Gentleman's comments, but should we not table questions in Parliament, not give those responsibilities to an outside body? I fear that we have not learned a great deal from all the machinations of the past few months. It is for each and every one of us to keep making the case in the House, not outside it .

Mr. Ancram: I have nothing against Members tabling questions or asking the Government questions, but we need to institute a process that will satisfy the public that the truth has been established. Later, I shall refer briefly to the Falklands, about which allegations were made and questions asked, but as there was a full independent commission of inquiry the House and the British public were able to satisfy themselves that the truth had been fully examined and established.

Mr. Tam Dalyell (Linlithgow): I have a factual question. How long does the right hon. Gentleman think that such an inquiry would last? I gave evidence to the Franks committee on the Falklands, which lasted long enough. However, the Saville inquiry shows that these things can go on for a heck of a long time. What is the right hon. Gentleman's estimate of the time that an inquiry on Iraq would take?

Mr. Ancram: I accept the point made by the Father of the House, but a judicial inquiry can take evidence under oath and can establish the truth in a way that many other forms of inquiry cannot. It can be asked to report within a given time, which would obviously be a reasonable period. Three months ago, I stood at the Dispatch Box making the case for a public judicial inquiry, and was told that that was not needed because parliamentary Select Committees would deal with the issues in a way that would satisfy the public. However, that has not been the case. As I said, those Committees have raised other questions that have still to be answered.

Mr. Robin Cook (Livingston): Is it not true that the House can carry out its scrutiny function adequately when the Opposition oppose, and has difficulty carrying out that function when the Opposition act as the major cheerleader for the Government? If the right hon. Gentleman wants us to take seriously his call for a judicial inquiry into whether the Government got it wrong on going to war, should he not be consistent and admit that the Opposition were wrong to support the Government in that very same decision?

Mr. Ancram: I shall come to that, but if the right hon. Gentleman reads the motion he will see that that is not why I am seeking to establish a public inquiry. A number of allegations have been made, including some by the right hon. Gentleman, about the way in which the Government conducted themselves in relation to intelligence that have not been fully answered—certainly, I gather, not to the right hon. Gentleman's satisfaction. Until they are, I suspect that he will continue to make them. I am proposing a means by which they can be answered satisfactorily, not only for the benefit of the right hon. Gentleman but in the public interest. The longer the allegations stay unanswered, the more damaging it will be to the national interest.

I want to make it clear that in moving this motion I am not in any way resiling from our support for the Government's decision to go to war. The war in Iraq

[Mr. Ancram]

was justified, and we were right to support it. Saddam Hussein posed a recognised threat to international peace and security—17 United Nations resolutions under chapter VII of the UN charter over 12 years attested to that. Failure to comply with all those resolutions justified military action to remove that threat. Legally, no new resolution is required for the use of force to implement resolution 687. I suggest that hon. Members read Professor Greenwood's article in *The Times* today, which makes it clear that the legal basis was there, and is still there.

Mr. Menzies Campbell (North-East Fife): While the shadow Foreign Secretary is recommending reading to the House, he might also suggest that hon. Members read the opinion of Lord Alexander of Weedon, which is diametrically opposed to Professor Greenwood's opinion.

Mr. Ancram: I think I would prefer, because he is an old friend, to read the legal opinion of the right hon. and learned Gentleman himself. On 24 September last year, he said in the House:

"It may well be true that, legally, no new resolution is required for the use of force to implement resolution 687."—[*Official Report*, 24 September 2002; Vol. 390, c. 43.]

He obviously agreed with Professor Greenwood, and I am not sure why he is disputing that now.

Mr. Edward Garnier (Harborough): Surely we are not so much interested in opinions, which we can exchange and swap as much as we like, as in the facts? An inquiry is probably the best way of finding out the facts. Parliament is a very good place for political exchange, but not necessarily a good forum for finding facts.

Mr. Ancram: I agree with my hon. and learned Friend who, as usual, has put admirably succinctly the case that I am taking a little longer to make.

When considering the war, we should remember that, had we not taken action, Saddam Hussein, his sons and the whole vile regime would not have disappeared. They would have grown and armed themselves further until, inevitably, action would have had to be taken at far greater risk. I repeat that we were right to vote with the Government on 18 March.

Mr. Edward Leigh (Gainsborough): I am glad that my right hon. Friend has made that point. Would we not have avoided all these charges if the Government had been honest from the outset and said, "This is a gangster regime holding its people in slavery. By the way, it is sitting on the world's second largest oil reserves. We are going to get rid of it and bring back peace and democracy"? They should have done that instead of raising the canard of weapons of mass destruction, which apparently were a threat to us. The Government are being assailed on all sides because they misled the public: why were they not honest in the first place?

Mr. Ancram: If my hon. Friend will allow me, I shall touch on his valid point later.

Mr. Alex Salmond (Banff and Buchan): If the right hon. Gentleman's case for a judicial inquiry is to be strong he must concede the possibility that it may find that he and his colleagues were misled on the reasons for war, so they may want to reconsider their position.

Mr. Ancram: Obviously, one cannot predict the outcome of a judicial inquiry, but that did not stop Lady Thatcher, after the Falklands war, setting up a commission of inquiry. She wanted to make sure that the truth was established. She was not afraid of the truth, so she called for a commission, and I am suggesting that the present Government do the same.

I have made it clear that in backing the Prime Minister's decision to go to war we were not signing up either to everything that had gone before or to everything that was to come after. We backed the Prime Minister because what he was seeking to do was right. Equally, I made it clear that we would not hesitate to criticise him when we believed that what he was doing was not right. The failure to plan adequately for the foreseeable problems of post-war Iraq was culpable. Whenever my hon. Friend the Member for Meriden (Mrs. Spelman) and I raised that before the war we were told that it was in hand. The Prime Minister assured the House on 3 February that

"We are well aware that we must have a humanitarian plan that is every bit as viable and well worked out as a military plan"—[*Official Report*, 3 February 2003; Vol. 399, c. 36.]

As we now know, there was no plan. I saw for myself in Iraq in July the vacuum of civilian reconstruction four months after the war ended. The right hon. Member for Birmingham, Ladywood (Clare Short), who was involved in drawing up those plans, admitted in June this year:

"The preparations for post-conflict were poor".

So what went wrong? Why did the Government fall down on that? I believe that we will find the answer only through an independent judicial inquiry.

I am mystified by the Government's opposition to an inquiry. If they were confident of their position, they would support the motion tonight. An independent judicial inquiry would end the confusion and the rumours. Their rejection of such an inquiry can only suggest that they are less than confident in their case. The Prime Minister does not seem to understand the very real damage that the continuing allegations are doing to the reputation of this country abroad or to the reputation of our intelligence services at home. This should be a matter not of the Government's interest, but of the public interest, which would be best upheld by the sort of inquiry that we seek. It is still not too late for the Government to follow the example of Lady Thatcher.

Mr. Neil Gerrard (Walthamstow): Will the right hon. Gentleman give way?

Mr. Ancram: No. I shall make some progress.

The charges that are causing public confusion and concern fall broadly into four categories: first, the Government's failure to plan for the aftermath of war, which I have touched on already; secondly, the manipulation of intelligence and misrepresentation of what was intelligence and what was not; thirdly,

questionable information and statements about weapons of mass destruction, both before and after the war; and, lastly, the basis of the Attorney-General's legal advice on matters pertinent to the war.

The most serious of those charges, to my mind, relates to the handling of intelligence. Parliament, particularly at a time of military threat, has a right to be able to trust the Government on that, and manipulation of intelligence is therefore an extremely grave charge. It is what the Prime Minister himself referred to on 28 August as a resigning matter. It is the charge that has been made in relation to the dossier of 24 September last year. What is unresolved and highly damaging is whether the evidence in that dossier amounted to evidence of a "current and serious" threat to this country. That was the claim made by the Prime Minister in his foreword to the dossier, against the advice of his chief of staff, Jonathan Powell.

There is evidence that the dossier was, at the very least and at the instigation of non-intelligence sources, considerably toughened up or, to use the word of one defence intelligence official, "over-egged". We need to ask why it was "over-egged". How could it be that a last-minute change to the dossier was made following an e-mail to John Scarlett of the Joint Intelligence Committee from Jonathan Powell? Should we believe that the JIC had "ownership", as was claimed by Mr. Scarlett, of the September dossier, when at the last minute a "problem" passage was replaced with a more helpful version, again at the behest of Jonathan Powell, apparently without the JIC even seeing the amendment?

What was the justification for that over-egging? In summary, was the September dossier a genuine intelligence resumé of the threat posed by Saddam Hussein, as it was claimed to be, or was it a propaganda device to bring doubting Labour Members onside? These are serious questions, and they are surely best answered in the ordered environment of a judicial inquiry.

Alan Howarth (Newport, East): The right hon. Gentleman said that one should not prejudge the outcome of any inquiry. Will he therefore take the opportunity to repudiate the criticism of Mr. Scarlett's integrity reported to have been made by the Leader of the Opposition in *The Mail on Sunday* on 12 October? Will he acknowledge that if the Leader of the Opposition did indeed speak in those terms, he perpetrated an odious slur on a public servant of complete integrity and outstanding ability, honourably endeavouring to perform exceptionally difficult duties? If the Leader of the Opposition did say what he is reported to have said, the slur was as odious in its substance as it was in its language.

Mr. Ancram: I am sure that the right hon. Gentleman, after his many years of political experience, has learned not to believe everything he reads in the press.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): But is the right hon. Gentleman repudiating that report?

Mr. Ancram: I do not remember whether the report was in the *Daily Mail* or *The Mail on Sunday*. I read reports about things that I am supposed to have said. I do not believe everything I read in the newspapers, and I do not believe that.

Mr. Straw: We are not talking about whether the right hon. Gentleman believes everything he reads in the newspapers. Did he or did he not believe this thing that he read in the newspaper?

Mr. Ancram: I say again what I said earlier. John Scarlett chairs an important Committee. That Committee has been called into question by the allegations that have been made in relation to the lead-up to the war. It is vital that any judgment is made not on the basis of speculation or press reports, but on the basis of a public inquiry that can properly assess the facts.

The charges relating to the second so-called dodgy dossier are, if anything, even more grave. The document was described by the Prime Minister in the House as "further intelligence". Those were his words. Two days later it was prayed in evidence by the United States Secretary of State in the United Nations Security Council, where he described the detail as "exquisite". We were all led to believe that it was an intelligence-based document. Certainly, nothing said by the Government suggested that it was anything less. The Foreign Secretary, astonishingly, confirmed to me at the end of July that he was not aware until three days after its publication that it was not an intelligence document. That was after the Prime Minister and Colin Powell had referred to it as such.

That raises extraordinary questions. Was the Prime Minister aware that the document was not "further intelligence", as he set it out to be, when, as the Foreign Affairs Committee concluded, he misrepresented to the House that it was? Did Alastair Campbell mislead the Prime Minister and the Foreign Secretary about the origins of the document? Why, anyway, was a spin doctor in charge of putting together such a sensitive document? Was the JIC equally in the dark about the dossier? In short, is this another tale of propaganda, or a saga of unutterable incompetence and chaos on a most serious matter at a most serious time? Either way, it is gravely disturbing, highly damaging to the credibility of the Government and another urgent reason for the inquiry that we seek.

Then there are the charges of questionable information about weapons of mass destruction. We must be honest with ourselves. There was generally before the war

"a valid assumption that Saddam Hussein had continued with the biological and the chemical weapons programmes and a reasonable assumption that he was trying for a nuclear capability".

Those were the words of the right hon. and learned Member for North-East Fife (Mr. Campbell) on the Frost programme on 11 August last year, and that view was widely shared.

However, the Prime Minister went much further. On 8 July he told the Liaison Committee that he had

"no doubt at all that we will find WMD programmes".

[Mr. Ancram]

To have "no doubt" suggests that he had actual evidence, yet that evidence has not been forthcoming. The next day his official spokesman went even further and said:

"The Prime Minister is also absolutely confident that we will find evidence not only of his WMD programmes but concrete evidence of the product of those programmes as well".

Three months later there is not only no concrete evidence of programmes or products, but no concrete evidence at all.

Why, then, did the Prime Minister on 31 May tell Sky News that he was waiting to publish what he described as a "complete picture" of both intelligence gained before the war and "what we've actually found"? He went on to say in that interview:

"What we are going to do is assemble that evidence and present it properly".

That was four months ago. Where is the "complete picture"? What had actually been found at the time when he made those remarks? When will it be presented properly? It is clear that if nothing is found the conclusion will inevitably and understandably be drawn that at the time of the war there was no concrete evidence of weapons of mass destruction.

We would all have a right to feel let down on a matter on which Parliament and the nation as a whole had the right to rely on the word of the Prime Minister on matters of intelligence. More seriously, it would suggest either that the Prime Minister received wrong intelligence from the intelligence services, or that he—if I may put it politely—grossly enlarged upon the information that he had received in order to back up the case that he so passionately made to Parliament. Each of these possibilities would raise the gravest of questions, the first about the credibility of our intelligence services, and the second about the credibility of the Prime Minister. Either would have the most serious implications.

Once again, the most effective way of clearing this up, setting to rest the suspicions and restoring credibility is for the Prime Minister to submit the evidence and information that he had before the war, and that which he has now, to be assessed once and for all by an independent judicial inquiry.

Mr. Andrew Miller (Ellesmere Port and Neston): The right hon. Gentleman referred to his beliefs at the beginning of the war, prior to the publication of the dossier. He said that he had good reason—he used some such phrase—to believe that there were weapons of mass destruction. Will he put on record the basis for his good reasons for believing that? If those were relevant, surely they are relevant to all of us in the House.

Mr. Ancram: My reasons include that to which the right hon. and learned Member for North-East Fife alluded last year—that we had heard over a long period, and in the course of several United Nations resolutions, that the UN Security Council believed that there were programmes to develop weapons of mass destruction.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am sorry about my voice—I hope that my right hon. Friend can hear me. Does he agree that we can never get to the bottom of the matter unless we have access to the private communications between the Prime Minister and President Bush—in particular, the minutes of the various meetings that they had last year?

Mr. Ancram: My right hon. and learned Friend makes his point. I am keen that there should be a judicial inquiry that is able to call for the evidence that it believes it needs in order to establish the truth. If it is to be independent, it is important that we do not try to push it in a particular direction.

David Wright (Telford): Will the right hon. Gentleman give way?

Mr. Ancram: No, I want to make some progress.

Then there are the recent allegations of cover-up made against the Prime Minister and the Government. It is alleged that they concealed the extent to which the joint chiefs had reservations about our military capacity in the face of Government-induced overstretch; covered up the reservations of the JIC about the possible impact of military operations on the terrorist threat to the United Kingdom; and covered up the private minutes of reservations sent by the Foreign Secretary to the Prime Minister shortly before action began. Now that the war is over, it is surely in the public interest to explore those allegations and to test them against the actual outturn. What better way of doing that than through an independent judicial inquiry?

In the background to all this is the opaque figure of the Attorney-General. A number of allegations have been published about his role, particularly as regards the legal advice that he gave to the Government before the war. I accept that that is a sensitive area that might not necessarily benefit from the sharp spotlight of public scrutiny. I respect that, as does my hon. Friend the shadow Attorney-General, who will in due course deal in greater detail with the questions that need to be asked. Suffice it to say that the controlled and disciplined and, where necessary, discreet environment of a judicial inquiry might well be the best arena in which to respond to those questions. Clearly, it is vital that they be responded to in the interests of restoring the reputation and integrity of the office of the Attorney-General.

Then there are the extraordinary and tragic events of the summer and the Hutton inquiry. I do not intend to get involved in the intricacies of the complex evidence placed before the learned and noble judge, who will make his report in due course, but it is almost impossible to separate much of the evidence presented at the inquiry from the wider issues. In considering the case for a judicial inquiry, it is therefore pertinent to comment on one or two of the more amazing contradictions that have arisen.

The Prime Minister says that he was not involved in the process that led to the naming of Dr. Kelly; the permanent secretary at the Ministry of Defence says that the Prime Minister was. Who is right? It cannot be both, so the credibility of one or the other is critically at

stake. No Minister seems prepared to accept responsibility for either the first or the second dossier. It must have been somebody, so who was it?

Mr. Straw *rose—*

Mr. Ancram: The Foreign Secretary wants to speak. Was he responsible for either of those dossiers; and were they published in the name of the Foreign Office?

Mr. Straw: The point that I want to put to the right hon. Gentleman is this: does he not accept that the issues that were properly raised before Lord Hutton, and on which he has taken evidence, are matters for him?

Mr. Ancram: As I said, Lord Hutton will report in due course. However, the issues that I am raising are pertinent to a wider inquiry, and should be put before such an inquiry as part of the whole picture.

I ask again: who was responsible for the dossiers? This is the Government all over. Whenever there is a problem, no one accepts the blame—they all point at each other. This Government, who were elected on a slogan of trust, are now showing in technicolour that they do not even trust each other. Is it any wonder that the country no longer trusts them?

In normal circumstances, I would not be concerned at the current discomfiture of the Government over the confusion and suspicion that surrounds them—I might even take some quiet pleasure in it—but when it affects the national interest, it affects us all. It is damaging to the national interest when there is a major and continuing question mark hanging over the credibility of the Prime Minister, the Defence Secretary and the Government as a whole. It is damaging to the national interest when there is a serious question mark hanging over the effectiveness and accuracy of our intelligence services; when there is a question mark hanging over the basis and reasons why we went to war in Iraq; and when confusion reigns and the truth appears increasingly to be the victim of spin and counter-spin. The confusion must be ended, the truth must be established, and the Government must be held to account. We need a comprehensive independent judicial inquiry to answer these questions, and we need it now.

2.5 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"notes that the Intelligence and Security Committee, established by Parliament by statute, and the appropriate body to consider the intelligence relating to Iraq, and the Foreign Affairs Committee have both carried out inquiries into matters relating to the decision to go to war in Iraq; further notes that substantial oral and written evidence, by and on behalf of the Government, was provided to both inquiries; believes that there is no case for a further inquiry, including a judicial inquiry; and further believes that, following the passage of UN Security Council Resolution 1511 on 17th October 2003, attention should now be focused on building a better future for Iraq and its people, and on offering full support to the coalition, including British military and civilian personnel, and the United Nations in this endeavour."

Iran is a subject that should be a matter for vigorous debate in this House. [HON. MEMBERS: "You said Iran."] If I said Iran, I must still be in an Iranian time zone. Iran, too, should be the subject of vigorous debate in this House.

Mr. Tim Boswell (Daventry): Will the Secretary of State give way?

Mr. Straw: I want to make some progress first.

There will be a written ministerial statement on Iran in due course. If the shadow Leader of the House wishes to arrange for Opposition time to debate Iran, I shall be happy to give the House further information about it. In fact, most of the members of the Select Committee on Foreign Affairs are there at the moment.

Iraq should be subject of vigorous debate in the House. Indeed, there have been many such debates, including two before the summer break—on 4 June on a Liberal Democrat motion, and on 16 July on a Conservative motion.

There are many important and current questions relating to Iraq, including the steps that the Iraqi people are taking to establish a representative Government and the considerable efforts that the coalition provisional authority is making, not so much to put the country back on its feet, but to make it far better than ever it was under Saddam. Those questions are not just important for Iraq; they are surely among the most vital challenges facing Britain, the European Union, the United States and every country with an interest in peace and prosperity in the middle east.

That is the reason for the intense negotiations in recent weeks at the United Nations to agree a new Security Council resolution in respect of Iraq, culminating in the unanimous adoption of Security Council resolution 1511 on 16 October. That sets a deadline of 15 December by which the Iraqi interim governing council should provide a timeline and a programme leading to an Iraqi constitution and to democratic elections. It also confirms the central role of the UN in the reconstruction of Iraq and encourages UN member states and international bodies to support that process. The next step will be the Madrid donors conference that is being held tomorrow and on Friday, where Her Majesty's Government will be represented by three senior Ministers—my right hon. Friend the Secretary of State for International Development, my right hon. Friend the Chief Secretary to the Treasury, and my noble Friend Baroness Symons, the Minister of State, Foreign and Commonwealth Office.

In Madrid, the United Kingdom will pledge a further £300 million of assistance over two years. Together with money already committed, that will bring UK assistance for the three years from April 2003 to £550 million. That is on top of the contribution that we are making through our commitment of British troops.

Mr. Ancram: The Foreign Secretary is setting out some important facts, and we are grateful to him for doing so. He says that Iraq, which is, I agree, a very important subject, has now been debated three times since June—twice on Conservative motions and once on a Liberal Democrat motion. If it is so important, why

[Mr. Ancram]

has it not been debated in Government time? We have not exactly been weighed down by Government business over the past four weeks.

Mr. Straw: I appreciate that the Opposition are in a state of terminal torpor, but I should have thought that even they would spot the improbability of our tabling, in Government time, a resolution calling for a judicial inquiry into the cause of the war. However, should lightning strike and a Conservative Government appear, perhaps we can look forward to such eccentricity.

On whether I have kept hon. Members informed about issues that relate to Iraq, even my worst enemy would accept that I have been assiduous in going to and from the House. I have made endless statements and I have not waited to be asked here. I have also appeared before the Select Committee on Foreign Affairs and the Intelligence and Security Committee. Several debates on defence motions have taken place in Government time.

Mr. Chris Bryant (Rhondda): Before the Foreign Secretary was interrupted, he was setting out some of the ongoing issues in Iraq. I am sure that he has noticed that the Conservative motion refers to an inquiry into not only what has happened but into the aftermath of the war in Iraq. Does my right hon. Friend believe that the aftermath is over or has the process of bringing democracy only just begun? Is not the motion at least premature?

Mr. Straw: An inquiry into the aftermath would be a huge diversion of effort. Whatever people's views on the causes of the war, there have already been two full inquiries into the background to the decision to go to war and there is also the Hutton inquiry into one aspect. There has therefore been more extensive investigation into the causes of the military action than into any other such action in our history, leaving aside large-scale wars such as the second world war.

Mr. Leigh: We should all like one central question answered, and my right hon. Friend the shadow Foreign Secretary posed it in his opening remarks. At the time of going to war, was evidence of the existence of weapons of mass destruction available to the Government? If so, will the Foreign Secretary share it with us?

Mr. Straw: I shall deal with that point later.

Lynne Jones (Birmingham, Selly Oak): Has not the Hutton inquiry exposed the inadequacies of the parliamentary inquiries into the reasons for going to war? Would not a full inquiry establish what the Government knew or know about links between the Iraqi regime and al-Qaeda? The Prime Minister said that there were unquestionably links between Saddam Hussein and al-Qaeda and the Secretary of State for Defence said that there were clear links although he did not know precisely what they were. Yet when the Minister for Trade and Investment was asked directly about that, he did not mention any links between the Iraqi regime and al-Qaeda, and the Secretary of State for Culture, Media and Sport told the Press Gallery:

"Ordinary Americans made an inextricable link between al-Qaeda and Iraq. We have never done that".

How can we find out the truth?

Mr. Straw: We certainly do not need a judicial inquiry to establish a negative. I have been absolutely clear about that, and my hon. Friend can go though all the things that I have said in the House and elsewhere. I never saw—therefore neither did my right hon. Friend the Prime Minister—any evidence linking al-Qaeda with the events which took place on and before 9 September. There was tenuous evidence, at best, relating to possible links after that date.

Bob Spink (Castle Point): Will the Foreign Secretary give way?

Mr. Straw: No, I must make some progress.

We never suggested for a second that there were any links, particularly given what I have just said, remotely related to the case for war. As I shall show, that case was directly related—that was the heart of the issue—to Iraq's palpable failure to meet its obligations under international law in a string of United Nations Security Council resolutions over 12 years.

Several hon. Members *rose—*

Mr. Straw: I have already taken five interventions, and I want to make progress.

The issue of Iraq landed on my desk within two weeks of my arrival in my post in June 2001. Why? Because of its palpable failure to accede to its obligations under Security Council resolution 1284, which required the regime to readmit United Nations weapons inspectors. Their position had been made untenable and they had to withdraw at the end of 1998 because of the behaviour of the Saddam regime. In the first half of last year, our concern increased greatly and we wanted the international community to take Iraq more seriously and recognise that the policy of containment was not working.

Moreover, we wanted the matter to revert to the United Nations. The dossier that was issued on 24 September was published in response to many demands, not least from the Foreign Affairs Committee. It set out the case for dealing with the problem of Iraq, but neither purported to make nor made the justification for military action. The history of the period will show that, between the date of its publication and 29 May this year, the dossier was remarkable only for the lack of attention that it received.

Parliament debated Iraq at a recall sitting on 24 September 2002. During the following weeks, I worked hard to find a diplomatic solution to the crisis. Negotiations with my counterparts on the United Nations Security Council culminated in resolution 1441, which was passed unanimously on 8 November.

In that resolution, all 15 members of the Security Council, including Russia, China, France and Syria, recognised the

"threat posed to international peace and security"

by Iraq. That was the essential trigger for the use of chapter VII, which may authorise military action under the UN charter. The resolution went on to say why

members acknowledged the threat posed by Iraq's long-range missiles, proliferation of weapons of mass destruction and non-compliance with 12 years of mandatory chapter VII UN Security Council resolutions.

Mr. Miller: I want to follow up the question that I asked the shadow Foreign Secretary. I presume that the evidence adduced in the resolution was based not on the whims of politicians but on proven facts provided by inspectors.

Mr. Straw: My hon. Friend makes my point. It was based on the experience and judgment of 15 sovereign member states of the United Nations. The entire membership, including Syria, concluded that Iraq posed a threat to international peace and security. That conclusion was reached not as a result of American pressure or any insights from a British dossier but from members' experience of Iraq and their assessment of the threat from the regime.

Syria knows rather more about Iraq than any other member state of the United Nations because of its proximity to that country and its once close association, from which it has subsequently detached itself, with the Ba'athist regime. Those who know Syria and my counterpart there, Dr. ash-Shara, realise that he is no United States puppet, still less does he take orders from us. He knew what the resolution said and he decided that Iraq posed a threat to international peace and security because of its proliferation of weapons of mass destruction. I have been asked what the evidence was and I point out that Syria had sufficient evidence to reach that conclusion. It knew that the rest of the resolution declared that Iraq had remained in material breach of resolutions going back to 678 and 687. Resolution 678 authorised all necessary means and resolution 687 widened the scope of that. Syria's conclusion was based on its experience.

Moreover, the Security Council was clear in resolution 1441. It warned Iraq that it had a final opportunity to comply. It defined a further material breach, having already stated that Iraq remained in material breach. Operational paragraph 13 stated that "serious consequences" would follow if it failed to comply. Diplomatic parlance is often ambiguous, but on that occasion, every nation, including Syria, that voted for the resolution—and Iraq, the subject of it—was under no illusion about what "serious consequences" would entail.

Mr. Kenneth Clarke (Rushcliffe): Will the Foreign Secretary give way?

Mr. Straw: I shall give way to the right hon. and learned Gentleman shortly, but I want to concentrate on the heart of the case that the right hon. Member for Devizes (Mr. Ancram) made. He argues that there should be an inquiry into the contents of the intelligence dossier. I shall show later that such inquiries have already taken place. They are more substantial and, I dare to say it, independent and systematic than the commission of inquiry—the Franks inquiry—that the right hon. Gentleman gave as Mrs. Thatcher's example that we should follow. Either that is the nature of the inquiry that the right hon. Gentleman wants, in which case we have already had inquiries, or he is saying that we should ask a British judge to hold an inquiry into why the United Nations came to a unanimous view that Iraq posed a threat—

Mr. Clarke: No, no, no.

Mr. Straw: The right hon. and learned Gentleman says no, no, no, but the answer is yes, yes, yes. From that, there can be no resiling. Our point is simply that we shared a judgment with the international community. It was not based on an intelligence dossier. It was based on the facts as we knew them, which were published in report after report of the weapons inspectors, and on our own judgment of the conduct of the Saddam regime, going back over 25 years. That was the basis on which the United Nations came to its decision on 9 November 2002. It said that Iraq posed a threat to international peace and security.

When we came to debate this matter after weeks of the most intensive scrutiny in the House and efforts in the United Nations to gain a second resolution, the central case that my right hon. Friend the Prime Minister and I made to the House—and which formed the core of the motion that we put before the House—was Iraq's breach of United Nations Security Council resolutions. The motion was there to uphold the authority of the United Nations as set out in resolution 1441 and many others preceding it. Indeed, paragraph 3 of the opening report of the Foreign Affairs Committee says—this much at least was unanimous—that the war was fought

"to enforce unanimous Resolutions of the Security Council."

Mr. Clarke: Will the Foreign Secretary give way?

Mr. Straw: I will in a moment.

On the question of a wider inquiry that covers areas other than those that we have already inquired into, I think that the lament of the right hon. Member for Devizes is that those inquiries have failed to come up with the right answer. Let him be clear that the scope of such an inquiry would have to cover why the other 14 members of the Security Council came to the same conclusion as us, namely that there was a threat from Iraq because of its proliferation of weapons of mass destruction. That is at the heart of the matter. I give way to the former Chancellor.

Mr. Clarke: I am astonished to hear the Foreign Secretary using language worthy of George Orwell to describe how we went to war at a time when we knew that there were no weapons of mass destruction posing a threat to anybody. The background to the United Nations discussions was surely that the threat of war had been looming throughout the last year, with the United States talking about the need for regime change and threatening to intervene. The other nations voted for the Security Council resolution, as did most Members of this House, as an alternative to war—*[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members know very well the view that Mr. Speaker takes about electronic devices going off in the middle of important

[Mr. Deputy Speaker]

debates. May I also remind the right hon. and learned Member for Rushcliffe (Mr. Clarke) that he is making an intervention?

Mr. Clarke: Resolution 1441 was voted for by this House, in support of most of the nations in the Security Council, as a possible alternative to war, so that we could put inspectors back in by coercion in the belief that they would demonstrate conclusively whether there was any threat from weapons of mass destruction. The issue became one of whether Mr. Blix, who had been working there for only a few months, could find any evidence of any threat emerging. We went to war because the Government said that there was an imminent threat and that they were not prepared to wait for Mr. Blix any longer. That was not the position of the Syrian Government, nor of many Members of this House.

Mr. Straw: It was also not the position of the British Government, because we never, ever said that there was an imminent threat. Never, ever did we say that. Neither my right hon. Friend the Prime Minister nor I ever, ever said that.

Gregory Barker (Bexhill and Battle): Will the Foreign Secretary give way?

Mr. Straw: No, I wish to make some progress.

I would say to the former Chancellor that there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes, and the capability to produce chemical and biological weapons. Iraq was also continuing to develop ballistic missiles. That was the judgment reached by the Intelligence and Security Committee, which carried out the most thorough of investigations—I am witness to that, because I gave evidence before it—over a great many weeks.

The issue before the United Nations and this House was, in the end, to what degree Iraq was in clear further material breach of its obligations under resolution 1441, and if it was, whether we should still allow the weapons inspectors more time to do their work, or whether we should take military action. That is essentially a political judgment. Never once did I come to this House and say that I believed that we should not give the weapons inspectors more time because I did not think that they were going to get any more co-operation than they had had in the past. The judgment was based not on any intelligence but on what I could see with my own eyes and hear with my own ears in respect of what was happening in Iraq. The idea that we should now find a judge who is willing to second-guess the most explicit of political judgments is absurd, and, frankly, only illustrates the turmoil at the heart of the Tory party.

Tony Wright (Cannock Chase): Knowing what we know now, will the Foreign Secretary tell the House directly whether he now believes that the Iraqi regime did represent a clear and present danger to this country?

Mr. Straw: Yes, I do. I regret the fact that the Iraq survey group—*[Interruption.]* It has done a great deal of work and found a good deal of evidence. I regret that, because of the environment in which it has been working, it has not so far been able to find more. However, nothing that it has found so far has diminished my view of the threat. While opinion has differed within the Security Council—as we well know—about whether it was appropriate to take military action at the time, I have heard no member of the Security Council who was there when resolution 1441 was passed, and who signed up to it, saying subsequently, "Oh, by the way, we did not happen to think that Iraq was a threat." Of course, the right hon. and learned Member for Rushcliffe (Mr. Clarke) was right to say that this was an issue, partly for the reasons that he suggested. Each member of the Security Council was capable of making their own judgment. It does not lie in the mouth of the right hon. and learned Gentleman or anyone else to claim that that they were under pressure in November, and that that was the only reason that they came to that decision, when, palpably, in March, they were under even greater pressure, and most members came to a different decision, which is why we were unable to get a second resolution.

Several hon. Members *rose—*

Mr. Straw: No, I shall not give way. I want to make some progress.

Listening to what the shadow Foreign Secretary had to say just now, one might think that the only reason why military action was supported was that there was some secret intelligence briefing that has now turned out to be wrong. If that is the case, it is remarkable that neither his speech nor that made by the Leader of the Opposition on 18 March mention the word "intelligence" once. The shadow Foreign Secretary's whole gravamen was about Saddam's publicly known conduct. Indeed, the Leader of the Opposition said that Saddam had

"lied to the UN for 12 years"

and that

"it should be evident to everyone that he remains in breach of his obligations under 1441."

He was absolutely right about that. He then listed the deadly materials identified not in an intelligence dossier but by Hans Blix in his report of 7 March, and recommended that

"every Member of this House read"—

that report—

"before passing judgment."—[*Official Report*, 18 March 2003; Vol. 401, c. 775.]

It is also worth reading the conclusion of that speech by the Leader of the Opposition, if only to highlight how far and how quickly the Opposition have since fallen. He said:

"There are matters at stake that rise above party politics. It is the duty of the Government to act in the national interest, and it is the duty of the Opposition to support them when they do so. The Prime Minister is acting in the national interest today. That is why he is entitled to our support in doing the right thing."—[*Official Report*, 18 March 2003; Vol. 401, c. 779.]

The scale of the official Opposition's subsequent opportunism was captured eloquently by the hon. Member for South Staffordshire (Sir Patrick Cormack)

in the debate in the House on 16 July. He has written to me to apologise for his absence, for reasons that I fully understand, this afternoon. This is what he said in July:

"It grieves me deeply that my party . . . should have started nitpicking when it was so right to give support on the principal issue. It also grieves me that those young men and women in Iraq at the moment . . . are wondering whether we have lost our marbles in this place."

He was referring to his own side. He went on:

"We spend our time looking at these silly accusations, which have no substance, and I am ashamed of my party for doing it . . . Let us move on." —[*Official Report*, 16 July 2003; Vol. 409, c. 328.]

Sadly, so many of his pleas have been in vain.

Gregory Barker: On the very eve of war, the Foreign Secretary was extremely clear about the reasons for committing British troops. He said that

"the Cabinet has decided to ask the House to support the United Kingdom's participation in military operations, should they be necessary, with the objective of ensuring the disarmament of Iraq's weapons of mass destruction".—[*Official Report*, 17 March 2003; Vol. 401, c. 704.]

That was it. No broader case was made; the object was to ensure the disarmament of Iraq's WMD. Given that not a single weapon of mass destruction has been found six months later, can the Foreign Secretary not understand why the British public are demanding a judicial inquiry?

Mr. Straw: That shows again how detached the Conservative party is. I do not deny that one or two people have adopted a completely honourable position in respect of the war. They, including many of my right hon. and hon. Friends and some Opposition Members, opposed it in the first place. It seems to me that they are entitled to say that they were right and they wish to find further and better particulars as to why they were right. But I find the official Opposition's position extraordinary. Far from being reluctant supporters of military action, about 18 months before the war they were trying to entice us to take military action without going anywhere near the United Nations, yet they now complain about finding no WMD. If the hon. Gentleman believes that Iraq was not a threat, I suggest that he examines not just Dr. Blix's last report, but all those before it and all the United Nations Special Commission reports before that. He should hear what President Khatami said to me and then said at a press conference held yesterday in association with Dominique de Villepin and Joschka Fischer in Tehran. He said, "We have every reason to know about Saddam Hussein's weapons of mass destruction: they have been used on our people." The British people understand that truth, even if the right hon. Gentleman and Conservative Front Benchers no longer understand it.

Several hon. Members *rose—*

Mr. Straw: I give way to the hon. Member for Banff and Buchan (Mr. Salmond).

Mr. Salmond: Surely the Foreign Secretary does not want to be judged on his commitment to the United Nations by the standards of the Conservative party. If he describes the terminal torpor of the Tory party as a problem for the Tory party, is it not also a problem for democracy? I do not believe that the Foreign Secretary could get away with the convoluted nonsense about the reasons for war if there were an Opposition vigorously questioning and opposing the Government's underlying assumptions. Would not a judicial inquiry answer questions such as who forged the documents on uranium imports from Niger? Or is the Foreign Secretary pursuing that matter through other means?

Mr. Straw: I doubt very much whether an inquiry could get to that, and we already know that the documents were forged—*[Interruption.]* Let me tell the hon. Member for Banff and Buchan that he is not speaking very well of his own attempts at opposition when he says that it was so lousy.

Bob Spink *rose—*

Mr. Boswell *rose—*

Mr. Straw: No, I am going to make two final points, the first of which, as it has become current, is the issue of the legal basis for military action, which was raised by Lord Alexander of Weedon. I am glad that the right hon. Member for Devizes at least detached himself from Lord Alexander's profoundly weak argument. It is important for me to put on the record the Government's position on what Lord Alexander said. He claimed that the Government were scraping the legal barrel in relying on the legal authorisation for military action given by Security Council resolution 678. That authorisation was, however, revived by the failure of Iraq to comply with its obligations imposed under resolution 687, in respect of which the Security Council, when it passed resolution 1441, found Iraq to be in material breach.

To describe that as "scraping the legal barrel" and "risible" is extraordinary when successive Conservative and Labour Governments have taken the position that the authority of resolution 678 had only been suspended by the Gulf war ceasefire, and could be revived. That was the position when the Government of the day supported military action in Iraq in January 1993 and it was also the position when the Government of day—my Government—supported military action in December 1998.

It is for the Opposition to make their own judgment about the rightness or otherwise of military action pursued by Governments. As it happens, I sat for 18 years in opposition, and on most occasions—certainly in respect of the Falklands and the Gulf war—our Front Benchers decided to support military action. It was contentious in my own party, but I believe that it was right to do so, and I have never resiled from that view. I have never gone through the contortions that the right hon. Member for Devizes has gone through today in calling for a further public inquiry.

As to the legal basis for taking military action in the recent war, the Attorney-General answered a question in the House of Lords on 17 March 2003. Alongside that, in an official letter to the Chairman of the Foreign Affairs Committee, I gave more detail of our view of the legal position than has ever before been given in the run-up to military action. That shows very clearly the basis on which we took the decision to start military action. It was based on resolutions 678, 687 and subsequent

[Mr. Straw]

resolutions, and on 1441, which confirmed that those earlier resolutions remained in force. Resolution 1441 also referred in operational paragraph 4 to circumstances in which further material breaches would occur: a failure to provide a full disclosure—which for sure there was, and no one ever disputed that—and any other failures wholly, completely and promptly to comply with the obligations of the United Nations. Again, that applied. Under operational paragraph 12, the matter had to go back to the Security Council for consideration, but not for decision. There was never a requirement for a second resolution.

Conservative Members should recall that, from the moment when I reported to the House on resolution 1441 on 24 November 2002, I made it clear that we did not believe we had to have a second resolution. We said that we wanted one, but that we did not believe we needed one. That was why we spent two months arguing with the French, among others, because we were not willing to sign up to a resolution that required it. Operational paragraph 13 made it clear that serious consequences would follow.

Mr. John Bercow (Buckingham) *rose—*

Sir Peter Tapsell (Louth and Horncastle) *rose—*

Mr. Straw: I need to make progress, but I shall give way in a moment. I have already referred to the fact that there have already been two clear and very substantial inquiries into aspects of the war. The Foreign Affairs Committee had an inquiry into the decision to go to war and the Intelligence and Security Committee had a related inquiry into the intelligence and assessments. As I have already said, the ISC inquiry went into the intelligence background—it saw all the raw material on intelligence reports that it needed—in huge detail.

The House is part of the high court of Parliament. It is Parliament's job—not that of Ministers, but of every Member in the House—to hold Ministers to account. Of course there are occasions when it is right to set up judicial inquiries, as, for example, in the specific case of the death of Dr. David Kelly. However, in terms of holding us to account for what are palpably and essentially political decisions, the House is the right body. There has been a greater degree of scrutiny of our decision—and the background to it—than there has ever been before in similar circumstances.

Mrs. Alice Mahon (Halifax) *rose—*

Mr. Straw: I want to make an important point.

The right hon. Member for Devizes shifted away from calling for a judicial inquiry and somehow elided that with saying—I took down his exact words—that we should have a commission of inquiry following the example of Lady Thatcher. I do not believe that any High Court judge or Law Lord would be an appropriate individual for holding an inquiry into what is essentially a political issue. It would be bound to involve questions as to why the United Nations came to the decision that it reached in November. Without that decision, no military action in my judgment would have been right or appropriate.

The right hon. Gentleman referred to the Franks inquiry, so let me tell him who was on that commission of inquiry. In my judgment, the Intelligence and Security Committee was both better qualified and more up-to-date, and its methods were better than those of Franks. The Franks commission comprised Lord Franks, of whom my hon. Friend the Member for Linlithgow (Mr. Dalyell) said in a debate on 16 July that he was frankly—no pun intended—rather old by that stage. It included other individuals of known impartiality, such as the noble Lord Barber, a former Conservative Chancellor better known to some of us for his boom of the early 1970s. There was the noble Lord Watkinson, once—though not for long, which is why the hon. Member for Buckingham (Mr. Bercow) is furrowing his brow—a transport Minister, though less well known than one of his immediate predecessors, Ernie Marples.

Mr. Boswell *rose—*

Mr. Straw: I shall give way in moment.

There was Lord Merlyn Rees, a great friend of ours, but who never claimed to be a judicial figure. Another member was Patrick Nairn, a personal friend of mine, who was the permanent secretary at the Department of Health, but before that had spent his working life at the Ministry of Defence. The members of the Franks inquiry were fine upstanding individuals, but my hon. Friend the Member for Linlithgow, who had some experience of it, complained in the House about its methods, which were not forensic. There was much criticism of its report, and the inquiry was accused of a whitewash by my right hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). The ISC has done a far more thorough job than such an inquiry could ever do.

Mr. Ancram: I mentioned the Franks inquiry because it showed that when we were responsible for military action we were prepared to have an inquiry into its outcome as well as the reasons for it. If the Foreign Secretary reads the Order Paper, he will know that every day since our motion earlier in the summer we have tabled a motion calling for a tribunal of inquiry under the Tribunals of Inquiry (Evidence) Act 1921. That is the type of inquiry that we have sought all along.

Mr. Straw: I dealt with that point comprehensively last time. Such an inquiry would see us well past the next general election, so the idea that a conclusion could be reached on which the British public could come to a view in advance of the election is spurious.

Mr. Ancram: Not true.

Mr. Straw: Well, the scope of the comprehensive inquiry that the right hon. Gentleman seeks would go far beyond the Hutton inquiry, and even that has taken longer—

Mr. Ancram: The Hutton inquiry is very narrow.

Mr. Straw: I agree, and that is my point. The Hutton inquiry is very narrow in scope, but it will take at least six months. The right hon. Gentleman wants a

comprehensive inquiry, but that would take years. The Bloody Sunday inquiry—on, I suggest, a rather less complicated issue, given the fact that it does not involve other sovereign states—has now been sitting for five years.

Mr. William Cash (Stone): Oh, come on!

Mr. Straw: Well, one of the reasons why the Saville inquiry has taken so long is that the rights of individuals under the Tribunals of Inquiry (Evidence) Act 1921. All of us would have those rights. The Scott report, on which my right hon. Friend the Member for Livingston (Mr. Cook) did so brilliantly at the Dispatch Box, took three and a half years to do its work, and it stretched across a general election. It is extraordinary for the right hon. Member for Devizes to argue for a comprehensive judicial inquiry on the basis that it is the way to hold the Government to account, when the certain result of an inquiry under the Tribunals of Inquiry (Evidence) Act 1921 into the causes of war in Iraq would be to kick the issue into the long grass until well beyond the general election.

Sir Peter Tapsell: The Foreign Secretary started the present section of his speech by rubbishing the legal opinion of Lord Alexander of Weedon, a former chairman of the Bar, who said that resolution 1441, taken together with previous resolutions, did not provide a justification for war. That is why France, Germany and Russia did not support it at the United Nations. As the Foreign Secretary knows very well, resolution 1441 said that there would be "serious consequences" if Iraq did not comply. It did not say that the United Nations would go to war without a second resolution, and the Government failed to get that second resolution. That is the legal position and that is why the Attorney-General has been discredited.

Mr. Straw: The hon. Gentleman should calm down. Lord Alexander, whether he was chairman of the Bar or not, was wrong on this issue. The factual basis of what he said was wrong. He claimed on the radio that resolution 1441 required that the matter went back to the United Nations Security Council for decision, but that was not the case. He was wrong about that, and the hon. Gentleman should at least have the good grace to agree with that. Lord Alexander has many merits—I know and like him—but that was not the most impressive work that he has done.

Mr. Bercow: Curiously, I find it difficult to get worked up either way about the arguments for or against a judicial inquiry. I see no reason to disagree with the statement made by my right hon. Friend the Leader of the Opposition when he said:

"Saddam Hussein has the means, the mentality and the motive to pose a direct threat to our national security."—[*Official Report*, 18 March 2003; Vol. 401, c. 775.]

I believe that statesmanship was required, statesmanship was delivered and statesmanship was welcome, so I have no regrets about voting for military action.

Mr. Straw: I am glad to hear that, and I know that the Leader of Opposition will take that intervention as a declaration of loyalty to him.

Mr. Dalyell: It may be my fault, but I have not heard an answer to the question posed about half an hour ago by the Chairman of the Public Accounts Committee. It would be greatly helpful to the House if we knew the date on which the Foreign Secretary and the Prime Minister first knew that the reference to 45 minutes and weapons of mass destruction referred to battlefield weapons.

Mr. Straw: I cannot give my hon. Friend the exact date off the top of my head. I saw the JIC intelligence assessment, which we received in September, so I guess that it was around that date—but I will check that. Although the 45-minute claim became a huge issue following the Gilligan interview on 29 May, it was not an issue before that. Indeed, as I said at the beginning of my speech, in the whole period from the publication of the dossier until 29 May—my hon. Friend the Member for Telford (David Wright) got the Library to analyse it—the issue was scarcely, if ever, mentioned in the House, and only once or twice outside it.

Several hon. Members *rose*—

Mr. Straw: I have given way a great deal and I must now come to a conclusion. The House established the Foreign Affairs Committee and the Intelligence and Security Committee was established by parliamentary legislation. Both Committees made thorough reports, and those reports and the manner of the Committees' inquiries undermine the case now being made for a further judicial inquiry. The Committees were rigorous with their witnesses—some might say, too rigorous. The ISC was patently scrupulous with the intelligence material; and, where they felt it was warranted, both Committees were unsparing in their criticism of the Government. Let me remind the Opposition that both Committees also reached the same conclusion: that the claims made in the Government's September dossier were well-founded on the basis of the intelligence then available.

Given the fact that we have now had the ISC report, the case for a judicial inquiry is even weaker than it was on 16 July when the right hon. Member for Devizes last made the same speech as he made this afternoon. He made it then with rather more conviction. It is time for the House to move on. It is time that we devoted our time to the vital issue of building a secure, prosperous Iraq from the ashes of Saddam's dictatorship. That is the issue that has preoccupied the United Nations in recent weeks. It is also at the forefront of the minds of all Iraqi people, irrespective of their religious denomination or political leanings. They would, I am certain, find the Conservative motion somewhat bewildering and entirely irrelevant. We surely owe them better than that. I urge the House to reject the motion and to support the amendment.

2.48 pm

Mr. Menzies Campbell (North-East Fife): The Foreign Secretary referred, I think in error, to Iran, which allows me the opportunity to express—it may be the only matter on which we agree this afternoon—relief and pleasure at the apparent outcome of his visit there with his French and German counterparts. The Liberal Democrats have consistently supported the principle of engagement, and we are aware that he has invested much time and effort in maintaining the opening with Iran. We hope that that continues to prove profitable.

[Mr. Menzies Campbell]

I hope that the Foreign Secretary will recollect that on one of our Opposition days we tabled a motion relating to the United Nations and we discussed the topic of how best the reconstruction of Iraq, and the imposition of stability on the country, could be effected.

We propose to support the Conservative motion, although not necessarily for the reasons put forward by the right hon. Member for Devizes (Mr. Ancram). He quoted from my speech of 24 September, and I stand by what I said wholly and completely, because—entirely inadvertently, I am sure—the right hon. Gentleman found himself guilty of selective quotation.

The point that I made in the House both then and subsequently is that the Security Council and its resolutions are not the only source of international law. Many people have argued correctly that resolutions 678 and 687 contained an authority for the use of military force, but in what other way was the bombing campaign—which began immediately after Richard Butler withdrew the UN inspectors in, I think, 1998—justified?

UN Security Council resolutions must be seen against the background of customary international law. It is illegitimate to use military force, except as a last resort when all other diplomatic and political resources have been exhausted. The Foreign Secretary and others may remember that the amendment moved and voted on on 18 March would have allowed the inspectors further time to complete their inspections. That is, it would have met Dr. Blix's request for some additional time to fulfil his mandate.

In my view, therefore, we had not reached the position of last resort. A further principle of international law, to which Lord Alexander refers, holds that the use of military force must be proportionate. As he points out, there is no justification for regime change. In particular, article 2.4 of the UN charter expressly forbids that. The military force proportionate to making a country fulfil its disarmament obligations may be—and in my judgment in this case was—significantly different from the military force expressly designed to achieve regime change. That was the avowed purpose in Washington, and the Government inevitably hitched themselves to it—albeit, after 18 March, with the authority of the House of Commons.

David Winnick (Walsall, North): Clearly, the right hon. and learned Gentleman does not agree with my right hon. Friend the Foreign Secretary's assessment of the position in respect of international law, but why should we apologise for overthrowing what was one of the most murderous of tyrannies? Is it not a fact that most people in Iraq—whatever their reservations about the occupation and the need for elections as soon as possible—welcome their country's liberation from Saddam's tyranny?

Mr. Campbell: The Iraqi people do indeed, but is the hon. Gentleman positing the principle that the end justifies the means in all circumstances, and that that principle is apposite in international relations? If so, I ask him to consider the position between India and Pakistan. The view across the line of control is that a pre-emptive strike might be the better way of ensuring the protection of one or other of those countries. Establishing a precedent of the sort created on the occasion of the war against Iraq means that a pattern would be established that others would follow and which it would be extremely difficult to criticise.

Of course, everyone is relieved—even rejoices at the fact—that Saddam Hussein has gone, but that is not a justification for a breach of international law. If we claim that a benevolent outcome will always retrospectively justify military action, we are opening up a chapter in international law whose consequences are difficult, if not impossible, to predict.

As the right hon. Member for Devizes pointed out, a motion for an inquiry under the Tribunals of Inquiry (Evidence) Act 1921 is still on the Order Paper, but the motion being debated today does not propose that sort of inquiry. Until I heard the right hon. Gentleman, I thought that that was a recognition of the innovative and far-reaching role of Lord Hutton's inquiry. I think that the Hutton inquiry has become the benchmark, and that it will remain so. Those who are aggrieved or who want some controversy resolved will want nothing less that a Hutton-style inquiry into the war.

The Hutton inquiry has been characterised by speed, independence and, as most would agree, rigour. It is important to note that, so far as we know, no one refused Lord Hutton's summons to give evidence, and no relevant or material documents were concealed from him—again, so far as we know. If a Hutton-style inquiry were to be launched, one would have to be satisfied that maximum co-operation would be available, that all relevant information would be put forward, and that all witnesses with relevant information would be prepared to appear and give evidence.

I do not intend to try to anticipate Lord Hutton's conclusions, but it is fair to say that he appeared to define and interpret his remit rather narrowly. In the nature of things, however, the trawl through Government and especially through No. 10 Downing street—where I imagine the e-mail has become a forbidden method of communication—has thrown up further information which, in my judgment, requires further investigation. It is legitimate to say that Hutton has shone a light into many dark corners of the Government machine.

The central question remains: did we go to war with Iraq on a prospectus that was flawed, either because the intelligence behind it was inadequate or because that intelligence was mishandled once it had been obtained? I shall set out some of the issues and facts that lead me and others to believe that that central question still has to be answered.

First, Mr. Jonathan Powell reportedly warned on 19 September that the dossier should avoid presenting Iraq as an imminent threat, either to its neighbours or others. That seems to contradict the warning in the foreword to the dossier published five days later, on 24 September, that Iraq posed a "current and serious threat". Exactly what were those words intended to convey to the ordinary reader? What was intended to be conveyed by the use of the expression "clear and present danger"? The provenance of the phrase is the US constitution, but it was used by Ministers here. What were they endeavouring to convey by the use of that expression?

In addition, a sentence omitted from the same foreword apparently stated that Iraq was not capable of launching a nuclear strike on the UK. Moreover, the word "programmes" was removed from the dossier's title, which gave the impression that weapons of mass destruction were present rather than that Iraq had the potential to produce them.

Another problem is the ambiguity of the 45-minute claim. We know now that it related to battlefield weapons and was based on hearsay evidence from a single, uncorroborated source. The claim gave rise to newspaper headlines such as the one that appeared in the *Evening Standard*, which stated "45 Minutes from Chemical Attack". That proposition was never denied by Ministers. Sir Richard Dearlove described the 45-minute claim as "misleading". Dr. Kelly apparently called it "risible", and the Intelligence and Security Committee employed its usual moderate language to call it "unhelpful".

In addition to those matters, the following facts need to be borne in mind—that no weapons were deployed at 45 minutes' notice, that no weapons capable of being deployed at 45 minutes' notice have been found, and that no deployable weapons of any kind have so far been found. I add to that the concerns about the contents of the dossier expressed by Dr. Brian Jones of the defence intelligence staff. Another official, known only as Mr. A., said that the Government were clearly "clutching at straws".

The circumstances of the decision to name Dr. Kelly are a matter for Lord Hutton, but the evidence of witnesses to the inquiry, and Lord Hutton's attitude towards them, may well raise substantial questions about the Government's credibility that are relevant to the wider issues.

Finally, I bring to the House's attention two other apparent contradictions. First, the provenance of the claim that Iraq sought to buy yellowcake from Niger was rejected by Dr. el-Baradei of the International Atomic Energy Agency, but the UK Government apparently still insist that the claim is valid. Secondly, the intelligence assessment was not only that war would increase the likelihood of terrorist attacks on the UK, but that an attack on Iraq would increase the likelihood of weapons of mass destruction falling into the hands of terrorists.

Some of the matters that I have raised are matters of fact, others of inference. However, if they do not give rise to sufficient anxiety to justify an inquiry of the kind proposed in the motion, I find it difficult to envisage circumstances in which such an inquiry would ever be thought to be necessary.

Mr. Reed: The right hon. and learned Gentleman is making the case that Parliament should discuss these matters rather well. As he knows, I agree with much of his assessment of the questions, but is it not the case that we should be holding the Government to account, not passing that duty on to some judicial inquiry? I can assure Opposition Members that on the basis of what I have heard today, I shall support the Government this evening, even though I opposed the war.

Mr. Campbell: I have not said this publicly before, but I imagine that it took a great deal of courage for the hon. Gentleman and other hon. Members who are normally loyal supporters of their Front Bench to take that decision on 18 March. I have two points to make. First, and I say this with some deference—with even more deference given that no members of the Foreign Affairs Committee are here—I doubt whether anyone would regard the Committee's performance in this matter as unimpeachable. Its inquiry was bedevilled by a lack of access to information. There was a great deal of division, although not always along party lines, and the conduct of its work was sadly disfigured by leaks. If the way in which that inquiry was carried out is to become some sort of paradigm, Lord Hutton may do one thing for us—he may prompt us to have a wholesale review of the way Select Committees operate in this place.

We need an inquiry of a public nature. That is why, I guess, the Prime Minister felt that Lord Hutton and the mechanism that he has employed were the way to deal with an issue of such public importance as the death of the unfortunate Dr. Kelly. For those two reasons—that our performance so far has hardly been brilliant and the fact that we are trying to deal with public confidence—an inquiry of the type being postulated is the way to proceed.

Mr. Straw: Whether or not the right hon. and learned Gentleman's criticisms of the Foreign Affairs Committee are well founded, none of those criticisms can possibly apply to the Intelligence and Security Committee, which conducted its investigation very thoroughly, scrupulously and on an all-party basis. Does he accept that the ISC's report is well founded?

Mr. Campbell: The report is a useful and effective contribution to the debate, but as I said a moment ago, we need something that is in the public arena. Given the necessary constraints on the way in which the Committee operates, a large part of its proceedings were conducted in private—indeed, on this occasion it was all of its proceedings. These are issues of such fundamental public importance that an inquiry that is accessible to the public, and shows them that we are not so precious about our responsibilities and performance in this place that we are unwilling to allow external scrutiny, is much more likely to command public confidence.

Mr. Cash: I am much impressed by the way in which the right hon. and learned Gentleman is dealing with the question. I want to clarify one matter. He called in aid the opinion and lecture of Lord Alexander of Weedon. He will know that Lord Alexander suggested that this matter should go to the courts. I certainly would not agree, and I suspect that he will not do so either.

Mr. Campbell: The fact that one recognises that Lord Alexander of Weedon has made a powerful contribution to the debate does not commit one to accepting every line of every part of the lecture and the article that he subsequently wrote.

Mr. Edward Garnier (Harborough): I hope that I am not wasting the right hon. and learned Gentleman's time by asking him this question. Does he accept that this Chamber and this House—no matter how well motivated we are as individuals or collectively—do not have the procedures to embark on an examination of the facts that is required to reach a sound conclusion to

[Mr. Edward Garnier]

allow us each to reach separate, different or agreed opinions about the rights or wrongs of the Government's conclusion?

Mr. Campbell: The hon. and learned Gentleman makes a sound point. I have served on Select Committees and I confess that exercising political judgment seems much easier than getting to the facts of, for example, the case of the Iraqi supergun, which arose while I was a member of the Trade and Industry Committee in the 1987–92 Parliament. Indeed, if anyone of a sufficiently historical bent wants to read that Committee's report on the issue, he will see that the problems of establishing the facts are well laid out. I am glad that I gave way to the hon. and learned Gentleman while we are still entitled, at least for the moment, to call each other Queen's Counsel.

Some people would argue that some of the issues that I have outlined are contentious. I shall now detail some that are uncontested—for example, Mr. Jonathan Powell's apparent reference to the lack of imminent threat; the fact that the intelligence related to battlefield weapons and that those weapons posed no threat to the UK or its forces; and the fact that the risk of weapons of mass destruction falling into terrorists' hands was likely, on the assessments, to be increased by an attack on Iraq. I very much doubt whether, if those facts had been in the public domain, British public opinion would have been sympathetic to the case for going to war. If those facts had been in the public domain, I wonder how many more hon. Members would have taken the courageous decision of the hon. Member for Loughborough (Mr. Reed) and voted against war and in favour of more time for inspections.

We have to some extent anticipated the question of the Attorney-General. The Prime Minister was pretty dismissive of any arguments in relation to the Attorney-General based on Professor Greenwood's opinion, which I commend to those who are interested in these matters. It is important to realise that in the exercise of the giving of any legal opinion, it is essential to know the factual basis on which the opinion was given. That is why I want to know whether to any extent the opinion of the Attorney-General—partially published—was based on the dossier of September 2002. Did he take that dossier at its face value to any extent? Did he know, for example, that only battlefield weapons were involved? If he took it at its face value and did not know that such weapons were involved, does that not inevitably raise a substantial question about the validity of the opinion that he gave?

We are entitled to see the whole opinion and the statement of facts upon which it was based. Lord Alexander argues powerfully that we are entitled to know if the Attorney-General considered the doctrine of necessity as his last resort, or indeed the principle of proportionality. He also argues that we are entitled to see the whole of the Attorney-General's opinion. I agree wholeheartedly for the reason that while we are told that by convention the Attorney-General's advice should not be published, conventions can be broken. Indeed, we broke one on 18 March in this House. In any event, that convention has already been broken because the Attorney-General published part of his opinion. When he did so he broke with the convention. Either the convention rules or it does not. If one abandons it partly, in my view one abandons it completely.

We are debating a Conservative motion and we shall support it because we believe that the inquiry for which it calls is essential. I hope that I may be forgiven for saying that Conservative indignation after the event would be a little more easily received if they had shown some more scepticism in advance of it. The House should consider this. Who said on 1 September 2002:

"We can choose to act pre-emptively or we can prevaricate."?

Who said:

"Those who genuinely seek evidence in support of potential military action in Iraq will find there is plenty of it: those who oppose intervention at all costs will never find enough."?

And who said:

"The only question remaining is will he choose to strike against Britain. I believe so."?

Those were the words written on Sunday 1 September in an article in the home news section of *The Sunday Times* by the leader of the Conservative party. He had made up his mind before the dossier was published and before the Attorney-General issued his partial opinion.

The reality is that this motion is intellectually and politically much more consistent with the position of the Liberal Democrats than with that of the Conservative party. It would be churlish in the extreme not to thank the Conservatives for their generosity in allowing us the opportunity to show that that is so. That is why the motion will have our support.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next speaker, I remind the House that Mr. Speaker has placed a 12-minute limit on all Back-Bench speeches, which applies from now.

3.10 pm

Mrs. Helen Liddell (Airdrie and Shotts): As the first non-lawyer to speak in the debate, may I break up the lawyer fest that has been going on for the past hour or so? If only we could import lawyers' job creation schemes into the wider economy, we should be even more successful than we are already.

I am rather disappointed that the Leader of the Opposition has tabled this motion. The reason for my disappointment is that, as my right hon. Friend the Member for Birmingham, Ladywood (Clare Short), the former Secretary of State for International Development, made clear, the Cabinet received the same briefings on intelligence matters as the Leader of the Opposition, so it is disingenuous of him now to question the nature of that material and to seek, as he did in an article published in *The Mail on Sunday*, to traduce the officials who were responsible for drawing the intelligence together.

I am also disappointed that the right hon. and learned Member for North-East Fife (Mr. Campbell) should associate himself with the Conservative motion. He and I have discussed the subject on many occasions and I have the highest respect and admiration for him. However, I believe that this debate is about opportunism; its purpose is to give Conservative

Members something around which they can at last unite. It gives them an opportunity to play to the gallery from the point of view, if I may mix my metaphors, of the lowest common denominator.

Whenever we consider the circumstances surrounding the background to our engagement in Iraq much is said about United States intelligence and about United Kingdom intelligence. What we must bear in mind, however, is that for 12 years, before resolution 1441, intelligence to most major countries indicated the presence of weapons of mass destruction in Iraq. The clearest intelligence of all was the fact that Saddam Hussein had actually used weapons of mass destruction not only against his neighbours but against his own people.

Several right hon. and hon. Members have referred to the fact that, six months on, no weapons of mass destruction have been found. It is a pity that not all the Members who are currently in the Chamber were here an hour before the debate started, because we have been looking for weapons in Ireland for more than 30 years and discussions over the past two days have been mainly about whether adequate supplies of those weapons have been identified and whether they could have been used for the type of destruction described yesterday by General de Chastelain.

The weapons inspectors are not playing some form of geopolitical spot the ball. The difficulties of finding weapons of mass destruction in Iraq are extremely significant and we should stop the hysteria of suggesting that within six months of the cessation of hostilities it will be easy to find such weapons. I should have liked answers to several questions that arose during previous debates. Saddam Hussein knew that coalition forces were at the door, so, if he had nothing to hide, why did he not say so? Why did he not welcome back the weapons inspectors, giving them the opportunity and the information that they required to determine whether the weapons had existed and whether they had been destroyed? Furthermore, where are the answers now—in October—to the questions that Hans Blix posed in March this year? There was a dossier of 173 pages, but we do not yet have those answers.

When I joined the Cabinet I did not think that I would have to take a decision that would send the sons and daughters of other people to war. One must not assume that only those who resign from the Government examine their conscience on such matters. Those of us who stayed also had to examine our conscience. The decisions were not easy; they had to be based not only on the information available at the time but on Saddam Hussein's previous behaviour.

I want to share with the House something that was a significant factor in my decision: the implications for the United Nations. For 12 years Saddam Hussein had, appallingly, ignored the UN. If, at the eleventh hour, we had walked away from a challenge to Saddam Hussein, the damage to the UN would have been irreversible and the message to dictators in other rogue states would have been considerable. That is the background against which the decisions were taken.

We are gathered here today to discuss whether there should be judicial review. Earlier, my right hon. Friend the Foreign Secretary pointed out that one has the sense that those who seek judicial review want review after review after review until they get the answer that they want. The Intelligence and Security Committee has conducted a full review and the Select Committee on Foreign Affairs, despite reservations expressed by some people with the benefit of hindsight, has also conducted a full review. Although it would be wrong to go into too much detail about the Hutton inquiry, the House should bear in mind the fact that it was set up by the Prime Minister. Never before have a Government made information available to such a degree, when they could comfortably have hidden behind the 30-year rule. As far as possible, the Government have been open, although I do not dispute that there are matters where they cannot be as open as they might want to be. After all, there are requirements to protect the safety and security of intelligence sources.

I recognise that there is a valid and genuine debate in the country about the circumstances of our going to war. It will continue for many generations, as it did after the first world war and the second world war. However, using those issues for party political purposes, as is happening increasingly, reduces the real sacrifices made by others than us—those who had to prosecute the war in Iraq.

Much has been said on the allegations about the availability of weaponry, be it battlefield or otherwise, within 45 minutes, so I do not want to delay the House unduly on the matter. I followed every debate in the House at the time of the publication of the dossier and, in my recollection, no one raised the 45-minute issue. It makes little difference whether Saddam Hussein had weapons of mass destruction that could be deployed in 45 minutes or 45 days; people would be just as dead after 45 days as they would be after 45 minutes. We have to take that into account.

It is regrettable that we are holding this discussion. I share the view of my right hon. Friend the Foreign Secretary: we should be looking to the future. I share the view, too, that we should look to the achievements of our forces, especially in Basra, in bringing about a much better Iraq.

In conclusion, there is one point on which my conscience troubles me: it is that I and many others did not listen more closely to my hon. Friend the Member for Cynon Valley (Ann Clwyd) whenever she brought to our attention the real consequences of what Saddam Hussein was doing to his people. We have deposed Saddam Hussein from power, but he is still around and he will continue to wreak his vengeance until we find him. We must give the people of Iraq confidence and courage that a true, safe and prosperous country can be rebuilt. Lawyers dancing on the head of a pin will not secure that; we have to move forward and we have to do it now.

3.20 pm

Mr. Kenneth Clarke (Rushcliffe): I think that the decision to go to war in Iraq was the worst military decision taken by this country since the Suez invasion, and history will judge that it poses several of the same issues: a bogus reason was given to the House of Commons for embarking on the war in the first place; no clear forethought had been given to what would happen in the event of our being militarily successful, which was strongly likely in both cases; and when we are sufficiently far from now and able to look back properly,

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it will pose quite big questions about what the role of this country is in the modern world. I think that most hon. Members are committed to the Atlantic alliance, but this issue poses the biggest questions yet about what kind of Atlantic alliance we are in and what is Britain's part in getting the balance right on both sides of the Atlantic and trying to exercise some influence on the formation of policy.

I shall not rehearse the arguments that I have advanced in the past because that is not the purpose of today's debate. I only briefly remind the House of the view that I always took from the first: I opposed the war because I was not persuaded—I had expressed strong doubts—that Saddam Hussein possessed weapons of mass destruction, or biological or chemical weapons, that posed any current threat to his neighbours or to ourselves.

I also expressed strong reservations about the aftermath of warfare, which I think correctly anticipated that we would win with comparative ease and very little loss to our side. I doubted that it would be easy to put in place a stable new regime in Iraq. I feared that it would not add to the stability of the middle east or make it significantly easier to make much progress on the wider middle eastern problems. In addition, I thought it might set us back in the war against terrorism.

I hope that the forebodings I have always expressed about this matter prove to be wrong; I hope that my forecasts of difficulty are gainsaid by the facts, because I do not wish to see such cheerless conclusions unfold. However, as we are all agreed, the most important thing we should turn to in due course is the question of what happens next, and at the moment things are not going well. I believe that the world is a more dangerous place than it was before the invasion of Iraq and I am not satisfied that we are going in the right direction in Iraq, or in the middle east, or in the war against terrorism, as a result of what we have done.

Bob Spink: Does not my right hon. and learned Friend accept, however, that there is an opportunity for a democratic model to emerge in Iraq, based on the Kurdish democracy that has operated under the no-fly zone over the past 10 years, with a federal solution, and that that would give stability and a model for the whole of the rest of the middle east?

Mr. Clarke: We must achieve the most stable and democratic regime possible in Iraq as quickly as we possibly can. I am not convinced that the conquering and occupying forces there now are able, without a change of policy, to achieve that very quickly. If I have time, I will return to the case that we must make for internationalising the process much more, giving the United Nations a bigger role, bringing in other countries and getting away from the policy of thinking that a largely Iraqi exile-dominated Government of very pro-western people can emerge, get elected and stay in power for long.

I would make a case for a judicial inquiry on the basis of the first argument that I advanced: that I still believe, and nothing that has happened since has persuaded me to the contrary, that we were given a bogus reason for the war. We certainly were not given the full reasons that had played a part in the making of the decision. It has been said that there have been inquiries into that, and the Hutton inquiry was mentioned.

The Hutton inquiry obviously turns on the tragic death of Dr. Kelly. I am not sure why the Prime Minister so promptly announced a judicial inquiry into that, when he has been resisting a judicial inquiry into the bigger questions of why we went to war, when we went to war and whether Parliament was told the truth about it. The Hutton inquiry, although important, is essentially about a footnote issue. I do not want to be too flippant about it, but it is essentially about the warfare between Alastair Campbell and the BBC and how far that affected the conduct of business inside the Government. What the Hutton inquiry has done is, first, to cast light on the way in which business was being transacted, which was not very attractive; I hope that those in Whitehall will address the way in which they conduct these things in future. It has also given us insights into what lay behind the veil of the intelligence and the arguments that were going on to make the case on weapons of mass destruction, and they merely add to my doubts that we were ever given the true reason, and my feeling that what was going on was an attempt to manufacture a case that this was all about weapons of mass destruction and United Nations resolutions and so on, to which people unfortunately lent themselves.

I listened to the right hon. Member for Airdrie and Shotts (Mrs. Liddell), who still clings to the view that in the end we shall all find out that there really were programmes for weapons of mass destruction that posed a threat. I admire her sturdy confidence. I have not even heard the Prime Minister advance that view for the past month, and I thought he was the last person in the country who believed it. It is obvious now that no programmes had reached a stage where there was any likely deployment against anybody. We discover that intelligence officials were warning that if Saddam had already got them he would use them when we had an invasion. We crushed and overran the regime and there was no appearance of any biological, chemical or nuclear weapons, because he had none that he could use in defence of the regime. So even those who believe that case must surely, eventually—I do not know when—come to accept that it was totally and utterly wrong, and that our forces conquered, indeed, massacred, an army that had only rather inadequate conventional equipment and was incapable of defending itself against the huge force that was deployed.

Therefore, the main issue is, why did we go to war? The more we look at what has just begun to emerge from Hutton and other inquiries, the less able we become to get rid of the idea that this war was never decided on in this country on the grounds of the threat from weapons of mass destruction anyway. I suspect that most of us in the House know American politicians of one kind or another. We all follow the debate on the senior side of the Atlantic, where the real power is held, and most of us have quite a lot of contact with people who hold positions of authority there, or who have held them in the past. The debate in this country about the war always ran in curious parallel to the debate in the United States, which has always been about slightly different things. The reason why the Foreign Secretary was engaging in these arguments in the United Nations at

the end of last year, using convoluted language worthy of "Animal Farm" or "Nineteen Eighty-Four" to explain the history of the motions he was resolutely defending, is that the rumblings of warfare were already sounding. In my opinion, the real decisions to go to war had been taken in Washington months before, and the arguments there were quite openly about regime change. They were advancing what they regarded as a worthwhile case for regime change. To popularise it in America, they were linking it with the war against terrorism and al-Qaeda—they still do.

I can assure the House that a very senior American, favourable to the present Administration and in a position of great influence and control, once expressed exasperation to me, saying, "I do not understand why we are making all this fuss about weapons of mass destruction. We only raised them because our European friends wished us to do so."

The problem in the United States was that it had a clear policy. The Republican Administration believed that the Clinton Administration had been wet and useless, along with its European allies, on all these things and that they would strengthen America's forces. There was a case for the proactive use of force for good, and they thought that they could change the middle east by taking the opportunity to invade Iraq and putting in a more pro-western and democratic regime. They thought that they would do that easily because they would be greeted as liberators and that Mr. Chalabi, or someone like him, and his friends would take over, which would lead to a further succession of benign events throughout the middle east. They thought that they would be able to coerce Syria and that there would be an uprising in Iran, which would produce a more democratic regime there, and so the process would unfold. It did not work. There was no plan B when it did not work once they had conquered Baghdad, and we now need to turn to finding a plan B to see how we move on because those hopes were not realised.

I believe that that was the true background of the war, and it has never been debated in the House, so what we need a judicial inquiry to look at is not who drafted which sentence of the dossier, although I am a lawyer and although I am very attracted to the opinion of Lord Alexander, which I prefer to that of the Attorney-General. The unfortunate Attorney-General and the unfortunate intelligence community were doing their best to serve their colleagues and their masters when they drafted what they did. I do not think that even the legalities turn on that.

The key issue is whether we all feel confident that we know when the decision was made by our Prime Minister to support the President of the United States in warfare in Iraq. Do we believe that we have all been told exactly what policy was behind that? Do we believe that all the accounts given to the House were an accurate narrative of what led to the events that have since unfolded? I do not hold that view. I think that, if we do not hold a judicial inquiry into these matters, in due course, in the fullness of history, there will be an exposition of what really lay behind the whole escapade.

It was 10 or 20 years before we discovered from memoirs and such papers as have emerged that what most sensible people suspected in their bones about Suez was true. If we are not careful, we will wait another 10 or 20 years and we will probably discover that the right hon. Member for Livingston (Mr. Cook) and his colleagues were telling us the plain obvious, and that Parliament ignored it.

I conclude on this: I can address the hon. Member for Loughborough (Mr. Reed) and others who are worried about voting for what they see as an opportunist motion, although, of course, I find it easier to do so. I am absolutely delighted to hear that my colleagues, whose first reaction was to tell the Government that they had to make the case for the war—an injunction that Alastair Campbell took only too seriously—have now come round. They are now on our side, and Parliament will betray itself if, for party reasons of any kind, some Members suddenly decide—even people who have been as courageous as the hon. Member for Loughborough and others—to find some funny reason for not voting against their own side because those on the other side are asking for what they really want.

I voted with the hon. Member for Loughborough. I voted with the right hon. Member for Livingston, and I voted with the Liberal Democrats and quite a few Conservatives. The Conservative party is now offering itself up to ask what we should all be asking for: a judicial inquiry, so that Parliament, on which the hon. Gentleman places so much importance, can pave the way to discovering the truth behind this war, and it is important that we know that.

3.32 pm

Mr. Chris Smith (Islington, South and Finsbury): Colleagues will know that I did not support the military action in Iraq at the time that it took place in the way that it happened for the reasons that were stated at the time and without proper international endorsement or support. I remain strongly of that view, but I cannot and will not support the Opposition motion in the Division Lobby tonight. I say that partly because it is a Tory motion, and I have never in my life been in the habit of supporting Tory motions. It is not just a Tory motion, but an entirely meretricious motion, coming from a party that offered slavish support for the military action in the first place. What is more, I am not sure that a further judicial inquiry is what we need.

We have had a thorough inquiry already, led by Lord Hutton, albeit one that examined a narrow point about the tragic circumstances surrounding David Kelly's death. In the process of examining that narrow point, Lord Hutton has unearthed a huge amount of revealing, sobering, illuminating and, at times, damning information about what went on in the run-up to war. What we need now is not a further inquiry, but a proper sifting, analysis and debate about what we know from the Hutton inquiry.

What we know is pretty clear. It pains me to say it, but we went to war—we were taken to war—on a deeply flawed basis. I do not doubt the bona fides of those who took those decisions. I even respect some of the underlying reasons, such as the passionate hatred of Saddam Hussein's brutal regime, although I would argue that that was not the right way to go about removing it. The facts remain, however. The intelligence was flawed, the dossiers were incorrect or misleading, the reasons given in speech after speech were invalid, and the weapons of mass destruction are nowhere to be seen. Surely we must now acknowledge, after all that we

[Mr. Chris Smith]

have learned and all that we know, that mistakes were made. Decisions, however difficult, were wrongly taken, and things should have happened differently.

Recognising that, we must look to the future and not simply dwell on the past. That means learning some lessons. Lesson one is that we need to find the right relationship with our friends and colleagues in the United States. America is a great country. It has sacrificed much, over many decades, for the greater cause of a wider humanity. It deserves our friendship and our support in times of difficulty in return. However, that does not mean that we should endorse every decision taken by every American President. If my right hon. Friend the Member for Livingston (Mr. Cook) is right in his reporting of a Cabinet meeting early in 2002, it is very revealing. The desire to—I quote from his diaries—"stay close to America" to gain influence and keep it engaged with the world became the paramount factor determining policy. Surely the role of a candid friend, not always uncritical, would have been better than such a desire.

Lesson two is that the doctrine of pre-emptive action, supposedly to remove potential danger rather than actual, imminent or visible threat, must surely be reconsidered. Any such action will inevitably be based primarily on intelligence assessments, and we know a lot more now about their reliability than we did previously. Striking before one is struck may in some circumstances be the right course of action. Striking because one has been told by someone somewhere that at some unidentified future date one might be struck is surely more problematic.

Lesson three is that there may be times when a regime is so brutal, oppressive, genocidal or evil that its removal, even though it rules a sovereign state and poses no threat to other countries, may be a desirable objective. Any such decision, however, must be made under a proper framework of international law. It cannot be the province of one nation, however powerful, or even of two, to make such a decision and such an intervention. It can only be the international community as a whole, through its proper decision-making structures, that should make such a move.

That brings me to lesson four. There is now an urgent need for us to help to rebuild the shattered authority of the United Nations. We need the United Nations in this fractured world of ours. We need a body that establishes and sustains a framework of rules for international behaviour. That is especially true when world affairs are dominated so comprehensively by one superpower. It was not the French who broke the back of the United Nations before the war; it was the determination of the President of the United States to go to war whatever the United Nations decided. If we have any influence at all with that President as a result of all that has happened over the past eight months, now is the time to use it. Britain is in a unique position as a member of the Security Council to take a lead in the rebuilding of the United Nations, on which we all ultimately depend.

There should be no new inquiry but there are urgent lessons to be learned and followed from what we now know. Perhaps—just perhaps—there will be a recognition that we got some things wrong. That recognition is the starting point for understanding, for wisdom and, indeed, for moving on.

DEFERRED DIVISION

Mr. Deputy Speaker (Sir Alan Haselhurst): I now have to announce the result of the Division deferred from a previous day.

On the question on the recovery plan for cod and the recovery of the northern hake stock, the Ayes were 251, the Noes were 168, so the Ayes have it.

[The Division List is published at the end of today's debates.]

Iraq (Judicial Inquiry)

Question again proposed.

3.41 pm

Sir Peter Tapsell (Louth and Horncastle): The seriousness of the allegations that the Prime Minister in particular and the Government as a whole would have to answer at a judicial inquiry is beyond doubt. Only a judicial inquiry will reveal the truth. Our constituents and the House are entitled to know whether we went to war because of an honest mistake or on a pretext designed to disguise a conspiracy.

This was never a national war; it was a ministerial war. However, did Ministers mislead the House and the country about the reasons that they gave to take us to war? Without clarification of that, a dark cloud of suspicion will always hang over the reputation of those in the Government and the intelligence services who led this country into an invasion of Iraq in which more than 50 British servicemen have already lost their lives, including my brave constituent Captain David Jones, who has left behind a newly married widow and heartbroken relatives.

The fundamental accusation could not be more grave morally, legally and in its constitutional implications. To trick the House of Commons and the country into making war on false pretences would be one of the most scandalous and wicked things that any Prime Minister could do. Yet that is the crime with which our present Prime Minister is widely charged. The majority of my constituents believe that to be the case.

It is no adequate defence of that charge to argue that Saddam Hussein was a tyrant and a mass murderer. The Prime Minister repeatedly assured us that regime change was not the purpose of, or justification for, the war. In his speech to the House on 18 March asking for parliamentary support for war, he specifically said:

"I have never put the justification for action as regime change."—[*Official Report*, 18 March 2003; Vol. 401, c. 772.]

He always knew that he was unlikely to gain a parliamentary majority for war on those grounds. So instead he relied emphatically and emotionally on the pretext of an alleged serious threat to Britain from Iraq's weapons of mass destruction. At no time did the Prime Minister ever admit to any possible doubt about their continued existence or the seriousness of the threat that they immediately posed. As late as 30 April in reply to me at Prime Minister's questions, he said:

"I am absolutely convinced and confident about the case on weapons of mass destruction."—[*Official Report*, 30 April 2003; Vol. 404, c. 296.]

He predicted that I would have to eat my words. When is he going to eat his words?

The Prime Minister's only possible defence would be to claim that he was misled by the intelligence services, but even that would be a resigning matter. Prime Ministers who allow themselves to be misled on great national issues are not fit to hold their office. I do not believe that the Prime Minister was misled. We were misled; the country was misled. The Government reverted to an old trick that was often used in the past by disreputable foreign politicians who were looking for a casus belli. The so-called dodgy dossier was a rather clumsy update of Bismarck's doctoring of the Ems telegram. Both wanted to persuade Europe of the unavoidability of war that they had planned to wage for other reasons.

It cannot be argued—not that it would affect the issue in this debate—that critics of the Prime Minister are simply being wise after the event about the absence of weapons of mass destruction. As the Prime Minister said to me on 4 June:

"I do not think that I ever persuaded the hon. Gentleman of the case for action".—[*Official Report*, 4 June 2003; Vol. 406, c. 168.]

Nor did he, which was why I voted on 26 February for the amendment that included the words

"but finds the case for military action against Iraq as yet unproven".

The reason why I voted for the amendment was not that I was relying on my undoubted psychic powers or even my long personal knowledge of Iraq and the middle east. Everyone with great knowledge of Iraq and the area whom I consulted in the run-up to the war, including professional Arabists of distinction and seniority, and former members of the Joint Intelligence Committee, told me most emphatically that they did not believe that Saddam Hussein still possessed weapons of mass destruction that were a threat to Britain. Several, including former British ambassadors to Baghdad, Damascus and Riyadh, wrote letters to the national press to say that. It is inconceivable that those doubts were unknown to the Prime Minister, yet in his war speech to the House on 18 March he made no reference to any possibility of uncertainty about the reality of the threat from Iraqi weapons of mass destruction. He brushed aside warnings about the non-discovery of the weapons from Dr. Blix and the United Nations inspectors in Iraq. Indeed, a deliberate undercover campaign was mounted to try to discredit Dr. Blix as ineffectual and unreliable.

As long ago as 25 November 2002, which was four months before the start of shock and awe—words that were characteristic of the manic hysteria of the time—I said:

"It seems to me that we shall get into difficulties if the inspectors are given a free and unfettered right to search for weapons of mass destruction, if that continues without interference, and if they are unable to find any such weapons. Surely we could not, at that point, say that, because we believe that those weapons were there last September, a nil return would justify an attack on Iraq. That would be difficult to explain to the British people.—[*Official Report*, 25 November 2002; Vol. 395, c. 70.]

Well, it is difficult to explain it to the British people—indeed, it has become well nigh impossible. That is why we must have an independent judicial inquiry to give us the explanation. If that is denied, many of us will assume that the explanation is that, as part of our Prime Minister's vainglorious strutting of the international stage, he entered into a secret agreement with President George W. Bush at some time in 2002 to attack Iraq in the cool season and then cooked the intelligence books to justify the war to the House of Commons and the British people.

3.49 pm

Mr. Kerry Pollard (St. Albans): I visited Iraq twice just before the war and am perhaps one of only two or three hon. Members to have been there at that time. I opposed the war and voted against it. Indeed, I led the march against the war alongside Jesse Jackson and

[Mr. Kerry Pollard]

Bianca Jagger, both heroes of mine. The war was wrong then and I have not changed my mind on that. I am sure that the Prime Minister was sincere in his belief that he was right, but I believe that he was wrong. However, it is now time to stop picking the scab of the sore of Iraq and to move forward by rebuilding the country and establishing democracy. We must return prosperity and peace to that benighted country.

When I was in Basra 18 months ago, there was little clean drinking water. I visited a hospital where there was little medicine. Children were regularly dying from dysentery because of the lack of clean water. I visited a school that had raw sewage in the playground, although that was a result of Saddam Hussein's activities and had nothing to do with the war. I have contacts in Iraq. They tell me that things in Basra are much improved. The people are pleased that the British, not the Americans, are there. They would like British administration throughout the country rather than just in Basra because they have more confidence in the British.

We have to rebuild the economy. The region is the cradle of civilisation. Iraqi civilisation is older than British civilisation. We need to bring security and prosperity back to that country.

3.51 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Ironically, the motion tabled by Her Majesty's Opposition is partly a result of the failure of Her Majesty's Opposition to scrutinise the situation before the attack on Iraq and subsequently. Even now, after all that we have heard and seen over the past few months, the right hon. Member for Devizes (Mr. Ancram) said that he still believed the war was right. With respect, a competent official Opposition could and should elicit answers to many of the questions posited for the tribunal.

I also take issue with the Foreign Secretary who referred to the high court of Parliament. That may or may not be true, but those are merely words because we are not able to see the Attorney-General's legal advice, which is crucial. It should have been made available to magistrates courts, let alone the high court of Parliament. I feel strongly about that. It made me a bit wobbly to hear the right hon. Gentleman refer to Iran as the next contestant in this ghastly game.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Will the hon. Gentleman reflect on what he just said? Nothing that the Foreign Secretary said indicated that there was an intention to move towards Iran. Quite the opposite. The work that he has been doing in Iran in the past day underlines that.

Mr. Llwyd: Perhaps the hon. Gentleman has had a humour bypass. The Foreign Secretary mentioned it in passing. It was a slip of the tongue and meant to be taken in a flippant way.

Several hon. Members mentioned Lord Alexander's opinion. Whether one accepts it or not, he is a legal heavyweight. In his interesting article, he refers to every conceivable argument being deployed to justify the war. One month it was self-defence; a little later it had become humanitarian intervention; in the end, it was apparently to bring democracy and freedom to the people of Iraq. Yet none of those political arguments could be used to justify invasion under international law.

Article 51 is the important article on self-defence. It clearly states that there has to be an immediate specific threat to a specific country. That did not happen. The idea of a pre-emptive strike, which has been mentioned, is a grey area and does not have the force of international law. Nor should it, because it is often based on subjective material such as intelligence material and so on and may give carte blanche to rogue states that wish to attack others.

Turning to the resolutions that form part of this debate, my reading of resolution 678 is that it authorised force against Iraq specifically to eject it from Kuwait. Resolution 687 imposed on Iraq obligations to continue to eliminate its weapons of mass destruction to restore international peace and security. Speaking on behalf of my party, Plaid Cymru, and the Scottish National party, I, like many others, believe that resolution 1441 did not sanction belligerent action. Since the very beginning, we have consistently believed that there is no threat. Indeed, containment appeared to be working at the time.

Apart from Lord Alexander, several other people have declared that resolution 1441 did not provide a mandate for war. On 6 March 2003, a group of distinguished international lawyers sent a letter to the Prime Minister, which was published in *The Guardian*:

> "There are currently no grounds for a claim to use such force in self-defence. The doctrine of pre-emptive self-defence against an attack that might arise at some hypothetical future time has no basis in international law. Neither security council resolution 1441 nor any prior resolution authorises the proposed use of force in the present circumstances."

The letter was signed by professors at the Universities of Oxford, Cambridge, London and Paris as well as the London School of Economics.

I agree with many people that resolution 1441 did not authorise war. It stopped short of doing so, and that is acknowledged in the central role proposed for the United Nations. The US and the UK tacitly recognised that in their promotion of a second resolution in March. However, when they realised that they would not obtain a majority on the Security Council, in wild west fashion, they decided to ignore the United Nations altogether. The right hon. Member for Birmingham, Ladywood (Clare Short) said on 1 June:

> "I have concluded that the PM had decided to go to war in August and he duped us all along. He had decided for reasons that he alone knows to go to war over Iraq and to create this sense of urgency and drive it: the way the intelligence was spun was part of that drive . . . We were misled: I think we were deceived in the way it was done".

Secretary of State Colin Powell recently said of the alleged sale of yellowcake by Niger:

> "It turned out to be untrue; that happens a lot in the intelligence business".

The dossier said that aluminium tubes that Iraq had tried to buy could be used for nuclear weapons, but the

US Energy and State Departments dismissed the claim. That very month, the US Defence Intelligence Agency concluded:

"There is no reasonable information on whether Iraq is producing or stockpiling chemical weapons."

As for the UN inspectors, former inspector Bernd Birkicht said that he believed that the CIA had made up intelligence on weapons of mass destruction to provide the legal basis for the war. He told *The Guardian* that supposedly top-secret, high-quality intelligence had led the inspectors into an absurd wild goose chase. He said:

"We received information about a site giving the exact geographical co-ordinates, and when we got there we found nothing. Nothing on the ground. Nothing under the ground. Just desert."

Mr. Birkicht said that the so-called decontamination trucks in satellite photographs were, in fact, fire engines.

The Government believe that resolutions 687, 678 and 1441 together authorised the use of force, but many of us continue to believe that that is wrong. I shall not labour the point, as I have made it repeatedly. Any reliance on resolution 678 was restricted to what was strictly necessary to enforce the disarmament provisions of resolutions 687 and 1441 with the objective of restoring international peace and security to the area. An assessment of the quality, reliability and strength of the evidence that was made available to the Government, and in particular to the Attorney-General, is therefore essential to establish whether there was any lawful basis for the invasion of Iraq on the Attorney-General's legal advice.

The current position is that there are occupying powers. Articles 43 and 64 of the Geneva convention are clear. Order must be maintained, life must be respected and the occupying powers are a policing power until their role is taken over by the United Nations. The regulations and the convention thus recognise that occupation may occur, and they recognise the right of an occupying power to make changes to existing institutions in the occupied territory. However, the right to make changes is not unconditional. In the main, it is available in order to allow the occupying power to uphold its duties under regulations and the convention in respect of the maintenance of public order and safety, orderly government and its own security. It follows that civilians are entitled to protection.

In a parliamentary answer to my hon. Friend the Member for East Carmarthen and Dinefwr (Adam Price), the Secretary of State for Defence stated on 7 October that the Government had no idea how many non-combatants in Iraq had been killed since the forces of occupation took over. That is unacceptable. It appears to fly in the face of the fourth Geneva convention. We must ensure that the people are properly respected and protected. Such a cavalier response is not good enough, and perpetuates the idea held by some people that a Muslim life is somehow worth less than a Christian or a western life. That is nonsense, but if we say in answer to a reasonable question that we have no idea how many have been killed, we give that impression. It is the wrong impression. None of us in the Chamber, no member of the Government and no sane person would adhere to the view that one life was worth less than another, but that is the impression that is given. That is part of the reason for the great vacuum between east and west.

The threat of weapons of mass destruction was a justification for the war. We were told that they were there, but they have not come to light, as we know. There are many questions that need to be answered. I support the idea of a judicial inquiry somewhat reluctantly, even though I am a practising barrister. It will take some time to set up and to publish its findings. However, I, like others, am impressed by the way that the Hutton inquiry was set up and is proceeding. That could well be a model.

It grieves me that the Foreign Secretary speaks of the high court of Parliament, yet we are not allowed to see the evidence. One wonders whether a Hutton-type inquiry would be able to do so. I still say that we are entitled to see the Attorney-General's full opinion and the factual basis upon which he received his instructions.

Mr. Cash: Does the hon. Gentleman agree that for an inquiry to be set up under the 1921 Act, there would have to be a resolution of both Houses of Parliament? Presumably, Labour Members who are not inclined to go down the route of judicial inquiry because they say they want to move forward would effectively be contradicting what they did when they voted against the war in the first place, when they decided to vote against the Government on a motion.

Mr. Llwyd: That is one interpretation of the situation, and I can see the logic of the hon. Gentleman's contention.

Over the past nine months or so, I have had some pretty acrimonious exchanges with the Prime Minister over Iraq. I did so because I thought it was right; he did what he did because he thought it was right. I did not believe the war to be necessary, legal or moral. I am proud to proclaim on behalf of my party—Plaid Cymru—and the Scottish National party that we remain firmly of that opinion. If a judicial inquiry does not bring out the truth, the International Criminal Court might have to do it in future.

4.4 pm

Tony Wright (Cannock Chase): I do not want to rehearse the substantive arguments about Iraq, on which we have already heard some important and, in some respects, devastating contributions, particularly from the right hon. and learned Member for Rushcliffe (Mr. Clarke), who is no longer in his place. In a sense, he undercut the Opposition motion, because his analysis told us precisely what we wanted to know about why we had the war—in a nutshell, because the United States had decided upon a policy of regime change to which, for a variety of reasons, we attached ourselves. Everything else flowed from that. Indeed, some of us felt that the United Nations process had become a charade because the essential political, strategic decision had already been taken. We do not need an inquiry to tell us that. As my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) said, we need to reflect on what was done and what now flows from it.

I want merely to say a few words about inquiries and about Parliament in that context. This morning, I happened to receive a communication from the Marconi Corporation inviting me to read its brochure explaining the benefits to my constituents of broadband. That took

[Tony Wright]

me immediately back to 1912 and the Marconi scandal, which occurred when the Liberal Government of the day decided to set up a series of radio stations across the empire. Using the information that they acquired, certain Government Members, including the Attorney-General and the Chief Whip, started to buy Marconi shares, from which they made a vast amount of money. The Chief Whip also bought them on behalf of the Liberal party.

I raise that not only for the sordid reason that whenever the Liberals got near to power in the early part of the 20th century we had a series of scandals—whether to do with selling honours or sorting out contracts—but because the House decided as a result of the Marconi case to set up a Select Committee to inquire into what had happened. Of course, the Government ensured that they had a majority on that Committee, and when its report, which became known historically as the "whitewash report", came back to the House, Members divided on party lines. As a result, Parliament began to lose the ability to investigate issues of major public interest. Instead, as a consequence of a Member of Parliament making certain allegations about the behaviour of officials in the Ministry of Munitions, we passed the Tribunals of Inquiry (Evidence) Act 1921, which is constantly referred to nowadays. At that significant moment, Parliament passed the responsibility for inquiries away from itself and over to judges.

Given what has happened since, we should ask ourselves whether we are content for that to be so, because it means that even in a case such this, which essentially turns on a political judgment, all we can say is, "Let's ask the judges to have a look at it."

Mr. Garnier: Surely the hon. Gentleman's analysis is not quite right. It appears clear to me that judges and inquiries have one sort of capability and function and the House of Commons another. We should not criticise or denigrate the powers of an inquiry when compared with those of the House simply because the House of Commons is not the same as an inquiry and the latter can find facts that the former cannot. If we acknowledge our separate functions, we shall better understand the basis of the debate.

Tony Wright: I acknowledge the separate functions, but I am arguing that an essentially political judgment was made to go to war, and that Parliament is therefore obliged to interrogate the political decision and not tell judges, "You investigate it." That is an abdication of responsibility. Either we are content with that or we are not.

We have reached the stage where, as politicians, we are always demanding inquiries. Indeed, when we cannot think of what else to say, we demand an inquiry. We probably do that daily in relation to one subject or another. It usually means that we do not have an opinion, cannot make one up or do not want to reveal it. Sometimes we ask for a debate. If we genuinely cannot make up our minds, we say that we will have a great national debate. That is part of our daily rhetoric. However, we must do better than that.

Mr. Cash: The hon. Gentleman may be in danger of missing a substantial point, and that surprises me. An inquiry under the Tribunals of Inquiry (Evidence) Act 1921 has the overriding quality that it can provide for taking evidence on oath. That is why such an inquiry is used infrequently and for important subjects. The hon. Gentleman has only to look at the contradictions that have emerged from the Hutton inquiry and at Ministers contradicting each other on the Floor of the House and arguing, to realise that evidence must be given on oath to get to the bottom of questions that other Committees have failed to resolve.

Tony Wright: The hon. Gentleman takes us to an interesting subject. The Opposition motion does not ask for an inquiry under the 1921 Act; it simply requests a judicial inquiry, which could be a Hutton-style inquiry. There is a paradox about such inquiries. Hutton has no formal powers, only the authority that he has demanded for himself. Yet the House of Commons is equipped with all the powers to send for persons and papers. It could do that if it wished. It is therefore absurd but revealing to ask for a Hutton—a judge with no formal powers—to do something that we, with our formal constitutional powers, appear unable to do. I am grateful to the hon. Member for Stone (Mr. Cash) for raising that point.

As has been said, it is difficult to take seriously the proposition of Conservative Members who resolutely refused to ask the sort of questions that needed to be put at the time and might have made some difference to the course of events, but decided afterwards that there were questions to ask. Of course, we know how that happens. We all play a game. Perhaps it is time to tell the public about it. We rally round, do nothing that gives comfort to our opponents and support our side. Only any notion of public interest loses out. When I consider the evidence of the Hutton inquiry, my question is, "Who spoke for the public interest during all these events?" It is hard to find the answer.

Like some other hon. Members, I was a Member of Parliament during the Scott inquiry in the 1990s. It was huge and lasted two or three years. Scott found, among other things, that Ministers had behaved in ways that they should not. That produced a motion of censure on the Floor of the House. What happened? With only two honourable exceptions, hon. Members voted strictly on party lines because we were playing the usual game. Who was speaking and voting for the public interest on that occasion? We are back to Marconi, and the result of that is the passing of investigative power from Parliament to the judges. Either we are content with that, or we do something about it.

There are major questions to be asked about Iraq, and of course there are grounds for having further reflective inquiries of the kind to which my right hon. Friend the Member for Islington, South and Finsbury referred. The Intelligence and Security Committee has raised a variety of questions that need to be explored. The Hutton inquiry itself will raise questions that will need to be explored. The Public Administration Committee, which I have the honour of chairing, has already said that it will be looking at some of the implications for the machinery of government of what Hutton says. So,

although I say what I say about judicial inquiries, I think that the Government would be ill advised to say that no further inquiries of any kind are required.

The Public Administration Committee has said that it wants to hold an inquiry into inquiries. We have them, we demand them, but do we really know what we are doing? Why do we have inquiries? There is a range of reasons. What kind of inquiries do we have? Why do we choose one model rather than another? What do we then do, systematically, to ensure that we learn the lessons of those inquiries? We need to take inquiries seriously if we are demanding them all the time.

The Foreign Secretary was quite right to say that the decision to go to war in Iraq was essentially a political decision. It was a political decision that we, as politicians in Parliament, must now reflect upon, explore and take further. That cannot be done for us by judges. Judges can find out certain facts forensically, but we have to interrogate the big strategic political judgments, and there is nothing to stop Parliament doing that. We could set up an inquiry under the 1921 Act—it would require a resolution of both Houses—if we wanted to. We could set up a Select Committee to take further the inquiry into the events surrounding the Iraq war, if we wanted to. There is nothing to stop Select Committees taking on counsel if they feel that that would help them in their inquiries. We could insist on our rights—which we formally possess anyway—to send for persons and papers.

One of the great indictments of this place during the whole Iraq inquiry period has been the way in which the Select Committees have been shown to be so dependent on the Executive in relation to seeing material, calling witnesses and so on. But that is for us to put right. We do not require anyone else to do it. We do not require Governments or judges to do it for us. We can do it, if we want to. We are terribly good at saying what other people should do, but we are charged with exercising these powers. If we do not exercise them, the fault is ours, and nobody else's. From now on, whenever an issue arises, the cry will go up, "Send for Hutton!", but the more we say that, the more we acknowledge our own deficiencies here.

I have come to the conclusion that we have a choice, and it is a very important one. We must either equip ourselves to hold the sort of inquiries that need to be held, or abandon the field altogether and leave it to the Lord Huttons of this world. That is the decision before the House of Commons, and it turns on issues such as these. The Opposition have clearly decided on one option, which is to send for Lord Hutton, as it were. I would like the House to take the other option, which is to do in practice the things that in theory we are charged with doing. Let us try to find mechanisms that will keep the notion of the public interest alive, even as we play the party battle that we necessarily play. It is not enough to demand inquiries; we must put in place the machinery to get things done.

It was essential for the reputation of Parliament that we pressed against prerogative power to ensure that Parliament could vote before war was committed to, and it was good for Parliament that that happened. However, it is essential now to have the means at our disposal to investigate the background to the war, and to have the will to employ those means. Simply to ask for a judicial inquiry about an essentially political decision is not an assumption of parliamentary responsibility, but an abnegation of it.

4.20 pm

Mr. Peter Lilley (Hitchin and Harpenden): I congratulate my right hon. Friend the Member for Devizes (Mr. Ancram) and other Conservative Front Benchers on bringing forward today's motion. In so doing, they are performing a valuable service. I also pay tribute to the hon. Member for Cannock Chase (Tony Wright), who raised many salient points about the powers of the House. Personally, I would not mind if the objectives of the motion were achieved by a parliamentary Committee of similar power and authority to that invoked in the motion.

The reason why the Government reject the motion is clear—they are afraid of the outcome of any inquiry, and they probably have good reason to be. However, I submit that, in the long term, they might have more to fear from not having an inquiry and allowing the distrust that has been sown among the British people—by the failure to find the weapons that were held to be the cause and justification of war—to spread from the issue of Iraq to the whole range of their responsibilities, from the Government to politicians in general, and from politicians to the institutions of this country. That will be the consequence if we do not bring light to bear on the inquiry. Distrust is like dry rot: it continues to spread unless and until it is exposed to sunlight. Unless the light of inquiry is brought to bear on the issues underlying the debate, distrust will continue to spread.

I recall that Lenin once said that the key question in politics was "Who? Whom?". At first sight, the key issue here is who misled whom. Did Ministers mislead the public, or were Ministers themselves misled by erroneous intelligence? That is clearly one of the central issues that any inquiry would have to examine.

I suspect that the Government would like to cast off responsibility for the failure to find the weapons that they so confidently asserted were there and stress the misleading and erroneous intelligence. The Government are developing a doctrine of ministerial responsibility to the effect that if advice is wrong, the officials are to blame; if it works out all right, Ministers take the credit. However, the traditional doctrine of ministerial responsibility in this country is that Ministers are responsible full stop. They are responsible for the advice that they take. They are not passive recipients of advice because it is their job to probe, question and evaluate it, and then to bring it to the House and act on it. In doing that task, they should be aware of the bias that may be present—we all have biases and prejudices—and of the vested interests of the institutions and departments that may be advising them. Again, all institutions have vested interests and in-house views. The intelligence services are no different from others in that respect.

There is a sort of law to the effect that no institution whose original purpose declines in importance volunteers to fade away or diminish its responsibilities. Anyone briefed by the intelligence services, as I was as soon as I became a Minister—I imagine that it still goes on—will soon get a whiff of their inherent biases. The briefing took the form of, "Well, Minister, with the decline of communism, you have to be aware that the

[Mr. Peter Lilley]

world has not become less risky, but more, as new threats have replaced old threats. The Soviets may no longer be threatening to bury us, but there are threats from terrorism, weapons of mass destruction, instability and so forth." It was manifest that here was an organisation which, like all organisations, had to talk up the threats for which it had responsibility. I am not over-assessing, and nor am I suggesting that those threats do not exist. I do not suggest that officials ever falsify or distort the information and intelligence they give to Ministers, but it is ultimately for Ministers to evaluate those threats. They must probe and question, and see how well founded is any intelligence that they receive.

Could Ministers have known at the time from the intelligence that they received that the Iraqi Government probably did not possess any weapons of mass destruction? We know that the right hon. Member for Livingston (Mr. Cook), the former Foreign Secretary and Leader of the House, reached that judgment on the intelligence that he received. I submit that not only could Ministers have reached that judgment, but the House—on the basis of the intelligence information that the Government put forward—could have reached a similar conclusion. An inquiry could examine that issue, but we should think about it carefully to see whether we fulfilled our role of scrutiny and holding to account.

Although institutions such as the intelligence services will lean towards not understating the risks and the threats that faced us in Iraq, we can be certain that they would not have told untruths. Officials love to tell the truth, but they do not have an obligation to tell the whole truth or to disabuse people of convenient misunderstandings. So what was important when reading the documents the Government published, including the summary of the UN briefing, was what people did not say. It struck me at the time that none of those documents included any claim that the Government, or any other Government, were in possession of current, direct intelligence that Iraq possessed weapons of mass destruction. That may surprise right hon. and hon. Members because the Government talked in those terms, but the documents did not make the claim—or anything that resembled such a claim—that they had intelligence direct from an agent or through wire tapping or any other means that showed first hand the continuing existence of such weapons.

Instead, the documents talked about "capabilities". On biological weapons, for example, the September dossier gave its conclusions in one succinct sentence. It said:

"The JIC concluded that Iraq had sufficient expertise, equipment and material to produce biological warfare agents within weeks using its legitimate bio-technology facilities."

I cannot recall anybody else—I certainly did not at the time—noticing the word "legitimate". The conclusion was that the Iraqis possessed legitimate equipment that would enable them to produce biochemical agents within weeks. I suspect that that is true of every OECD country in the world. On chemicals, the dossier said that

"the JIC assessed that Iraq retained some chemical warfare agents, precursors . . . These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and of nerve agent within months."

Overall, the JIC concluded:

"These chemical and biological capabilities represented the most immediate threat from Iraqi weapons of mass destruction."

So the most immediate threat was from something that would take weeks or months to manufacture.

The embarrassing conclusion is that Iraq probably did not possess currently usable weapons of mass destruction. That is why the Government made so much of the 45-minute claim. We know now, but did not know then, that that claim was inserted quite late into the dossier. It was inserted at four different points, and it distracted attention away from the fact that Iraq did not have weapons of mass destruction and could not make them for weeks or months. It did that by implying that Iraq must have the weapons if it could deploy them in 45 minutes. In fact, deployment would have taken weeks or months, because that is how long it would have taken to make the weapons.

The House possessed information that made it clear that the Government did not have real evidence that Iraq had weapons of mass destruction. Any suggestion otherwise was merely the result of inference and deduction. Why were hon. Members so poor at analysing the situation? The answer is that the Government were quite good at preventing us from examining complex material, and the House's procedures are bad at letting us examine such material. Often, we get such material after a statement about it has been made or, at best, coincidentally with such a statement. For example, the Foreign Secretary deployed Hans Blix's final report to allay the scepticism that was widespread in the House about the existence of weapons of mass destruction. He told the House that the report set out in

"173 pages of painstaking detail the terrible nature of the weapons that Saddam has sought with such determination to develop."

The Foreign Secretary urged us to read the document and promised to put copies in the Library. He gave one illustration of what it contained when he said that

"the inspectors found evidence of anthrax where Iraq had declared there was none."—[*Official Report*, 10 March 2003; Vol. 401, c. 21.]

The clear impression was created that the UNMOVIC inspectors had found this evidence hot off the press. I went to the Library and found that there were no documents that we could take away. I had to raise a point of order before we could take a document away. I finally got one, and discovered that the reference was to traces of anthrax found in 1986 or before that date by the previous set of inspectors.

We were all led to believe that there was new evidence, when the truth was that old evidence was being recycled. We had neither the time nor the opportunity to examine it. Once again, the document contained no evidence as to the current intelligence or other information that the weapons existed.

Mr. George Osborne (Tatton): I hate to disagree with my right hon. Friend, as I agree with him on so many other matters, but he seems to be saying that the House would have come to a different decision in respect of military action against Iraq if hon. Members had examined matters more carefully and had had access to more documents. I do not believe that that was the case.

There was an overwhelming majority in the House for military action, and nothing that we could have been shown before 18 March would have changed that.

Mr. Lilley: In a sense, I agree with my hon. Friend. I must draw my remarks to a close, but the one conclusion to be drawn from the documents made available was that Saddam Hussein had the past form, the current intent and the future capability to use the weapons and destabilise his neighbours. I therefore voted—in the full supposition that there were no actual or current weapons of mass destruction—for pre-emptive military action to change the regime. That was the real reason for the war, but the Government could not admit as much because they could not risk alienating Labour Members.

Another reason for the Government's action was, I suspect, that they were bound by the advice of Law Officers. Such advice is always taken as binding, and it stated that a pre-emptive war to secure regime change was not legitimate. We need better ways to hold the Law Officers to account over their advice, because the law is highly subjective when it comes to matters of national defence. It is very unwise, therefore, to ask for advice which, once given, is taken as definitive and cannot be counteracted by the Government.

Mr. Deputy Speaker: Order. I call Mr. Ross Cranston.

4.34 pm

Ross Cranston (Dudley, North): In my view, the establishment of a judicial inquiry would be an abrogation of our responsibilities. It is not the role of a judge to second-guess political judgments of this nature, and in that sense I agree with my hon. Friend the Member for Cannock Chase (Tony Wright).

The right hon. Member for Devizes (Mr. Ancram), the shadow Foreign Secretary, mentioned Franks, although he resiled from citing that inquiry as a model. Franks was not a judicial inquiry. It was not a public inquiry. It was set up to provide a narrative of what led up to the Falklands conflict.

Mr. John Taylor (Solihull): On that subject, in the context of this House abrogating its powers, if those powers were used as the hon. Member for Telford (David Wright) suggested, would not an essential concomitant of that be to have the Law Officers here and answerable on matters known to them, to give us their advice? The hon. and learned Gentleman is a former Law Officer.

Ross Cranston: I do not agree. I will deal with that matter in a moment because I think the Law Officers' advice on the matter was clear. Also, the convention is that candour is encouraged by the confidentiality of the advice. There is also the problem we are getting into here the Law Officers are being blamed for judgments made by other Ministers. For that reason, I do not think that it will advance the argument in any way to have access to the Attorney-General's advice.

Franks was a specific inquiry, designed to answer two questions: could the conflict have been foreseen, to which the answer was no, and could the invasion have been prevented, to which the answer was also no. The Privy Councillors who made up that inquiry took issue with certain decisions that had been made, but on the whole approved of what the Government had done.

We were reminded this morning of what a judicial inquiry would involve. The Saville inquiry is just about to leave Central Methodist hall and go back to Londonderry—five years, 842 witnesses and £120 million later. Ultimately, it will cost £150 million and the lawyers have made £62 million out of it. The BSE inquiry received 12,000 items of correspondence, looked at 1,200 witness statements, heard 333 witnesses, cost £27 million and took three years. The Scott inquiry took three years to investigate Matrix Churchill.

I am not criticising the length of time taken by those inquiries as they were looking into complex matters, but let us consider what an inquiry of the nature proposed in this motion would involve. The House will appreciate that it is not a practical suggestion. On constitutional grounds, the idea would not attract support. It is dangerous for judges to get involved in high matters of state. Our system relies heavily on the mutual trust and respect between members of the Executive and judges. There has to be a comity between the two branches of government—a self-denying ordinance and self-restraint on both sides. If judges become involved in these high matters of state, that mutual trust and respect could well break down.

Mr. Cash: Does the hon. and learned Gentleman accept that one feature of this whole saga was illustrated well when the right hon. Member for Birmingham, Ladywood (Clare Short) made her resignation statement, in which it was crystal clear that she felt that she had been misled by the Prime Minister, and said so? To resolve those very questions it seems to me that relying on the vagaries of the parliamentary system is simply not sufficient. The fact is that we need a judicial inquiry on oath to get to the bottom of this matter—for example the differences between what Sir Kevin Tebbit and the Prime Minister said in respect of the Kelly inquiry.

Ross Cranston: Whether my right hon. Friend the Member for Birmingham, Ladywood (Clare Short) thought that she was misled is not a matter for a judicial inquiry; it is a political issue and it should be dealt with at a political level.

I do not want to say a great deal about the legal justification, but I utterly reject the attacks on the integrity of the Attorney-General or his office in this matter. As I said before, the advice given in answer to the question on 17 March is clear. The Attorney-General refers to resolution 1441, which stated that Iraq was in material breach of its obligations, that it had a final opportunity to comply with its disarmament obligations and that serious consequences would follow if it did not do so. The preamble to 1441 refers to the ceasefire resolution—687—and to resolution 678, which authorised action against Iraq. The Attorney-General makes it plain in the advice that 678 was suspended but not terminated by 687, the ceasefire resolution. He goes on to say that if Iraq continues to be in material breach of 1441, the authority to take action under 678 is revived.

I concede that international lawyers dispute these issues, but in important legal matters there are always disputes between lawyers as to the right approach.

[Ross Cranston]

However, the Attorney-General's approach is the better one. Critics such as Lord Alexander of Weedon ask how a resolution that is more than 10 years old can be revived. Unfortunately, Lord Alexander, in a long lecture, failed to address what happened between the passing of resolution 687 in 1981 and resolution 1441 in November 2002. He treats that period as a legal desert, but it was not. Depending on when one starts to count, there were 17 or 18 resolutions condemning Iraq. As early as August 1991, when Iraq was dragging its feet, resolution 707 stated that it was in breach of its disarmament obligations. Resolutions 1060, 1134 and 1205 all said that Iraq was in flagrant breach or violation of its obligations to disarm.

The second argument advanced by Lord Alexander—it was referred to by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd)—was that action must be grounded in the UN charter, which allows armed force only in self-defence or if there is specific authorisation from the Security Council, and that this was not a case of self-defence. That absolutist view was taken by the international lawyers who signed the letter to *The Guardian*, but it cannot account for a range of actions taken in the 50 or more years since the charter was agreed. It cannot justify the US blockade of Soviet missiles to Cuba in 1961. It cannot justify the Tanzanian ousting of Idi Amin from Uganda in 1979. It cannot justify the actions taken by the West African states in the Liberian civil war in 1990. It cannot justify the humanitarian intervention in Kosovo in 1998. It cannot justify what the Conservative Government did in 1991—which I supported—when they set up no-fly zones to protect the Kurds and the Shi'as in Iraq. That absolutist view of international law cannot accommodate those and many other actions. That view of the charter is frozen in time and I do not accept it.

Mr. Cash: Will the hon. and learned Gentleman give way?

Ross Cranston: I am sorry but I must decline; I have already taken two interventions and a third will eat into my time.

Much has been made of the presence or absence of weapons of mass destruction. Dr. Kay's inquiry is still under way. However, to focus on the presence or absence of WMD is to misunderstand Iraq's obligations under international law. From the time of Security Council resolution 687 until resolution 1441, the obligation was that Iraq must demonstrate that it had disarmed. Whether Iraq had had weapons of mass destruction was not the major issue; it had to demonstrate that it did not have them.

The onus was on Iraq, as 1441 made clear. Of course, UNSCOM was obstructed and it left Iraq in 1998. Resolution 1441 gave the unanimous judgment of the international community that Iraq was in material breach; it had not disarmed. In fact, even after the conflict, in May 2003, in Security Council resolution 1483, the international community again reaffirms the importance of Iraq's disarming itself of weapons of mass destruction and confirming that to the international community.

Much has also been made of the September dossier. The right hon. and learned Member for North-East Fife (Mr. Campbell) used the phrase he has used on a number of occasions about going to war on a false prospectus. The right hon. and learned Member for Rushcliffe (Mr. Clarke) got very heated about the issue. The right hon. Member for Hitchin and Harpenden (Mr. Lilley) also majored on it.

However, in my view, this is a very Anglo-centric view of the world. It is also seeing the world through the eyes of hindsight. It is misconceived because it assumes that we became involved on that basis and that basis alone. As the Foreign Secretary asked, are we suggesting that when France signed up to 1441 it was using our dossier? Are we suggesting that Russia, China or Syria were using our dossier? Of course not. One only has to state the proposition to realise how ridiculous that notion is.

Apart from 1441—there has been some discussion about the factual basis of the Attorney-General's opinion—we had the Blix reports, which are available in Command Papers and on the UN website. I do not have time to go through them, but in the January report there was the famous phrase from Dr. Blix:

"Inspection is not a game of 'catch as catch can'".

He also spoke about co-operation involving substance as well as process. It was not enough to open doors. He said about the VX nerve agent:

"UNMOVIC however, has information that conflicts with this [the Iraqi account]."

He said about anthrax—this was a reference back to the history:

"There are strong indications that Iraq has produced more anthrax than it declared."

There was a February report, to which I shall not refer. In the March report, Dr. Blix again referred to 1441 and quoted the words about the requirement for

"immediate, unconditional and active cooperation".

He said that, yes, there might be now, after three or four months, active co-operation, but it

"cannot be said to constitute 'immediate' cooperation. Nor do they necessarily cover all areas of relevance."

Details of the unresolved disarmament issues were attached to the report. Therefore, in my view, once we had 1441 and the Blix reports, the September dossier faded away. It was subsumed by the new evidence.

I want to speak briefly about what the Security Council has said about the post-war situation. I have mentioned resolution 1483 in May. There was then resolution 1500 and resolution 1511 last week. Resolution 1483 begins by recalling all the previous relevant resolutions: 1441 and the 17 resolutions including 678 and 687. These resolutions say two important things about the Saddam Hussein regime. First, they say clearly that the members of that regime must be made accountable for the crimes and atrocities committed while governing Iraq, that countries cannot provide them with a safe haven, and that countries must bring them to justice. Secondly, resolution 1511 condemns in the strongest possible terms—as terrorism and attacks on the Iraqi people, the international community and the UN—the various terrorist bombings which we know about so well. The international community is saying, in that unanimous

resolution, that in carrying out those attacks the remnants of the previous regime are unequivocally in breach of international law and must be brought to justice.

Mr. Deputy Speaker: Order.

4.50 pm

Mr. Tim Boswell (Daventry): I played no speaking part in the debates leading up to the Iraq war—indeed, this is the first speech on foreign affairs that I have made for a very considerable number of years—so I owe it to the House at least to give some account of the thoughts that I suspect may have been going through the minds of many hon. Members leading up to that time and the balance of conflicting pressures that led us to the decisions that we individually took.

I should say at the outset that, along with my right hon. Friend the Member for Devizes (Mr. Ancram) and, of course, most Conservative Members, I voted for that war, and in no sense do I wish to resile from the decision that I took. I am glad that the war was brought to a broadly quick initial conclusion and that Saddam has gone, as I think we all are. I remain broadly optimistic that, although there are real, present difficulties, they can and will be overcome, with the good will of all interested parties in the international community and, of course, the United Nations, but aspects of the process, rather than the political conclusion, and the Government's conduct in bringing those decisions before the House worry me.

In rehearsing the different thoughts in my mind, I listed three aspects on both sides of the argument. The first aspect in a sense draws on my own experience as a Government Whip at the time of the first Gulf war. Perhaps what I learned from those days and still retain is a sense of how hon. Members, whatever their party affiliation, will stick to or break away from the establishment on what we might call a 50:50 ball, and one can form a fairly firm view of how people will react. I realise that I will probably go for the establishment if the issue is broadly not concluded otherwise.

The second aspect is that I understand, as many Conservative Members do instinctively, and appreciate that measures have to be taken from time to time that may be unpleasant or even distasteful—including, of course, the use of force—but that those measures may be, and occasionally must be, used in the interests of the state and its allies and those of the wider international community.

My third positive point is that I recognise the importance of our enduring alliance with the United States. I believe that it is a powerful influence for good in the world and that it is better to be broadly with it and influencing it than antagonistic to it. Alongside that, I wish to mention that, although the constitutional systems are clearly radically different, one of the interesting aspects of the United States is the way in which its people will rally behind its President on points of difficulty. There is a kind of compact that he, as the commander-in-chief and head of the executive branch, will rise above the party debate to discharge the national interest. That was very evident at the time, although there was not enough critical discussion internally about the motives that drove that country's decisions, but I pass from that at the moment and store it for later.

I come to the other three factors that I had in mind. First, I recognise—we all do; we need not go on about it—the real consequence of any decision to take military action: the loss of life not merely for British or indeed opposed service people, but, of course, the civilian population as well. We have to admit that that is a heavy price.

Secondly, I have a continuing suspicion of what used in the 19th century to be called forward policies for Government, particularly outside the traditional boundaries of British influence or interest, although, of course, Britain has been traditionally involved in Iraq. The fact that someone is behaving badly is not ipso facto a justification for intervention, although it may lead to conduct that does justify that intervention. However, we—I include the United States—need to understand that we cannot simply undertake to weed every garden in the world.

My third major reservation relates to the legal position. Not being a lawyer, I am perhaps unduly deferential to those great persons who give opinions on such matters. Again, I am jealous of the rights of sovereign states, and we must realise the consequences if we open ourselves to external scrutiny, which is often a matter of concern in relation, for example, to the European Union.

Mr. John Taylor: I thought that my hon. Friend was being too self-effacing in saying that he was not a lawyer. Perhaps he will take it from me—I am a lawyer—that the great difference between the lawyer and the layman is that the lawyer knows the precise legal answer and the layman knows that it does not matter.

Mr. Boswell: That is a helpful insight. What I was going on to say was that good lawyers can always be found to argue on both sides of the case, and international law is a particularly opaque and controversial area. We know, of course, that the Attorney-General's powerful arguments were countered from the right as well as the left in this debate.

What we need to bear firmly in mind, especially when we are launching war across international frontiers, is that there must be the clearest possible case and justification for intervention. There must be some clear and present danger and the maximum prior effort to obtain or broker an agreement. I believed that that was the case, but some of the subsequent revelations have somewhat undermined my trust, especially in relation to the Government's over-justification for hostilities. I do not want to dwell on the much-rehearsed discussion of weapons of mass destruction, but I want to touch on two related issues.

The first issue is pre-emption. In principle, I do not like pre-emption. Appropriate deterrence is preferable to pre-emption, and pre-emption should not be used as the poor man's deterrence. In a world of rogue states and asymmetric warfare, however, I do not rule out the case for pre-emptive intervention. Clearly, it can be easier, and sometimes I suspect more principled, to stop something rather than let it run on to escalate, creating additional ill and oppression internally, raising the eventual costs of deterrence or even leading to the eventual failure of deterrence.

[Mr. Boswell]

The burden of proof in this process, however, is higher than it would be for deterrence. An invading enemy, including Saddam in Kuwait in 1990, speaks for himself. The issue is patent and obvious—there has been an act of aggression. A potential invasion, however, is more difficult to identify and justify. As an example of pre-emption, a move on to Baghdad at the end of the first Gulf war might have been appropriate. Sadly, however, that did not happen. There must be a real and clear justification for pre-emptive action. We were told a great deal about Saddam Hussein, most of which sadly turned out to be true. His was a hateful regime, but hatefulness is not in itself a justification for intervention.

That leads me to the second issue on which I want to touch, which is trust in the Government.

Mr. John Taylor: My hon. Friend has just said that hatefulness is not a cause to intervene. Is the killing of thousands of one's fellow citizens a reason to intervene?

Mr. Boswell: That is an interesting point. It is possible to justify the humanitarian case, and I was impressed by what the hon. Member for Cynon Valley (Ann Clwyd) said in the debates. We must think long and hard about such an intervention, however, before plunging into it.

What I wanted to concentrate on was the role of the Government, because that is the substance of our motion today. There is a necessary asymmetry of information between Government and Back Benchers and most Members of the House. Any support given by us, as it was in this case, arises from a readiness to believe what we have been told. Necessarily and properly, such material derives, through Government, from intelligence sources. Their findings need to be portrayed as fully, and certainly as fairly, as possible. Given that we are not all necessarily equipped with either the means or the time to carry out detailed pointillist scrutiny of, for example, Hans Blix's reports, we need to have a view from a Government who have clean hands. Once one starts polishing intelligence material, the danger is that it will be assumed to be authoritative. That inevitably takes the eye off the debate of all those but the experts. Inevitably, that raises the ante, and also requires a particularly high standard of proof.

To put it simply, if the Prime Minister metaphorically looks me or colleagues in the eye over a security-related matter, I am inclined in the first instance to believe him. If subsequent evidence suggests that, at the very least, there is some doubt about what I have been told by that Prime Minister, I am not likely to be as tractable on a future occasion.

I remember taking part in Prime Minister's questions when I said that, in the fraught circumstances a month before war, there was an absolute need for frankness and integrity. I asked the Prime Minister to issue a

"binding instruction that the spinning has to stop".—[*Official Report*, 12 February 2003; Vol. 399, c. 856.]

I fear that it has not stopped. We now know that the systematic changes in the dossier were all in one direction; they were not just drafting corrections one way or the other.

The Government now seek to shut down debate by precluding a judicial inquiry for reasons that I can only think are about their potential embarrassment. In the light of what we know now and the conflicting reports that we have received and that have been drawn out painstakingly—for example, in the Hutton evidence—we need to ask what we as a House can do to restore trust in Government. In my view, only a judicial inquiry that is independent of all influence and that is untrammelled can investigate and justify the actions that the Government then took. Only then can we reflect on the historic discharge of their trust and, perhaps more important, re-establish a basis for Government credibility in any future situation should it arise.

5.2 pm

Mr. Bob Blizzard (Waveney): On 18 March, at the end of an historic debate in the Chamber, I voted for a motion that said that the case for war had not yet been made. I then voted against the motion to authorise war against Iraq. To vote that way, I resigned my humble position as a Parliamentary Private Secretary.

It was not an easy decision. I had supported the Government on every single vote for which I was able to be present since I was elected in 1997. I believed then, and I still believe, that the Government have a great record, and I am still behind virtually all the policies that they have on other issues. We have a Prime Minister who has not only transformed the Labour party, but has renewed and refreshed the country. He shows a quality of leadership that is rarely seen.

It was not too difficult, however, to vote as I did. The case had not been made. To fire the first shot in a war—something this country has very rarely done in modern times—one must be absolutely sure. War must be a last resort. I am not a pacifist. I supported action in Kosovo and Sierra Leone, and I supported the invasion of Afghanistan. I also support the more general war on terrorism. War is justified if we or our allies are being attacked or are about to be attacked or if we need to act to prevent genocide or a military assault that would destabilise the world order.

Mr. John Taylor: The hon. Gentleman was suggesting that military intervention would be justified in the case of genocide. Does he not think that this was a case of genocide?

Mr. Blizzard: Genocide was taking place 12 years earlier when the hon. Gentleman's party was in power but did nothing about it. I cannot understand why the world suddenly decided 10 or 12 years later that it had to act on the grounds of preventing genocide.

I put it to the House that none of the criteria that I outlined applied to Iraq. I made a judgment not to support the war and because I believed that one cannot compromise one's views on war, I voted accordingly. I made my judgment and other hon. Members made theirs—most of us made solemn judgments. The whole argument about Iraq is based on the fact that we made different judgments. The argument is not about what was or was not written in dossiers and how they were prepared, about who said what to whom or about the intelligence itself, but about the judgments that were made from the intelligence and those made after taking

account of overall circumstances. I recently met a moderate Republican member of the United States Intelligence Committee. His view was the same because he said that even in his country the judgment made from the intelligence, rather than the intelligence itself, was looking increasingly suspect.

I could not see the immediate threat from Iraq to ourselves, our allies or Iraq's neighbours. Saddam Hussein was pinned down by the no-fly-zone air patrols. The weapons inspectors were actively engaged in Iraq and making progress. Some 70 al-Samoud missiles had been chopped up in the three weeks before the war. It seemed well worth giving Dr. Blix longer because he had not yet come back to say that he thought he was wasting his time.

As I said, I support the general war on terrorism. I spoke strongly in the Chamber in favour of the shoulder-to-shoulder policy with the United States after 9/11. However, attacking Iraq did not follow on as a logical step in the war on terrorism—in fact, I thought that it was a diversion from the war on al-Qaeda. There was no evidence that Saddam Hussein was involved in 9/11 or that he gave any significant support to al-Qaeda. Iraq was a secular state, whereas al-Qaeda is a fundamentalist terrorist organisation that wants to destroy our whole way of life and certain ways of life that exist in Iraq.

Of course, Donald Rumsfeld and President Bush have publicly stated that Saddam Hussein was not involved in 9/11, although they had allowed up to 70 per cent. of US citizens to believe that for many months. The British people did not believe that, because the myth that Saddam Hussein was behind 9/11 was not really pushed here. For all the reasons that I suggested, the British people were strongly against the war by a margin of two to one right up until it started, and there was so little international support for the war at the United Nations for the same reasons. It was not only the French with the aid of the Germans who did not support the war: there was no support from Russia and China, and not even Mexico or Chile supported the proposals.

David Winnick: Would it not be true to say that there was undoubted support in Iraq itself? Despite the terrorism and all the difficulties that have occurred since the overthrow of Saddam, evidence shows that the majority of people in Iraq are glad that one of the worst tyrannies of all has been overthrown.

Mr. Blizzard: I do not think that there is anyone in the House who is not glad that the tyranny no longer exists, but the question is whether it was right to deal with it in such a way at that time, which is what this debate is about.

My hon. Friend's intervention is relevant to the fact that the decision to rush into the war on Iraq had a negative consequence on the war on terrorism because the international coalition that had been so strong and widespread after 9/11 was seriously damaged. Before the war, we were getting co-operation in the war on terrorism from generally unreliable countries in the middle east, but such co-operation is less forthcoming now.

Months later, I am even more sure that I made the right judgment. No weapons of mass destruction were used by Saddam Hussein during the war. I cannot believe that he would have held back if he had them even in a half-usable form. I asked about that several times on my recent visit to the US. I asked the Pentagon and the State Department why Saddam did not use weapons of mass destruction. All I got in reply was, "That is a good question." I never got a proper answer. As we know, we have found no weapons. The only conclusion can be that there was no immediate threat to make the war necessary.

There was one possible justification at the time: the possibility of Iraq feeding weapons of mass destruction to al-Qaeda. It is odd, however, that that scenario was not argued strongly or specifically before the war. Was that because the chance of that happening would increase if Iraq was invaded? Could an invasion motivate it to get rid of them by giving them to someone else? Would the ensuing chaos provide it with the capacity for doing that? The argument that that might be a good reason for war fell apart after Saddam's statue was toppled. We were told that the reconstruction of Iraq was the top priority, not the finding of weapons of mass destruction. If the war was all about stopping those weapons falling into the hands of al-Qaeda, surely that had to be the top priority after the war because of the possibility of that happening in a power vacuum.

Months on, in the recent Kay report, it is clear that the weapons have not been found. Either they were never there or they have fallen into the hands of al-Qaeda, and I genuinely hope that they have not. We can now ask: is Dr. Kay's report the same report that Dr. Blix would have produced had he been given more time? Increasingly, that was the mood that I found in Washington and other places in the US, especially as the American people faced the $87 billion additional bill and 100 American troops killed since the statue was toppled. The Pentagon admitted that it had made the wrong planning assumptions on what might happen in the war. Moderate Republicans were prepared to describe as "naive" the judgment to go to war and the expectations that it would be over and cleared up quickly.

My central argument is that we are talking about different judgments. I think that the Government made a monumental error of judgment. Saddam has fallen, but so have many of our troops, many US troops and many thousands of Iraqi civilians. No amount of argument or judicial inquiry can bring those people back. We had a surfeit of judicial inquiry into the personal tragedy of Dr. Kelly's death, and Hutton revealed much about how this Government—and, I suggest, all Governments—work. Further judicial inquiry will get us nowhere. The debate centres on judgments made at the time. We should move on. We have a country to run. We need to reconstruct Iraq for the Iraqis to run. I think that the British people want us to move on. They are switched off by endless arguments about who said what to whom. People have formed their views about which judgment on the war they thought was right. No end of judicial inquiry will alter the individual views of citizens as to which course of action they thought correct.

Let us remember something else. The Conservative party made a judgment. Its Front-Bench spokesmen and most of its Back Benchers thought that war was right. In debate after debate and in Prime Minister's Question Time after Prime Minister's Question Time,

[Mr. Blizzard]

the noises from the Conservative Benches were more pro-war than those from the Prime Minister. In fact, they frequently challenged his caution and egged him on to act without UN support, before any dossiers were produced. The Conservatives were as gung-ho and hawkish as the neo-conservatives in Washington.

The ultimate judgment—less of a judgment, perhaps, and more of an impulse—about going to war was made on a ranch in Crawford, Texas. We can only speculate why, but the decision was made to go for regime change pure and simple. Those were the words that were used—there was no regard for international law, United Nations weapons inspections or evidence about 9/11. Our Prime Minister, to his credit, tried hard to take George W. Bush down legitimate pathways, through the UN and so on, and tried to build an international consensus, travelling the world many times to do so. He got close to the President and got him to engage with the UN, but he paid a price—when George W. Bush decided that time was up, he had no choice but to go with him. All the arguments about intelligence and so on are therefore meaningless. The decision was about regime change, and we each have a view on what that meant and whether it was right.

Finally, I should like to go back to 18 March. It has been said that hon. Members were deceived, but I do not agree. Each hon. Member made a judgment and knew what was really going on. Many of us felt that we could not support the war. Some felt that it was the right move in the war on terrorism; some wanted Saddam to be removed to liberate the Iraqi people; some thought that the preservation of a North Atlantic alliance was paramount; some simply backed the Prime Minister out of loyalty, regardless of their views on Iraq. It was about making judgments. That is the nature of politics—we are here to make judgments, not to hand those judgments over to judges. I have said that the case for war was not made on 18 March. I do not think that the case for a judicial inquiry has been made this evening.

5.16 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I am proud that the Liberal Democrats opposed the war on Iraq. There was a credible, peaceful and lawful alternative to war: pursuing the United Nations route to achieve more time for the inspectors to do their job of trying to ensure Iraq's compliance with the UN resolutions through disarmament of weapons that it was then believed to have. I do not want to rehearse the arguments for going to war. Weapons of mass destruction may well be found in future. There may be underground silos with vast arsenals of shiny missiles just waiting to be found but, strangely, after six months, an entire army of inspectors has so far failed to find anything.

Mr. Boswell: Can the hon. Gentleman suggest a reasonable deadline for deciding whether or not there were weapons after all?

Mr. Marsden: It was not unreasonable for Dr. Hans Blix to say in his evidence in March 2003 that what was required was not years or weeks but months. We are now six months down the road. Dr. Hans Blix has as much expertise as anybody else to pontificate on how much time is required, but a line has to be drawn at some point. If those weapons are not found by then, it is highly unlikely that they ever will be, even if the search stretches years ahead.

Tonight's debate focuses on a judicial inquiry on Iraq, and what happened in the lead-up to war. I support that call, because we need to get to the bottom of whether intelligence was misused and whether Parliament was misled. If that is the case, war was clearly not a necessity and should not have been prosecuted. I believe that Parliament was misled in what was laid before it, and that the country was misled, particularly by the media, in what the Government said at the time. We should not overlook the fact that the resulting war took the lives of more than 370 United States and British armed service personnel. It has taken the lives of at least 7,000 Iraqi civilians, and injured and maimed possibly over 20,000 more. Ultimately, the events surrounding the build-up to the war and its aftermath took the life of Dr. David Kelly. We should never forget that human aspect. What the Government were telling the country and Parliament ultimately led to those deaths, which I believe were preventable.

What sort of Government do we want? We want an open, transparent and accountable Government who are perceived as such. The British people have clearly lost faith in the Prime Minister and in the Government because of the scandal, the sleaze and the spin that have been exposed through the Hutton inquiry. The hon. Member for Cannock Chase (Tony Wright) eloquently set out his concerns about inquiry-itis and argued that we should not have more and more inquiries. He suggested that Parliament could do the job as well as any judge. However, we have already had two inquiries, and the one by the Foreign Affairs Committee pointed out the problems associated with such an inquiry. In the conclusions and recommendations in its July report, under point 15, it stated:

"We conclude that without access to the intelligence or to those who handled it, we cannot know if it was in any respect faulty or misinterpreted."

In point 29, the Committee went on to say:

"We conclude that continued refusal by Ministers to allow this committee access to intelligence papers and personnel, on this inquiry and more generally, is hampering it in the work which Parliament has asked it to carry out."

It is clear that Parliament cannot do the job. We need a judicial inquiry to get to the bottom of what has been going on.

Mr. Rammell: The hon. Gentleman makes great play of the comments of the Foreign Affairs Committee. Does he accept that the Intelligence and Security Committee, which had access to the intelligence information, stated:

"we accept that there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes and the capability to produce chemical and biological weapons"?

Mr. Marsden: The Minister has ably demonstrated the perceived weakness of the Government's position. That Committee meets in private. We want to get to the bottom of what has been going on in a clear and transparent manner that does not jeopardise national security but answers many of the questions arising from

the two Committee inquiries. If it is true that Parliament has been misled, we cannot be satisfied with a Committee that sits in private being quoted to justify what has gone on.

Mr. Blizzard: Is the hon. Gentleman impugning the honour of the hon. Members who sit on that Committee?

Mr. Marsden: I do not impugn the honour of the Prime Minister. I am setting out a series of questions and points to show that there are inconsistencies, that there appears to be a misunderstanding of intelligence, and that somebody is culpable. The question is who. Is it the Prime Minister, the Cabinet, or intelligence agencies that have misused the intelligence and raw data that they were given? Somebody somewhere has clearly made mistakes. That cannot be in dispute after what we have learned from the Hutton inquiry in particular, and we need to get to the bottom of it. If the House cannot do so, somebody else must.

There seem to be three main reasons why the Government said that they would go to war. The first was that there was a "current and serious threat" from weapons of mass destruction. Secondly, the United Nations resolutions, especially resolutions 678 and 687, had to be enforced to allow the UN inspectors unfettered access in Iraq. Thirdly, human rights abuses were going on in Iraq under the regime of Saddam Hussein. Lest the Government try to argue that Iraq's contravention of the UN resolutions was the main reason for going to war, we should refer to the March 2003 document entitled "Iraq: Military Campaign Objectives". It said:

"The prime objective remains to rid Iraq of its weapons of mass destruction and their associated programmes and means of delivery, including prohibited ballistic missiles".

That was the Government's main reason for saying that the country had to go to war. Two weeks before the publication of the September dossier, the Prime Minister said:

"Let it be clear that he"—

that is, Saddam Hussein—

"must be disarmed."

I remind hon. Members of the night of 18 March, when we all voted. Although I respect those who say that war was necessary, the motion before the House clearly stated:

"That this House . . . recognises . . . that Iraq's weapons of mass destruction and long-range missiles, and its continuing non-compliance with Security Council resolutions, pose a threat to international peace and security".

It went on to authorise

"all means necessary to ensure the disarmament of Iraq's weapons of mass destruction".

Mr. Michael Connarty (Falkirk, East): Presumably the hon. Gentleman had already reached a conclusion and voted against the war because he did not believe what he was told in the motion. Since, like me, he did not accept the Government's argument, why have a judicial inquiry?

Mr. Marsden: I do not think that many hon. Members would change their view, even with the benefit of hindsight, but that is not what this is about. The public need to be certain that they were not misled, that the facts were put before them as accurately as possible, and that no one in the Government actively tried to mislead them. We must give back to the public confidence in the way that Parliament works, particularly in relation to the intelligence services and how the intelligence was used.

In his winding-up speech on 18 March, the Foreign Secretary repeatedly said that disarmament by force was the only way forward and that active disarmament of the regime was required. Towards the end, minutes before the vote, he said:

"Saddam will not disarm peacefully."—[*Official Report*, 18 March 2003; Vol. 401, c. 902.]

Anybody listening to that would have concluded that our prime motivation was to do what was required to end the regime.

Only eight of the 50 pages of the fateful September dossier are on human rights: its main thrust concerns weapons of mass destruction. As the Foreign Affairs Committee found, prominence was given to all sorts of claims that are now being discredited and backtracked. In the foreword, the Prime Minister writes:

"I wanted to share with the British public the reasons why I believe this issue to be a current and serious threat to the UK national interest . . . Saddam Hussein is continuing to develop WMD . . . What I believe the assessed intelligence has established beyond doubt is that Saddam has continued to produce chemical and biological weapons, that he continues in his efforts to develop nuclear weapons".

The policy seemed to be one of trying to frighten people. Although the Prime Minister may have genuinely believed those words, we have to ask on what intelligence they were based.

My right hon. and learned Friend the Member for North-East Fife (Mr. Campbell) asked whether that same intelligence was given to the Attorney-General in order to try to justify the legality of war. If so, given that it was clearly flawed, the House deserves to know what the Attorney-General said. In the light of subsequent events, he may have reflected on it and come up with a different viewpoint.

The executive summary of the September dossier stated:

"As a result of the intelligence we judge that Iraq has: continued to produce chemical and biological agents".

It goes on to consider the command and control arrangements for the use of chemical and biological weapons. Page 6 discusses the development of missiles

"capable of reaching UK Sovereign Base Areas in Cyprus".

The dossier was explicit about the genuine belief, based on intelligence—or so we were told—in a threat to the United Kingdom national interest. Hindsight tells us that that was patently not the case.

The September dossier made four mentions of the 45-minute claim. They were clearly based on a single source, yet they were given great and unjustified prominence. The same applies to the chemical and biological weaponry that was supposedly available to Saddam Hussein. The dossier gave numerous examples of Iraq having

"useable chemical and biological weapons capability . . . Iraq can deliver chemical and biological agents . . . and ballistic missiles".

[Mr. Marsden]

The Foreign Secretary described the discredited February dossier as "a complete Horlicks" but the Prime Minister said that it provided further intelligence. There are genuine questions to be asked about how the intelligence was captured and whether it was misused and misunderstood, thereby misleading Parliament.

5.31 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): I did not originally intend to try to catch your eye, Mr. Deputy Speaker, but I was intrigued by the way in which the debate developed. I now have an opportunity to explain why many Labour Members are both "Labour against the war" and "Labour against the Conservative motion".

I agreed with the views that the right hon. and learned Member for Rushcliffe (Mr. Clarke) articulated. I know that a significant number of other members of the Conservative party share his view and have expressed it consistently in the past 12 months. I hold them in high regard, but it is opportunistic of Conservative Front Benchers to table a motion such as this.

The preparation of such motions is always weird and wonderful and I appreciate that advisers usually have some say in the matter. I do not know whether the Conservative party continues to have advisers but if so, they probably told the Leader of the Opposition that it would be wise to steer clear of health, in which the Labour Government had brought about substantial improvements that were felt by the people, and of education, because the public know that Conservative proposals would lead to a reduction in standards throughout the country. I believe that the wise men in the Corridors behind the Chamber decided, "You should have a crack at Iraq, because the Government are having difficulties with that."

Mr. Boswell: We are enjoying the hon. Gentleman's robust style and delicious line in fantasy. I had no part in formulating the motion and speak from the Back Benches on this occasion. Will he answer a question to which the Foreign Secretary declined to reply? Does he believe that any questions remain outstanding from the process that has taken place? If so, in what forum should they properly be resolved?

Mr. Henderson: I am pleased that I gave way because the hon. Gentleman has identified several key matters, with which I shall try to deal. If he will forgive me, I shall not do so immediately.

I am not, thankfully, a lawyer, although members of the legal profession have made some interesting, high-quality contributions today. However, as I understand it, the case for a judicial inquiry is that the public deserve and need to know something that they are not being told. I believe that, in a democracy, that is absolutely the case. Three or four months ago, I supported the case for an inquiry—judicial or otherwise, but at a high level—into the position of my Government in relation to Iraq. I opposed the war, and I still oppose it. I think that it was the wrong thing to do and history will demonstrate that that is the case. Increasingly, the first few months of history are demonstrating that. At the heart of the issue of whether to hold an inquiry is the question of whether the public have a right to know. As I said, I supported the case for an inquiry three or four months ago, but I do not think that it is the best way forward now.

There is undoubtedly ambiguity involved in this issue. As someone who opposed the war, I always believed that we had to give the Government many months to demonstrate that there were weapons of mass destruction, because that was the Government's principal reason for going to war and for advising the House to support them. I believed that it would be reasonable to give the Government 12 months or so. That argument was completely cut away when Donald Rumsfeld, the American Defence Secretary, said in April or May, "I'm sorry, but we did not expect to find any weapons of mass destruction." If he could say that then, surely he had not changed his mind from two months earlier, when the American Secretary of State was leading discussions at the United Nations. That raised the question of why the Americans went to war, and why we did so. The Hutton inquiry was then set up. As my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) said, we have learned a lot from the Hutton inquiry, some of it not very favourable, about the way in which government is conducted in this country. However, that is a secondary issue.

Two significant points arise from what we know of the Hutton evidence so far that create further ambiguity about why we went to war. First, Jonathan Powell, the chief of staff in the Prime Minister's office, said in an e-mail that he sent seven days before the Prime Minister spoke to the House on the issue that he was not convinced that there was evidence in the dossier that led to the conclusion that the country should go to war or that the Government should seek Parliament's support for that. So far as I am aware, we do not know what the consequences of that memo were. We do not know where it went, or who commented on it, but we do know that the Government had that information before their decision was reached.

A second piece of information came from John Scarlett. In his evidence, he said that the information on weapons of mass destruction related to battlefield weapons rather than to weapons driven by longer-range missiles. If hon. Members recall, we all believed at the time that, if there was a threat from weapons of mass destruction, we should be worried about Cyprus and other British interests in the middle east. The question of battlefield weapons was quite different.

We have heard from our legal friends that, if we were to establish a judicial inquiry today, it would be impossible for it to be a short, sharp inquiry, which might have been possible if we had set one up in June or July. However, now that Hutton has taken nearly six months, I do not think that this bigger question could be dealt with, or a final report produced, in anything less than a year or two—perhaps three. That does not satisfy my criteria regarding the British people needing to know, because they would not know until the other side of the general election. They have a right to know before the general election that the Labour Government acted straight and had the right evidence, which they believed to be accurate—whether it was accurate or not is another matter—and which led to the decision to go to war.

A second reason why I do not think that a judicial inquiry is the right way forward is that any evidence given to such an inquiry is going to be superseded by events in the United States. If hon. Members recall, the original debate in the United States was very low key. The public there were typical of a mid-western public, saying, "We've got to get these guys, they're terrorists, they're people we don't know, and they cause trouble in their own country. We've got to take them out." That was the view that prevailed in the United States about 12 months ago, and that was the political background against which the United States Administration made their decision. Then they were faced with the difficulties at the United Nations, when we persuaded them to go along the United Nations route. Of course, they then recognised some of the points that had been made before, perhaps by the Secretary of State and others in the Administration.

They recognised that, if they were to convince the international community, they needed much more specific evidence. They also recognised that their best ally, the United Kingdom, would have great difficulty at home and with Parliament if the only reason for going to war was getting rid of Saddam Hussein rather than coping with an immediate threat to British interests or those of Britain's friends. The Americans then began to say—they had found their reason—that it was all about weapons of mass destruction. However, that was killed by Rumsfeld—and by Wolfowitz in the same week—when he more or less admitted that that was not the reason why the Americans went to war.

From about June to September there was some hiatus in the US, but congressional committees have quietly begun investigations into all these matters. With the body bags coming home almost daily, American public opinion is beginning to focus much more closely on why their country went to war and why American soldiers are being killed in Iraq. The Democratic nomination process has further developed that trend. All the candidates are rightly being asked their views about the war and what they believe should be done in Iraq now. They are being interrogated in that way, and the results are very interesting.

General Wesley Clark was, until recently, Supreme Allied Commander Europe of NATO. I know that he has access to every piece of relevant intelligence that the British and American defence departments have. He has that knowledge. He has retired and is now a candidate for the Democratic nomination. About 12 days ago, he said on American television during a public debate in Phoenix, Arizona that he did not believe that there was a case for war, and that he would not have gone to war. That raises a huge question. If one of the principal generals in the US army, who had access to so much intelligence, believed that there was no case for war, how did the politicians in the Pentagon or the State Department come to believe that there was such a case, and how did politicians in the House here come to believe it? The momentum of that development will supersede events over the next few months.

What should the British Government do? Initially, it would have been wise—I supported an inquiry, judicial or otherwise, back in June—for them to build trust with the public and give all the evidence to an inquiry, which could then exonerate them. However, that is no longer a feasible option: it would take too long and be superseded by events. I believe that the British Government should now "come clean", in the words of the tabloids.

The Government should tell us more about their information on what the weapons were, where they were based, where they were targeted and what threat they constituted. If they can tell us that, it will clear the way for rebuilding trust. The public need to know what happened; we can then concentrate our energies on reconstructing Iraq.

5.43 pm

Mr. Edward Garnier (Harborough): I have been Upstairs in Committee so I have not been able to gather the full thread of the debate. I had to leave at about 4.30 pm. I certainly respect and understand the views of the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who has been consistent on the whole question of military activities in Iraq. He reflects the political and public disquiet about the current state of affairs in Iraq.

It may not be original but it is true to say that we won the war with impressive efficiency and speed and with minimal loss of allied lives. We are now trying to establish the new Iraq and to maintain law and order there. The picture is not clear, certainly not here in London. I gained a much clearer picture when I was in Iraq last June.

One thing that I have learned from the debate is that there is a degree of confusion among our constituents—and, indeed, some hon. Members—about what we can do and what we ought to do. I was especially impressed by the speeches by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) and the right hon. and learned Member for North-East Fife (Mr. Campbell), both of whom—from marginally different perspectives—admirably and clearly expressed some interesting points of view.

I want an inquiry to be set up, not necessarily to deal with what is happening in Iraq now, but to establish why we are there and why we went there in the first place. It is said that Parliament should do that job and it is right that Parliament should hold the Executive to account, but we are not equipped to perform the work of an inquiry, which is essentially to find facts, not to make political judgments. Legal textbooks say:

> "The task of a tribunal of inquiry is to investigate certain allegations or events with a view to producing an authoritative account of the facts, attributing responsibility or blame where it is necessary to do so. Tribunals of inquiry do not make decisions as to what action should be taken in the light of their findings of fact, but they may make recommendations for each action."

That is true, and it describes the difference between a political body such as this and a dispassionate, fact-finding body such as an inquiry under the chairmanship of a judge.

It is essential that the Opposition, who have tabled the motion, should provide the House with the terms of reference of any inquiry that we wish to see set up. My attention has been drawn to the wording of motion 23 on page 3003 of the Order Book, which sets out—as it does every week—the Opposition's view of what the tribunal should do once it has been established. Hon. Members can read it for themselves, but I suggest that the terms of reference should be along these lines: "to review the way in which the responsibilities of

[Mr. Edward Garnier]

Government were discharged, and to establish the circumstances in which, during the period leading up to the commencement of hostilities against Iraq by the United Kingdom in March 2003, taking account of all such factors in previous years as are relevant, the Government recommended to the House of Commons that such action was warranted, and to report." Others will have better ideas, but that—for what it is worth—is what I think an inquiry, headed by a judge or some other independent chairman, should be required to look into.

At the moment we are exchanging opinions, more or less informed by our views about the wisdom and legality, or otherwise, of going to war, but we have few facts on which to stick those judgments. We are, of course, free to have opinions, but they would be more valuable if they were based on some agreed facts. Unless we have an inquiry, I suspect that the facts will be difficult to find.

Mr. Dalyell: Does the hon. and learned Gentleman have any idea of the time scale for an inquiry? When would his inquiry report?

Mr. Garnier: Well, it should not start until Lord Hutton's inquiry has been completed and it should accept or adopt the findings of that inquiry as its own findings, rather than reinvestigate the facts involved. If the inquiry can be concluded speedily, it is right that it should be done speedily. The Opposition motion refers to six months, but that is probably a counsel of perfection. It would probably take something like 12 months, but it should not take the same time as the Saville inquiry, which has been going on for about five years. The issues that would be discussed and discovered by a judicial inquiry into the Iraq war would not involve individuals in quite the same way as those in the Saville inquiry into the Bloody Sunday incident.

I do not pretend that the Government are itching to hold an inquiry. Of course they are not: they think that it would be a waste of time, and that it is time to move on. They consider that investigating the matter would be politically embarrassing, and would provide their critics with further opportunities to revisit what has been an unfortunate summer, which has been marked by the appearance before the Hutton inquiry of the Prime Minister and the Secretary of State for Defence, and other persons of whose existence we were previously unaware. Those people have been under the public gaze and have suffered the indignity of being examined and cross-examined.

However, the Government should not be too shy about holding an inquiry. Although it could be politically embarrassing for them, it might be just as embarrassing for the Opposition. I voted in favour of the Government motion in March, when we debated the question of going to war. It may be suggested that Opposition Members have much to answer for, given their enthusiastic support—and I hold up my hand in this respect—of the military invasion of Iraq. The political outcome could therefore have two sides, and the Government should not be frightened of an inquiry. They should exhibit the self-confidence obvious in a Government prepared to be examined by an inquiry. I suggest that allowing an inquiry to be held would demonstrate strength rather than weakness on the part of the Government. I invite the Government to adopt that course.

It might be best to hold an inquiry under the 1921 Act. I did not hear his speech, but I am sure that the hon. and learned Member for Dudley, North (Ross Cranston), a former Solicitor-General, will have detailed the powers available under that legislation, so I shall not rehearse them. However, that is not the only option. If we are not to have an inquiry under the 1921 Act, why not have one held by a committee of Privy Councillors? It could be chaired by a senior judge from the Court of Appeal or the House of Lords, as those judges are members of the Privy Council. If that were not acceptable, it could be chaired by an eminent Member of the House of Lords who is no longer actively engaged in party politics but who has Government—and preferably Cabinet-level—experience in the Home Office, the Foreign Office or the Ministry of Defence. Such a person would also have experience of working with the intelligence services. The inquiry could sit in private, if it was thought that national security would be put at risk by public hearings.

As I said in response to the intervention by the hon. Member for Linlithgow (Mr. Dalyell), an inquiry need not take an excessive amount of time. Other inquiries—into all sorts of things, not necessarily matters of foreign and defence policy like this—have been able to get to grips with the relevant issues and to find out where the facts are. That allows politicians, journalists and the public at large to comment on those facts. I cannot believe that the Government have anything to fear from an inquiry, if they have confidence in the policy that they advocated in the period leading up to the war.

As I said at the outset, I draw a distinction between post-conflict Iraq and pre-conflict Iraq. I want the House to give the Government permission to hold an inquiry, so that the facts on which the Government recommended that we went to war can be found.

I appreciate that the Attorney-General will be shy about giving the public sight of his advice, although I accept the point made by the right hon. and learned Member for North-East Fife (Mr. Campbell) that he has rather broken convention by giving us a summary—or a little view—of what he said. However, if we cannot see the Attorney-General's advice, surely we are entitled to see the factual basis or instructions given to him by the Government and on which he was asked to advise. The Government claim that those facts provided them with a legitimate reason for going to war. It is the Attorney-General's opinion based on those facts and the Prime Minister's word that I accepted when I voted for the war in the early part of this year. If the Prime Minister is as good as his word, he should be prepared to have it examined dispassionately by a non-political tribunal so that, whether or not we agree with the decision that he took, in a year's time we will be able to say that we at least know the facts upon which he based his decision to invite us to vote for war.

5.55 pm

Mr. Nigel Beard (Bexleyheath and Crayford): We had no call for a judicial inquiry when troops went into Kosovo, Afghanistan or Sierra Leone. Why, then, is this inquiry needed for Iraq? The Franks inquiry has been quoted as a precedent, but why should a precedent from 20 years ago guide us?

The circumstances of the Falklands war were very different from the invasion of Iraq. That war came out of the blue after substantial errors were made in appreciating the situation. The survey ship Discovery had been withdrawn at a crucial time when tension was building. The ambassador's warning that Argentina was mobilising for war had been ignored. We gave many signs that if Argentina pressed its case by military action, we would not resist. As a result, when Argentina invaded the Falklands, the whole team of Foreign Office Ministers led by Lord Carrington felt that they had to resign.

The Franks inquiry was essentially into that failure of policy. There is no parallel with Iraq, where the crisis had been in gestation for 12 years and the case had been fully debated in the House of Commons and the United Nations. To treat the Falklands crisis as a precedent for what should happen over Iraq would be entirely false.

Mr. Lilley: Surely the difference between the Falklands and Iraq was that in the case of the former Ministers resigned for underestimating the threat, whereas on this occasion Ministers have refused to accept responsibility for overestimating the threat—the existence of weapons of mass destruction.

Mr. Beard: With the Falklands, Ministers encouraged the threat by withdrawing ships and not sending any cruisers to sea to persuade the Argentines that we were serious.

The case for an inquiry may be to establish the facts that led to the Anglo-American invasion of Iraq. Or it may be an investigation of the decisions based on the evidence available. Those two are quite different. I want to explore both of those potential justifications for the proposed judicial inquiry.

The media have made much of the intelligence dossier published in September 2002 as though it and it alone was the trigger for the Anglo-American invasion of Iraq. It was a presentation of the intelligence information that was available to the Government at that time. As with all such intelligence reports, it was incomplete and no doubt partly inaccurate, but it never pretended to be more than an appreciation of the situation derived from raw intelligence, which had been assessed by the procedure long established for that purpose. Under that procedure, the Joint Intelligence Committee was responsible for the final professional evaluation before the case was presented to the Government. This House's own all-party Intelligence and Security Committee has examined the way the dossier was compiled and, essentially, approved it as a reasonable interpretation of the available intelligence.

If anyone still believes the BBC's discreditable and preposterous assertion that the Government, to stir up war fever, invented and inserted the claim that Iraq would be ready to deliver chemical and biological weapons within 45 minutes, I remind them that the inquiry by Lord Hutton has covered that point in some depth. People have heard the evidence, and Lord Hutton will deliver his conclusions shortly. There can be no grounds there for adding another inquiry to the Hutton inquiry.

The media, for their own purposes, gave overwhelming emphasis to that September dossier as the basis for the invasion of Iraq. I did not vote on that basis in this House and I know no one, whichever way they voted, who was solely or mainly influenced by that dossier. The case presented to the House by the Prime Minister and the Foreign Secretary in 12 statements and five full debates was deeper and more comprehensive than was provided in the dossier.

Let us discard what was not said in those debates and statements, although some commentators have enriched their indignation by their creative recall. Neither the Prime Minister nor the Foreign Secretary claimed that the threat from Iraq was imminent, still less did they use the American phraseology of the threat from Iraq being a "clear and present danger". What they did say was that the containment of the Iraq regime through sanctions was failing and that Saddam Hussein was determined to acquire an armoury of biological and chemical weapons and the capability to produce them. Moreover, following the 11 September 2001 outrage in New York, and given Saddam's past record, my right hon. Friends said that there was a danger of that capability being used to arm terrorist organisations—not just al-Qaeda, which was, I agree, the most remote possibility, but Hamas, Hezbollah, Islamic Jihad and others yet unknown—which could pose a threat to north American and western European cities.

The case for believing that Saddam Hussein still had those weapons was that he had them before the first Gulf war. Iraq still had the weapons and the scientific expertise. If not, why did Saddam Hussein refuse to co-operate with the United Nations inspectors and to give them free range, as he had agreed in the 1991 ceasefire? Why did he put his country through 12 years of UN sanctions, bringing suffering, destitution and death to the Iraqi people, when co-operation with the UN inspectors and evidence of the destruction of the biological and chemical weapons would have lifted those sanctions?

Throughout the 1990s, culminating in resolution 1441 last November, why did the UN Security Council unanimously recognise that Iraq had biological and chemical weapons that were a threat to world peace? Why did it demand that Iraq disarm? Are we to suppose that all those nations, which voted 17 times in the UN Security Council to demand co-operation on disarmament, were the hapless puppets of right-wing American zealots?

Some might argue that the implication was only that there was a technological capability, not necessarily the intention to use such weapons. However, the evidence of a policy of aggression and expansion is shown by the invasion of Iran, when more than 1 million people were killed. It can be seen in the invasion of Kuwait, a sovereign country that could never be a threat to Iraq. We do not need to infer likely intentions. The evidence of psychopathic ruthlessness was shown by the gassing of the people of Halabja and by the brutal treatment of the Kurds and the Marsh Arabs. It was seen when 300,000 men, women and children were executed by the regime for political reasons.

Those are the facts. We no more need a judicial inquiry to establish them than we needed such an inquiry into Hitler's invasion of the Rhineland, Czechoslovakia and Poland to understand the case for war in 1939. The Government faced those inalienable facts and recognised the possible consequences of

[Mr. Beard]

indefinite inaction. The first question to arise was, "If not now, when?" If the time was not ripe to deal with Saddam Hussein, when would it have been right?

Undoubtedly, if matters had drifted, with sanctions weakening and Saddam Hussein triumphant in his defiance, he would have been a threat to stability in the middle east. The United Nations would have lost its credibility to handle such crises in the future and it would have sunk into impotence, as the League of Nations did before it.

The second consequence of inaction was the increasing risk to the United Kingdom of chemical, biological and possibly radiological weapons falling into terrorist hands. The threat is all too real, as intelligence services have warned. It is the threat of an anthrax or radiological weapon exploding in London, Washington, Paris or Berlin and—quite apart from the casualties—making a major part of the city a no-go area for decades. After 11 September 2001, do not let anyone pretend that such a scenario can be discounted.

The third possible consequence of inaction for the United Kingdom and the rest of the European Union is the risk of America defending national interests with no allies and ultimately reverting to a fortress America strategy. We are not talking about Britain as America's poodle here. I believe Britain and the rest of the European Union have a vital strategic interest in maintaining the strength of the Atlantic alliance.

It was those major consequences for this country, not the minutiae of an intelligence dossier or the bruised egos of those compiling it, that the Government had to consider and judge in deciding to join in the invasion of Iraq. It is the intention of the Opposition motion, it seems, that a judicial inquiry be held to second-guess the strategic judgment of a democratically elected Government. The House was involved in the decision to an unprecedented extent and voted to join the invasion of Iraq. Are we to have the constitutional innovation of decisions made by Government and Parliament being subjected to a judicial review? We are elected to the House as representatives of our constituents, with a duty to exercise our judgment on their behalf. Executive decisions are devolved to Government, from whence comes their democratic authority.

Mr. Garnier: Would the hon. Gentleman allow me?

Mr. Beard: I really do not have time.

There could be no legitimacy in a judicial review attempting to overturn or question the decisions of a democratically elected Parliament and Government. The sovereignty of Parliament, derived by great sacrifice over centuries, is at issue in this resolution.

That great champion of representative democracy, Edmund Burke, set out the principle 230 years ago when he told his constituents that a Member of the House should not sacrifice his unbiased opinion, his mature judgment or his enlightened conscience to any man or set of men living. Today the members of his party are willing to sacrifice those principles of representative democracy as they thrash around, desperately and cynically, in search of political advantage. That is the true meaning of the motion.

6.7 pm

Mr. George Osborne (Tatton): I very much enjoyed the speech I just heard, not least because the hon. Member for Bexleyheath and Crayford (Mr. Beard) put an excellent neo-Conservative case for the action that was taken in Iraq. Sadly, he has been a lone voice in much of the debate, certainly in terms of Back-Bench contributions, because we have largely heard from people who opposed the war and voted against it, whose opinions are well known and who have expressed those opinions again today.

It is worth reminding the House that on 18 March the House voted by a huge majority to go to war. As I said in an intervention on my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), I do not believe that the result of that vote would have been substantially different if we had known then what we know now. It is also worth stating in the House that the decision taken that day was right, and that those who supported it should not be defensive about the way they voted.

Moreover, those who supported the decision should not feel defensive about saying that those who opposed the war in that vote were wrong. They were wrong when they prophesied a long and bloody war of attrition. They were wrong when they prophesied a mass slaughter in Baghdad. They were wrong when they forecast a humanitarian catastrophe, which never arose. They were wrong when they predicted an exodus of millions of refugees, which did not happen. Indeed, they are wrong now when they say that post-war Iraq is a disaster and that the world is a more dangerous place because we have got rid of Saddam Hussein. We who supported military action should have the confidence to take on and demolish the arguments that we successfully took on and demolished in March.

The first argument that is made is that post-war Iraq is a mess, that our forces are unwelcome and that, in the words of that infamous BBC report, ordinary Iraqis are somehow now worse off than they were under the Saddam regime. Well, I prefer the words I read recently from an Iraqi university lecturer, who lives above a bakery in Baghdad where political prisoners used to be burned alive. He says:

"I feel as if I have been born again. Iraq was a prison above ground and a mass grave beneath it."

Indeed, when an opinion poll—itself a sign of political freedom in Iraq—was held last month, 62 per cent. of Iraqis thought that getting rid of Saddam Hussein was worth the suffering and 67 per cent. thought that their lives would be better five years from now.

We are right to be optimistic and those Iraqis are right to think that their lives will be better five years from now because thousands of new businesses are opening in Iraq, the markets are bustling and food prices are lower than under the Hussein regime. There is a new currency and a new banking system. Employment is up and real salaries, both private and public sector, are up. Some 1,500 schools have been refurbished and 5 million textbooks are being printed by UNESCO. Finally, it is worth pointing out that 22 million vaccinations have been given to Iraqi children in the past couple of months. So education, commerce and prosperity are returning to a region that was the birthplace of education, prosperity and commerce.

Perhaps even more importantly, for the first time Iraqis now have a say in their country's future. Torture and imprisonment have been replaced by 200 new newspapers and 70 political parties. The Iraqi governing council brings together for the first time Shi'ites, Sunnis, Kurds, Christians and Turkomens in a range of representative opinion that is unrivalled in the Arab world. Of course, they face massive challenges, not least that of security—we all feel for members of that council who have been killed or intimidated—but let us not detract from the enormous achievements.

Those achievements have been noted by the Iraq Foundation—a totally non-partisan organisation. It reports:

"Self-government, long advocated for Iraq, appears to be working well when put into practice."

I very much welcome the UN resolution, not least because it sets out a clear timetable for moving towards greater self-government in Iraq. Surely in the House of all places, we should celebrate that fact and value the democratic freedom that we are starting to bring to Iraq, rather than unquestioningly assuming that everything in Iraq is a mess.

The second argument that is used against those of us who supported the war is that, somehow, military action in Iraq has made the world a more dangerous place by encouraging the proliferation of weapons of mass destruction, particularly nuclear weapons, as rogue states seek immunity from unilateral American action. That argument is put most persuasively by my hon. Friend the Member for Chichester (Mr. Tyrie), but I am afraid he is wrong. Indeed, current events prove that he is wrong.

What is happening in this post-Iraq-war world? For a start, Iran has this week agreed to sign up to tougher UN inspections of its nuclear facilities, to suspend the enrichment of uranium and to declare that it does not intend to develop nuclear weapons. That does not sound like a rogue state seeking nuclear weapons to protect itself against unilateral military action. Similarly, North Korea is apparently now seeking some form of security pledge from the United States in return for ceasing its nuclear programme. Who can seriously think that any middle east state would now consider starting a chemical or biological weapons programme? It is early days, but the Iraq war seems to be achieving one of its explicit objectives: to send a message to rogue states that the civilised world is not prepared to allow proliferation and the development of weapons of mass destruction.

The third argument used against those of us who supported the war is that the presence of American and British troops in the middle east is somehow radicalising Islamic opinion. This is not the time to start a lengthy discussion of what we can do about radical Islamic opinion, but I would just say that the biggest challenge to Islamic terrorists would be an Arab state that was free, prosperous, plural and fairly governed, because the likes of al-Qaeda rely on autocratic, economically stagnant and backward regimes that provide them with a ready supply of frustrated, angry, radicalised young men and women. I am optimistic that Iraq can become a progressive Arab state that can provide young people in its society with real economic and political opportunities and diminish the lure of fundamentalism. Indeed, only by creating a plural, progressive and economically dynamic Arab world will we deal with the root causes of Islamic terrorism.

The final argument used against us is that the action by the US and UK Governments in Iraq dangerously undermined the international institutions on which our collective security depends. Of course, it is a great shame that the United Nations felt unable to support the second resolution. The world would be a much better place and it would have been far preferable if the United Nations had supported that second resolution. It is refreshing, however, that so soon after many people said that that was the death of the UN, it has come together and unanimously supported another resolution, and is re-engaging with what is happening in Iraq.

It is also heartening that, around the world, NATO—one of the mistakes of the US and British Administrations was that they neglected NATO to a degree—is now taking over operations in Afghanistan, and Asia-Pacific Economic Co-operation is calling this week for increased measures to stop the spread of terrorism and weapons of mass destruction. Those international institutions are vital in demonstrating the collective opinion of the civilised world. It suits the United States' broader interests to support those institutions. After all, NATO, the UN and the World Trade Organisation are the post-war creation of American Administrations. Perhaps belatedly, the United States is coming to understand what the dean of the Harvard school of government, Dr. Nye, has called the soft power of the United States, which comes from its values, cultures and economic prosperity, as well as its undoubted hard power—its military might. It is welcome that a Republican Administration has increased US foreign aid by 50 per cent. this year—a sign that it understands the value of its soft power.

Contrary to the opinion expressed by many people today, post-war Iraq is a place of optimism, a place where self-rule is a real prospect and where we are starting to stop the proliferation of nuclear weapons in other rogue states. It is an example of where we are providing a challenge to Islamic fundamentalism. In short, we were right on 18 March to support the action in Iraq—I am proud to have taken part in that Division—and we are right now to insist that we finish the job.

6.17 pm

Mr. William Cash (Stone): I am glad to follow the robust speech that we have just heard with regard to the question of whether we made the right decision at the time of the vote on the war. I want to make it clear from the outset that our call for a judicial inquiry, and the comments that I will make with respect to the Attorney-General's role and the legal advice, is without prejudice to the fact that we in no way resile from our support for the war for the right reasons.

It does not follow that the reasons that were given by the Government are necessarily the reasons that we had. Perhaps the Government have been somewhat presumptuous in making that assumption. The reality, however, is that the motion demands a judicial inquiry. What I find astonishing, having observed Labour Back

[Mr. William Cash]

Benchers' manoeuvrings this evening and this afternoon, is that they all seem to have had one main gear—move forward. They are determined to make it clear that they do not want a judicial inquiry, although 130 of them, if I have my figures more or less right, felt that it was a matter of such important principle that they rebelled against their own Government. Because of the idea of moving forward, despite the many unresolved questions, including serious constitutional and legal questions, and the consequences flowing from that, they have gone into a collective funk.

Mr. Reed: I am sure that the hon. Gentleman understands that those of us who opposed the war do not wish to move forward just for the sake of it but disagree fundamentally, as my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) said, that a judicial review would be beneficial at this stage and would achieve anything more than further nit-picking. The fundamental issues of why we opposed the war still stand, and we should raise them. There have been plenty of arguments this afternoon from both the Labour Benches and the Opposition Benches that clearly state why we should not have gone to war, but those cases have been made forcefully in the House, which is the proper place for that to happen.

Mr. Cash: As the hon. Gentleman knows, I have enormous respect for him. We worked together on a number of things in the past and the not-so-distant past, and I can only say that I simply do not buy his argument. We have heard accusations of opportunism and the word "meretricious" has been used about our motion. I shall explain why it is important to have a judicial inquiry and I shall also consider the role of the Attorney-General.

As my right hon. Friend the shadow Foreign Secretary said, problems arise largely because there is still a residual problem of confusion and suspicion. There has been a constant stream of serious and damaging charges both during and after the conduct of the war, and they have been damaging to the United Kingdom. Let us leave aside party politics, because the reality is that a stream of charges that must be properly answered has undoubtedly damaged the national interest.

The reasons for a judicial inquiry are quite simple and they are set out in the motion before the House and in the other motion that has been permanently on the Order Paper. They simply come down to the fact that there have been an enormous number of contradictions and misleading statements. We even have a situation in which very senior Cabinet Ministers—members of the War Cabinet, a point that has not been brought out today—have accused one another of contradictions and misleading statements.

I have an article that was written by the entirely absent former Secretary of State for International Development, the right hon. Member for Birmingham, Ladywood (Clare Short). She has not even attended the debate despite the extent to which she was intimately involved in all these matters. The article appeared in the *New Statesman* on 9 June 2003 under the headline "How the Prime Minister deceived us". The right hon. Lady says:

> "Yet the drums of war beat louder. There was mounting worry in Whitehall about the legality of war. We had no advice from the Attorney General. Officials had informed me that Foreign Office lawyers had disagreed about the legality and that, as became public, one had resigned."

The fact is that the right hon. Lady ultimately accepted the advice of the Attorney-General, and I want to put it on the record that I too agree with what he said in his opinion. It is ably reinforced by an extremely good article today by Professor Greenwood, who set outs with the benefit of hindsight, as well as the law and the facts as they have developed, that the war was legitimate and legal at that time and remains so. I do not need to go into the arguments; they are there for people to read.

When the right hon. Member for Birmingham, Ladywood resigned, she said in her letter to the Prime Minister:

> "I am afraid that the assurances you gave me about the need for a UN mandate to establish a legitimate Iraqi government have been breached."

There are therefore two separate questions with which there are serious problems.

The first is the issue of the facts in relation to the September dossier and the question of whether the instructions to the Attorney-General were based on absolutely accurate information and therefore whether he was in possession of all the facts. The other question relates to the former Secretary of State for International Development and refers to the aftermath and the occupation of Iraq. As far as I can remember, that point has not really been raised today, but it was the subject of the right hon. Lady's resignation letter and the article in which she said that the Prime Minister had deceived her.

I would have thought that those questions create serious problems for Parliament, let alone for the Government. They raise matters of considerable importance. It is quite clear that we shall not get at the truth when there are such contradictions in the accounts of senior Ministers who were in the know. They were in the War Cabinet, so there must be a way of elevating the argument to an arena in which the truth may be established.

Many proper tributes have been paid to the Hutton inquiry, from which an enormous amount of extremely important information has come. It has been said that although we do not know the inquiry's results, the Government had the confidence to set it up. That was the right thing to do—they were doing the right thing for the right reason. However, in practice, they have given no indication that they would be prepared for the two issues on which the Attorney-General's advice was requested to be examined properly. I admit that the matter was considered by the Foreign Affairs Committee and the Intelligence and Security Committee, which is not a Select Committee because it was set up under the Intelligence Services Act 1994. However, both Committees' procedures have inherent difficulties. I shall not criticise members of the Committees and I do not have time to analyse the composition, power and procedures of the Committees.

However, the Committees do not lend themselves to dealing with the serious problems that lie at the heart of the questions that the House is considering.

Some people seem to have forgotten the extraordinary fact that although the right hon. Member for Livingston (Mr. Cook), who is not in the Chamber, resigned over the war to the applause of Back Benchers, he made an unequivocal statement on the no-fly zone on 18 December 1998. The Foreign and Commonwealth Office website carried an interview with the right hon. Gentleman—the then Foreign Secretary—who said:

"we are absolutely clear that we have thorough clear backing in UN resolutions ... Last February Saddam was warned in the Security Council resolution that there would be the severest consequences"—

note those words—

"if he broke his undertakings."

It is astonishing that the then Foreign Secretary could take that view, presumably on the basis of advice from the Foreign Office and, almost certainly, the Attorney-General, yet consider it necessary to resign a few years later. I do not criticise him for taking a decision on a point of principle, but there is no doubt that his position on legal advice in 1998 does not fit easily with his decision to resign.

I want to talk about the Attorney-General and the question of confidentiality. Over and over again, Ministers have refused to give the legal basis for the Government's decisions. I am pleased to recall that the Government made available a summary of the Attorney-General's opinion, and I was somewhat responsible for that because I tabled a question to the Prime Minister on Friday 14 March. The question was as follows:

"To ask the Prime Minister if he will make a statement on the legal basis for military intervention against Iraq."

The answer said:

"There is a longstanding convention, followed by successive Governments and reflected in the ministerial code, that legal advice to the Government remains confidential. This enables Government to obtain frank and full legal advice in confidence, as everyone else can."—[*Official Report*, 14 March 2003; Vol. 401, c. 482W.]

It is clear that the Government intended to give the impression that the information was going to be full and frank, but it would have been far better if they had provided the House with the full opinion. Even now, that full opinion should be made available to us and the public at large.

Mr. Llwyd: I agree with the hon. Gentleman. Is he aware that the ministerial code allows the Government to use their discretion to provide the document in full? That would not breach the code and it is imperative that it is done.

Mr. Cash: I was coming to that. I am not going to criticise the Attorney-General. Once he formed his opinion, no doubt in good faith, based on the facts provided, the responsibility—this is where it becomes uncomfortable for the Government—fell to Ministers, in particular the Prime Minister. Let us bear it in mind that the former Secretary of State for International Development said that the Prime Minister deceived her on one opinion, so she resigned.

"Erskine May", our bible on such matters, says:

"The opinions of the law officers of the Crown, being confidential, are not usually laid before Parliament, cited in debate or provided in evidence before a Select Committee, and their production has frequently been refused; but if a Minister deems it expedient that such opinions should be made known for the information of the House, he is entitled to cite them in debate."

That is by no means as unusual as is sometimes thought. There is ample precedent, especially in the context of the Attorney-General's interpretation of international law and the production of his full and whole opinion on matters of similar importance. For example, during the 1970s the Law Officers' legal opinion on the effect of the Simonstown agreement relating to the sale of arms to South Africa was published, as was the opinion on European matters and the Customs (Import Deposits) Act 1968. Those instances have been overtaken, however, by a greater and greater determination by Government, especially this Government, not to release information in the public interest that would enable the House and the public to be fully satisfied.

The precedents go back as far as 1865. Lord Palmerston, then Prime Minister, said:

"I do not apprehend that there is anything contrary to the Rules of the House in reading or quoting any opinion of the Law Officers. It is a question of discretion on the part of the government, not one bearing on the Orders of the House. There may be occasions when they may be properly read. As a general rule, no doubt, they are not laid before Parliament, and for this reason, not because it would be against an Order of the House, but because the Law Officers would be more cautious in expressing an opinion if they knew that it was to be laid before Parliament and the public."

I was told, however, that the Government were not going to publish on the grounds that they wanted the opinion to be frank and full.

Mr. Blizzard: How does the hon. Gentleman square his concerns about the legal basis for war with the position adopted by his Front-Bench spokesmen in the months leading up to it? They wanted Parliament to support the President of the United States in a war against Iraq whatever the UN said and before any dossiers or legal opinions were put in the public domain.

Mr. Cash: I have made it clear that I do not dispute the legal basis as such; I am talking about the process. The key question is the breach of the resolutions. The weapons of mass destruction issue and the dossier are important, but the constant breaches of the resolutions are vital. The former Foreign Secretary, the right hon. Member for Livingston resigned over that matter, and gave similar reasons in December 1998 for the basis on which it was right and legal to take action on the no-fly zone.

Sir Peter Tapsell: By far the most helpful precedent for the Opposition is the fact that when the opinion of Sir Patrick Hastings, the Attorney-General, on the Zinoviev letter was made public, it brought down the first Labour Government.

Mr. Cash: Absolutely. That was in 1924, and the Ramsay MacDonald Government fell because the Cabinet effectively pressurised the Attorney-General into giving advice that altered the basis of previous advice.

Mr. Garnier: The Attorney-General's opinion may be eminent and may be one with which we agree. That does

[Mr. Garnier]

not matter: what is important is its factual basis. Surely, that is what we want to know. It may be nice to ask for the Attorney-General's opinion but, frankly, we are not going to get it, so why do we not concentrate on trying to get the facts?

Mr. Cash: That is exactly what I said. My hon. and learned Friend may not have heard me correctly, as I said that the instructions and the facts on which the Attorney-General, no doubt in good faith, arrived at his conclusion were the key issue. We cannot simply dismiss his opinion as though it does not matter, because it does. However, the basis of that opinion is crucial.

Mr. Kenneth Clarke: I do not want my hon. Friend to retrace his argument, because he has demonstrated exhaustively that the Government have complete discretion about whether to waive their privilege and publish the opinion or keep it confidential, but does he not agree that the real choice is whether to disclose the opinion in full or say that it is confidential and not disclose it? On this occasion, we have the worst of all worlds—a selective, edited version of the opinion has been produced, and requests for the opinion, because it has been cited, to be put before the House in its entirety have been refused.

Mr. Cash: As my right hon. and learned Friend knows, that is exactly what I have been saying. It is extremely important that the full opinion be made available, and there is ample opportunity under the rules and conventions of the House for that to take place. Indeed, I would go further—the responsibility for deciding whether or not the opinion should be made available in full is the Prime Minister's. The Government do not want to reveal it in full because there is something in the instructions, the dossier or whatever that would show that the Attorney-General was relying on facts that may not have been what other people were told. The fact that the right hon. Member for Birmingham, Ladywood accused the Prime Minister of deceiving her and Parliament in an article is evidence of the problems that the Government would face if the whole thing were revealed.

As regards the time scale of a judicial inquiry, many matters have already been investigated, but a number of residual questions remain. There is no reason why such an inquiry should take an undue length of time. Analogies have been made with the Bloody Sunday inquiry, its costs and time scale, but there is no reason why an inquiry on Iraq should not be completed in a relatively short period. We have suggested six months, but it may take a little longer. This is an important matter, about which Labour Members felt so strongly that they rebelled against their own Government. However, when it comes to the question of whether or not it is legitimate to investigate the process and the facts behind the events leading up to war, in one speech after another they funked the opportunity to demand an inquiry, simply saying that they want to move on. That is a massive collective funk on the part of Labour Members. I shall be interested to hear the Minister's reply. The bottom line is that the Government are condemned by the attitude of their own Back Benchers.

6.40 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): We have had an instructive and worthwhile debate, but I am not sure that anyone in the House or outside has changed their view in the course of it. I am grateful to the hon. Member for Stone (Mr. Cash), who summed up for the Opposition, for giving us an advance taste of the legal clarity that would be brought to these matters if we had an independent judicial inquiry. That is meant light-heartedly, but there is a serious point behind it.

If the Opposition were genuine in the position that they took in March this year when they supported the case for military action, and if they truly want to focus on rebuilding Iraq, I do not understand why the motion was tabled. I shall start by explaining why there is no case for a judicial inquiry. I shall then move on to the real issue—what we are doing to help develop a stable, prosperous and democratic future for Iraq and all its people, which should properly be the priority and the responsibility of the House and the Government.

The Opposition say that we need a judicial inquiry, yet the Foreign Affairs Committee and the Intelligence and Security Committee have already undertaken substantive and detailed investigations. Both inquiries, on a cross-party basis, concluded that the claims that were made in the Government's September dossier were well founded on the basis of the intelligence that was then available. Crucially, given that this is the key accusation that has been made against the Government, they concluded that the Government did not, in the current terminology, sex up the dossiers. In light of those conclusions, the Opposition are struggling to make a case for an independent inquiry.

The question whether we were right to take military action involved, for me, a balance of political judgments—weighing up the pros and cons. I acknowledge that it was the most difficult political decision to which I have ever been party. But it was a political decision, which was rightly taken by the Government and endorsed by a vote in the House.

Mr. Reed: Those of us who opposed the war respect those who had to make such difficult decisions. It was a political decision based on a wide range of facts. We have heard the arguments rehearsed once again today. I do not think that anyone has changed their mind. I do not suggest that the Tories tabled the motion just to cause some distraction on a difficult day for them. We made a decision based on hundreds of factors before us, and we have all come to different conclusions. We as parliamentarians should rehearse those arguments time and again as to why we opposed the war, not leave it to judges and, with all due respect, to the lawyers who dominated the Benches this afternoon.

Mr. Rammell: My hon. Friend and I took a different view on the case for military action. Even though we disagreed, I respected the decision that he took. He is right. He has been consistent in his arguments, in stark contrast to some of those on the Opposition Benches. He was right to say that the decision was a political judgment, not a decision for a judge to make at the time.

and it should not be a decision for a judge to approve or disapprove in retrospect. The place for such debates and arguments is the House of Commons.

Mr. Cash: Does the Minister agree that there remain very serious differences between Cabinet Ministers and ex-Cabinet Ministers, and that these matters are therefore of such great importance that evidence should be taken on oath?

Mr. Rammell: We would be on a slippery slope if we were to say that there is a case for a judicial inquiry every time a Cabinet Minister disagreed with the Prime Minister and resigned from the Government. When Lord Heseltine left Lady Thatcher's Cabinet, having decided that he could not serve in that Government with honour, Conservative Members did not call for an independent judicial inquiry, nor should they on this occasion.

Let me deal with some of the points that hon. Members raised. The hon. Member for Stone made great play of the fact that the Attorney-General's advice has not been published. As he knows, there is a long-standing convention that such advice is not put in the public domain. However, on 17 March, the Attorney-General gave a reply to a parliamentary question that clearly set out the legal basis for taking the decision to commit to military action and go to war, so the hon. Gentleman's argument is somewhat lacking in that respect.

Tony Wright: The Government made a strong case for not having a judicial inquiry on an essentially political judgment, but why did they go further than that in their amendment by saying that they are against any kind of inquiry? That presumably includes an inquiry by this House, yet we shall no doubt want to inquire into matters such as the Intelligence and Security Committee's view that there was a lack of balance and qualification in the intelligence assessments and questions raised about the machinery of government by the Hutton inquiry.

Mr. Rammell: The Foreign Secretary has given me his permission to say that the amendment is infelicitous. We shall make a judgment about that at a later stage. The key point is that we have already agreed to two inquiries that were independent of Government and produced substantive conclusions. *[Interruption.]* If hon. Members are questioning the integrity and veracity of the Intelligence and Security Committee, which looked at the raw intelligence and concluded that the Government did not mislead the House and the country, they will find that argument difficult to uphold.

Mr. John Maples (Stratford-on-Avon): The Minister said that in answer to a parliamentary question the Attorney-General published part of his legal advice. I entirely accept that Iraq was in breach of the revived ceasefire resolution and resolution 1441, but I have never understood whether it is part of the legal argument that one or two members of the Security Council can take it upon themselves to use military force to enforce a resolution without explicit authority from the Security Council. Can the Minister clarify that?

Mr. Rammell: In terms of resolution 1441, there was clearly no requirement to go back to the Security Council for further authorisation before undertaking military action. Some nations attempted to insert such a requirement during its drafting, but that was not agreed to. On that basis, there was a 15:0 vote in favour of 1441. With respect, that demolishes the hon. Gentleman's argument.

Although I disagreed with some of what the right hon. and learned Member for North-East Fife (Mr. Campbell) said in support of a public inquiry, he made a telling point when he underlined the disingenuousness of Conservative Members in calling for an independent judicial inquiry. He quoted the emphatic arguments cited by the Leader of the Opposition in an article published in *The Times* well before publication of the September 2002 dossier. If Conservative Members were convinced of the arguments prior to the publication of the dossier, they cannot claim that they were misled by it and should not call for an independent inquiry.

My right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell) presented powerful arguments against premature judgments on the whereabouts of weapons of mass destruction. She also tellingly said that, even now, there were no answers to Hans Blix's 167-page report, which contained key questions to the Iraqi regime about their whereabouts. That argument was fundamentally right.

My hon. Friend the Member for St. Albans (Mr. Pollard) took a different position from mine, but he has a respectable stance on the issue. Indeed, he travelled widely in Iraq before the conflict. He underlined the sincerity of the Prime Minister and the Government in reaching their conclusions even when he took a different view. I agree that we need to look forwards, not backwards at this stage. I was struck by comments from my hon. Friend's contacts in Basra that the position has improved greatly since the military conflict.

Mr. Cash: Of course it has.

Mr. Rammell: That is not the impression that much of our media give, and the debate is therefore especially important.

I welcomed the contribution of my hon. Friend the Member for Cannock Chase (Tony Wright), who underlined his view that disagreements on the matter are essentially political and that resolving them is fundamentally a matter for Parliament, not judges. I agree that referring every disagreement of this nature to the judiciary is an abdication of parliamentary responsibility. I believe that that view is increasingly widely shared by Labour Members.

It is important to look forwards.

Mr. Kenneth Clarke: The Minister argues that the House made a political decision, that we should move on and that holding a judicial inquiry every time such a situation arises would be pointless. However, two Cabinet Ministers resigned and one of them made it clear that she believed that the House had been misled about the origins of a war. Many people continue to assert that. It continues to be relevant because in looking forwards, one has to consider not only the important position in Iraq but the way in which policy will evolve towards Syria, Iran and the road map. We are not considering an ordinary political decision; it continues

[Mr. Kenneth Clarke]

to be relevant both to whether the House was misled on the basis of our alliance with America and to future middle eastern policy. *[Interruption]*

Madam Deputy Speaker (Sylvia Heal): Order. The House must come to order. Many conversations are taking place in the Chamber.

Mr. Rammell: Although I have always had the greatest respect for my right hon. Friend the Member for Birmingham, Ladywood (Clare Short), the former Secretary of State for International Development, I believe that her judgment was fundamentally wrong on the issue that we are considering.

It is important to focus on the successes that we have already experienced in reconstructing Iraq and to be candid about the challenges and problems, especially given the difficult security situation that we continue to face. Significant progress has been made in the six months since the cessation of hostilities. We have an Iraqi governing council, which has established, for the first time in a generation, a governing structure that is truly representative of the Iraqi population. Twenty-five Ministers intervene on a daily and weekly basis in the key political and economic decisions that are of interest to the Iraqi people.

Recently, we rightly argued strongly for the unanimous adoption of UN Security Council resolution 1511. Many people believed that such a resolution would not be possible, yet owing to our efforts and those of others it was a significant and major achievement that strengthens the coalition, the United Nations and international support for Iraq. Crucially, it also enables a timetable for elections to be set in 10 weeks.

Dr. Gavin Strang (Edinburgh, East and Musselburgh): Does my hon. Friend agree that, in the real world in Iraq, as he rightly described it, it is disturbing that the United States military do not even attempt to record the number of Iraqis that they have killed since the end of major combat operations? Is that not another reason why the sooner coalition forces are replaced by a United Nations force, with troops from other nations, the better?

Mr. Rammell: I have not heard information to that effect and it must be substantiated if we are to respond to it.

The resolution that was passed in New York last week ensures a strengthened United Nations role in the partnership with the Iraqis and the coalition in underpinning the political process for a constitution and elections. It also gives UN authorisation to the multinational force that is helping to secure Iraq, which is a high priority for us. Security remains our No. 1 priority, and we are working hard to enable the Iraqis to play a greater role in assuring the security of their country. The recent injection of an additional 1,200 UK troops will provide significant support in tackling terrorism, but it is also critical that we build up the civilian support within the police force, so that the Iraqis can police their own people with consent. Nearly all Iraq's 400 courts are now functioning, and for the first time in more than a generation, the Iraqi judiciary is fully independent. That should be a cause for celebration in the House and across the world.

We are backing up our political support with significant financial support. The Secretary of State for International Development recently announced the £544 million that the Government have committed over three years from April 2003. I hope that, at the Madrid donors conference this week, similar contributions will be forthcoming from across the board.

There are difficulties in the security situation, but there has also been a great improvement in the delivery of essential services. Nearly 240 hospitals in Iraq are now open and functioning, and 1,500 schools have been rehabilitated. With the help of UNICEF, more than 22 million doses of vaccine have been provided, and health expenditure is now significantly higher than it was under Saddam's regime.

Mr. Lilley: Does the Minister realise that millions of people in this country are disillusioned because they were told that we went to war to remove weapons of mass destruction, none of which have been found? They will not believe that he can get through a debate today without addressing that question and explaining how it came about.

Mr. Rammell: First, that is not the issue that has been put down in the Conservatives' motion. Secondly, we went to war because resolution 1441 gave Saddam a last chance to comply with the united will of the international community and he did not do so. Thirdly, it is premature, to say the least, to make judgments about the existence of weapons of mass destruction just five short months after the end of the conflict. Look at the experience in post-conflict situations elsewhere in the world, where it has taken much longer than that.

Despite the fact that we are making progress, we are having real difficulty in getting that message across. I am therefore grateful to Jon Snow and "Channel 4 News" for their very objective reports from Iraq this week on the real situation on the ground—*[Interruption.]*

Madam Deputy Speaker: Order. I must ask once again for quiet in the Chamber while the Minister is replying to the debate.

Mr. Rammell: Jon Snow, in one of his reports this week, said:

> "Despite the daily assaults, the US-led Administration here is making headway on a number of fronts . . . It's a risky thing to report, but things in Baghdad seem to be getting better. The streets hum with activity. Fewer power cuts, and sidewalk cafes coming back to life."

It is worth underlining those facts, because that message is not getting across. Whatever view any of us took on this issue, it is important that we report the facts. It is also the case that the overwhelming majority of Iraqis support the actions that we have taken.

I believe that we were right to take military action in Iraq. Nevertheless, I respect those, many of whom are in my party, who took a different view. What I do not and cannot respect is a Conservative Front-Bench team who supported military action on principle but who now seek

to cut and run for what they perceive to be short-term, narrow, party political gain. I urge the House to reject the Opposition motion.

David Maclean (Penrith and The Border) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 190, Noes 303.

Division No. 335] **[6:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes: Angela Watkinson and Mr. Mark Field

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cooper, Yvette
Cousins, Jim

Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Spellar, rh John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and Joan Ryan

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order 31 (Questions on amendments)*:—

The House divided: Ayes 293, Noes 141.

Division No. 336] **[7:14 pm**

AYES

Adams, Irene *(Paisley N)*
Aingér, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Beard, Nigel

Beckett, rh Margaret
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Spellar, rh John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Fraser Kemp and Joan Ryan

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Norman, Archie
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Mark Field and Angela Watkinson

Question accordingly agreed to.

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that the Intelligence and Security Committee, established by Parliament by statute, and the appropriate body to consider the intelligence relating to Iraq, and the Foreign Affairs Committee have both carried out inquiries into matters relating to the decision to go to war in Iraq; further notes that substantial oral and written evidence, by and on behalf of the Government, was provided to both inquiries; believes that there is no case for a further inquiry, including a judicial inquiry; and further believes that, following the passage of UN Security Council Resolution 1511 on 17th October 2003, attention should now be focused on building a better future for Iraq and its people, and on offering full support to the coalition, including British military and civilian personnel, and the United Nations in this endeavour.

Housing (Aylesbury)

Motion made, and Question proposed, That this House do now adjourn. *[Mr. Heppell.]*

7.26 pm

Mr. David Lidington (Aylesbury): I am grateful for the opportunity to draw to the attention of the House the concerns of a large number of my constituents in Aylesbury and surrounding villages about the proposals, announced in the Deputy Prime Minister's so-called communities plan, for large-scale additional housing developments in Buckinghamshire—and Bedfordshire and Northamptonshire—between 2001 and 2031. Although I shall deal mostly with the issues as they concern my constituency, the Minister will know that the Government's Milton Keynes and south midlands study encompassed many different constituencies, and I am delighted to see my hon. Friends the Members for Buckingham (Mr. Bercow) and for South-West Bedfordshire (Andrew Selous) in their places today. Both have constituents who will be seriously affected by these proposals.

I start by offering the Minister at least one slim olive twig, although there may not be too many in the course of the debate. I accept that there will be a need for some further development, both residential and commercial, in the Aylesbury area, and I will go so far as to agree that some of that development will have to take place on greenfield sites—I hope as little as possible, but some is inevitable. In addition, Aylesbury Vale district council's draft local plan does provide for some 8,600 new houses in the period up to 2011 and Buckinghamshire county council is working on plans for development beyond that date.

However, many of my constituents have serious concerns about the Government's most recent proposals. The Government target for Aylesbury Vale is that there should be 16,400 more homes by 2016, including more than 10,500 in and around Aylesbury itself. Further growth on a large scale is anticipated for the period between 2016 and 2031. Studies carried out by the South East England regional assembly project that as a minimum the same number—15,000 or 16,000—would be built in that period as are projected to be built in the period up to 2016, and that in the Aylesbury area we could be looking at as many as 30,000 additional houses in the second half of the Government's 30-year time frame.

My first criticism of the Government's approach is that it seems to me that the targets for new housebuilding for the whole of the Milton Keynes and south midlands area are not derived from projections of natural growth or local need—they are arbitrary. They are what the Council for the Protection of Rural England has described in its submission as

"a case of 'Predict and Provide' at its worst".

In addition, the Select Committee on the Office of the Deputy Prime Minister: Housing, Local Government and Planning, in its report published in April 2003, said that the Committee felt that the Government's plans overall were unlikely to have any impact in reducing house prices. The Committee was not convinced that the enlarged housebuilding programme could be accommodated in the south-east without seriously affecting the quality of the environment.

The Select Committee, with a Labour majority, felt that the Government's plans would not deliver the Government's declared objectives. There is an irony in the fact that the Deputy Prime Minister first announced his communities plan within two week's of his Department's own inspector entirely removing a major development area from the Aylesbury Vale draft local plan on the ground that such additional provision was not needed.

I have to tell the Minister that there is considerable resentment locally, not just about the substance of the plans, but about the lack of adequate public consultation. A couple of weeks ago, I went to a public meeting in the village of Stoke Mandeville—very close to Aylesbury—attended by more than 400 of my constituents. When SEERA published its report on 18 July, it allowed for a consultation period of 12 weeks, which, of course, encompassed the main holiday period of the year. During those 12 weeks, the assembly has done virtually nothing to explain directly to the local people who will be affected, what is being proposed and why it is being proposed. At that public meeting, there was probably even greater indignation about that lack of consultation than about what the proposals would involve.

I am willing to accept that that sort of fault is not unique to the present Government—it is perhaps endemic in Whitehall—but from the experience of this episode in my own patch, I can say that that failure to trust and consult the people affected erodes dramatically the trust and confidence that people feel in the Government as an institution and in the ability of the political system to respond to their democratically expressed wishes.

Andrew Selous (South-West Bedfordshire): I completely agree with my hon. Friend's remarks. Does he agree that that is a shocking way to treat locally elected councillors? What does it say about local democracy, when those very important issues are taken out of the hands of local representatives?

Mr. Lidington: My hon. Friend is right. The responsibility for drawing up plans for future housing and commercial development should rest with local authorities, which can judge not just local opinion, but the future economic and domestic needs of the populations whom they are elected to serve and who can kick them out if they do not like the decisions that those councillors take on their behalf.

I wish to refer to my specific criticisms about the Government's proposals for the Aylesbury area. The plans published by SEERA are far too specific about the location of new developments. Even if one accepted the Government's overall figures and strategy—clearly, I do not—it should still be for local authorities to work out, after proper planning and consultation, how best to provide the housing demanded from them. Yet, to take the most pressing example in my area, there is a proposal for 3,000 additional houses on the last area of green fields that separates the Bedgrove estate in Aylesbury from the village of Stoke Mandeville. Such things should not be handed down from on high from an unaccountable regional office or a Whitehall Department; they should be the subject of local democratic debate and decision.

[Mr. Lidington]

That proposal has some problems. Aylesbury is already a net exporter of commuters. It seems likely that a big development to the south side of the town will be very attractive to people who travel to London to work or to the high housing cost areas of south Buckinghamshire. It has been decided that Aylesbury and Stoke Mandeville should, in effect, coalesce, but that decision was taken without accountability to local people although it will dramatically affect their community. That is plainly wrong.

My mistrust of the regional assembly's abilities is only reinforced when I read paragraph 2.10 of its consultation document, which states:

"Opportunities to develop higher density mixed-use developments around public transport nodes like Stoke Mandeville station"

should be fully exploited. I do not expect the Minister has visited Stoke Mandeville station, but I have done so many times. That paragraph of the assembly's document could not sensibly have been written by anybody who had visited the place about which they were writing.

Secondly, the Government need to be much more open about the extent of their future ambitions. They published a consultation document, which only takes us up to 2016, which provides for only about 45 per cent. of the overall published housing targets in the communities plan. Tucked away in paragraph 2.13 on page 41, we have a statement that, after 2016, building should be

"between existing urban area and the proposed southern distribution road and south of Stoke Mandeville".

The implication of that for my constituency is stark. It would mean that a decision has been taken in Whitehall that Aylesbury, a large town, should grow to coalesce with the nearby villages—separate, distinct communities—of Stoke Mandeville, Weston Turville, Aston Clinton, Wendover and Halton. They would be swallowed up as suburbs of a greater Aylesbury stretching from the existing town right to the edge of the green belt. Nobody has explained that to local people or bothered to ask their views.

If those plans go ahead, some practical consequences must be faced, which the local authorities, confronted with those edicts from central Government, must consider now. How will new transport be provided for all those additional people? On rail, I welcome the statement that the east-west orbital route scheme would go ahead. The Strategic Rail Authority, however, has previously rejected it. Is it going to be built? Is the money going to be forthcoming, given the pressures on the SRA's budgets? The SEERA document contains a discussion of a spur line from Aylesbury to Bletchley, which I would support, but the SRA's proposals for the west coast main line envisage not an increase but a reduction in service levels at Bletchley. There seems to be a lack of joined-up government in the proposal.

On roads, I have already mentioned the southern distributor road. What will be the scale of that road? It is causing worry locally. How will it be financed? It is unrealistic to expect developer contributions to be enough. How will the enhanced quality bus corridors be provided as promised when all the main feeder roads into Aylesbury—the A41 Tring road, the A4010 Lower road and the A413 Wendover road—are too narrow for bus lanes unless severe restrictions are imposed on access by cars and lorries?

There is a lack of strategic thinking about what a development on that scale will mean for roads. The A418 Aylesbury-Wing road will be upgraded but not, we are told, until after the houses have been built. There would then be two major roads—the A418 and the A41—linking Aylesbury to the trunk road network, both of which would disgorge their traffic at the end of the town with no link between them. The county council says that the logical consequence of all that is that a major new road link will be needed going around Aylesbury and linking it to the economic centres of the Thames valley to the south. That has a dramatic consequence for the Chilterns area of outstanding natural beauty and for either the A41 or the A418. It is not even mentioned, however, in the document published by the regional assembly.

I could make comparable points about the other public services. SEERA's estimate is that other public services would require spending of some £214 million for the Aylesbury area alone if these schemes come to pass, and there is no guarantee from the Government yet that that money, or anything like it, will be forthcoming. On health, Stoke Mandeville hospital is closing wards, not opening new beds, and children in the Aylesbury Vale primary care trust area face a 14-month wait for speech therapy. On police, I received a letter from the chief constable today saying that he has fewer officers per head of population than any other force in the country bar one. As for the fire service locally, the chief fire officer believes that the

"Integrated Risk Management Plan will ... show areas of unacceptable risk even before the anticipated growth in population".

What about the environment? We have had no strategic environmental assessment of these plans and no reference to biodiversity action plans in the regional consultation document. Higher density housing is proposed and that means a greater demand for open space. Altogether, the plan will mean a need for 250,000 more people to live cheek by jowl with the Chilterns area of outstanding natural beauty. I would welcome a proposed linear park around the edge of Aylesbury, but the site for the linear park is the same as the site for proposed future expansion and building after 2016. It just does not add up.

I am not so inexperienced in this place as to expect the Minister to announce that she has seen the light and that she will reverse all the Deputy Prime Minister's previous statements and proposals on this matter, so I ask for just two things. First, I ask for an undertaking that the consultation now taking place and the examination in public next year will be more than just a bit of spin before the Government's original plans are rubber-stamped and pushed through. I want to be able to tell my constituents that they will be able to influence the shape and scale of the Government's proposals.

Secondly, if the Government are making these plans, I ask that they will guarantee that the money will be provided so that we do not simply get the houses, but

have good quality public services to care for the needs of the people who will live in them and their neighbours who are already my constituents.

Mr. John Bercow (Buckingham) *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Has the hon. Gentleman the permission of the hon. Member who introduced the debate and the Minister?

Mr. Lidington *indicated assent.*

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper) *indicated assent.*

Mr. Deputy Speaker: Very good. I call the hon. Member for Buckingham (Mr. Bercow).

7.41 pm

Mr. Bercow: I am very grateful, Mr. Deputy Speaker. Perhaps I can briefly echo the concerns that my hon. Friend the Member for Aylesbury (Mr. Lidington) so eloquently expressed.

I am not opposed to all development. We cannot live in a museum-piece economy. There is a widespread recognition that there is a big demand for additional housing and that that demand will, in part at least, have to be met. My constituency will doubtless have to make a contribution to the process. My concern, based on the historical record, is that unless we receive cast-iron assurances to the contrary, we shall get the development without the accompanying infrastructure that is necessary for that development to be sustainable.

In case the Minister wonders why I have this concern, I inform her that I raised the matter with the Deputy Prime Minister when he appeared before the Select Committee on the Office of the Deputy Prime Minister: Housing, Planning and Local Government earlier this year. He expressed confidence that the infrastructure would be forthcoming. I challenged him whether, in the light of that confidence, he would confirm that the go-ahead for the development would not be given unless and until there were written undertakings about the infrastructure. He laughed and said that he was sure that I would like such a commitment, but that he did not intend to go down that road. I hope that the Minister will understand why I, on behalf of my constituents, am so concerned.

We do not want the additional air pollution, the greater traffic congestion, the increased pressure on hospital places and the problems in terms of inadequate school provision. We want to ensure that there are sustainable communities, a principle to which the Government are already signed up.

My hon. Friend dwelt in some detail on the important issues. I just want to reiterate the following. First, we need commitments on expenditure and on guarantees that the infrastructure will be delivered at the same time as the housing gets under way. Secondly, we want to be assured that if we are co-operative in the process, as Aylesbury Vale district council fully intends to be, we will be granted local autonomy in deciding which sites are most suitable for the additional development. Thirdly, we have to be sure that historic infrastructure deficits are addressed, notably in the insufficiency of beds at Stoke Mandeville hospital, but in a number of other respects too.

I underline to the Minister that there is a certain absurdity in generalised talk about plans for the east-west rail link phase beyond 2011 when very specific plans for large-scale housing that might get under way substantially sooner are being confirmed and championed by the Government. We need plans for the east-west rail link and a link between the A41 Aston Clinton road to the east of Aylesbury and the A418 from Milton Keynes because, after all, that is a spoke in the regional transport strategy. We also need many other commitments from the Government.

My hon. Friends and I are not taking a dogmatic view or engaging in ritualistic opposition, but trying to stand up for the legitimate interests of our constituents. I hope that the hon. Lady is sympathetic to that position and that she can offer some assurances in her reply.

7.45 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I congratulate the hon. Member for Aylesbury (Mr. Lidington) on securing the debate and choosing to discuss a subject that is so important to his constituents. I shall briefly set out the background to the current situation before addressing the points that he and the hon. Member for Buckingham (Mr. Bercow) made.

The Milton Keynes and south midlands study was an independent study that was commissioned by regional and local partners in 2001 to examine the potential for growth in the area. The large study area covered all of Bedfordshire and Northamptonshire, Milton Keynes and Luton unitary authorities and Aylesbury Vale district council in Buckinghamshire. The study recognised that stakeholder engagement was critical when reaching its conclusions, and representatives from 147 organisations were invited to a series of meetings. The study concluded that there was considerable potential for further growth in the area, but that that should be concentrated on urban areas.

Further independent and individual studies were then undertaken at all the key towns in the Milton Keynes and south midlands study area, including Aylesbury. The studies endorsed the growth agenda required to continue the economic success of the area and also identified broad strategic areas for further growth and the infrastructure required for their delivery. There has been a detailed study, so the hon. Member for Aylesbury was wrong to say that the figures had been somehow plucked out of thin air. Extensive work and study has been done on the need for growth as a result of local and regional demands.

In February 2003, the Deputy Prime Minister announced a programme of action—the sustainable communities plan—which made it clear that a step change was essential to tackle the challenges of a rapidly changing population, the needs of the economy and the serious housing shortages in London and the south-east. The action programme set out the policy, resources and partnerships required to achieve that change. It also set out the need for key growth areas such as the Milton Keynes and south midlands area, which was already demonstrating a dramatic capacity for economic success.

[Yvette Cooper]

The progress report that was published in July identified the Milton Keynes and south midlands growth area as a key link between the midlands and the south-east. It also made it clear that regional and local partners have launched proposals for public consultation on total growth, which would provide 134,000 new homes by 2016 in the main growth locations throughout the sub-region—and thus generate an additional 44,000 homes by 2016 above current planning targets.

Andrew Selous: Will the Minister kindly tell the House what is wrong with having a much larger number of smaller-scale developments integrated organically into existing communities rather than four massive areas around London, which will come with a whole host of social problems?

Yvette Cooper: The hon. Gentleman is right that we need new developments with different kinds of housing and mixed developments whenever possible. We have strongly promoted such developments on brownfield sites in existing communities—that is the direction in which we are moving. Additionally, we have identified key growth areas where detailed local studies have shown that substantial further expansion can be supported and, indeed, where such expansion is required because of the extent of the need for additional local housing that is coming from London and the south-east and the genuine pressures that we must all recognise. That means that Aylesbury Vale district council's existing regional planning guidance allocation of 11,400 extra homes by 2016 will increase to 16,400 extra homes, and the three regional assemblies are formally taking that proposal forward through the planning process. The regional assemblies include local councillors. When completed, the planning proposals will alter existing regional planning guidance.

The planning consultation for the area was published in July, with the 12-week initial consultation period ending on 13 October. During that time, two public consultation events were held at Aylesbury in August. Given the understandable insistence on the need for consultation, I assure hon. Members that that stage was the first part of an extensive round of public participation undertaken before finalising the regional planning guidance towards the end of next year.

Before the proposals are finalised, there will be a public examination, run by an independent panel; that will be held in March 2004. It will scrutinise all the proposals, including those for Aylesbury. Further public consultation on the proposed changes will be undertaken later in 2004 before the alterations are finalised. We are still some way off the end of the consultation process. Once regional planning guidance is finalised, local development documents will cover the area and will involve consultation arrangements for the locality.

I stress that the proposals are draft proposals by the regional assemblies. They will continue through the process of public consultation for some time. The regional planning documents are not intended to be site specific, but to give a broad strategic view of the way forward. It may reassure hon. Members to know that the Government's response to the current consultation is that the draft proposals are too site specific and that more strategic criteria are required to allow local communities to determine where and how the additional development is provided.

The proposals present considerable opportunities to Aylesbury Vale district council and Aylesbury itself in terms of the role and functions it may develop. It might be possible to utilise the growth to deliver urban renaissance, especially in the town centre, and to attract higher-value inward investment. Opportunities are likely to be sought to promote urban intensification of existing residential areas and, through the redevelopment of redundant employment land, to minimise development on greenfield land. We should recognise that many of those areas have relatively low density of housing compared with other regions.

Hon. Members mentioned infrastructure. That is extremely important. The communities plan sets out that growth areas must not be dormitories; they must be communities. That also depends on providing good quality community infrastructure.

I recognise the concern expressed by the hon. Member for Buckingham about the historical record. New developments have taken place without the necessary infrastructure being in place. The purpose of the communities plan is to indicate a substantial change in that approach and to recognise the importance of infrastructure.

We have already provided additional Government funds of £11.4 million to pump-prime the delivery of growth in Milton Keynes and Aylesbury, showing our commitment to the area. Aylesbury Vale district council prepared a number of bids from the additional money. Its bid for specialist advice and a strategy action plan, together with a study for promoting and unlocking opportunities and areas for mixed development, were successful. We are considering the Kingsbury project, which would help to regenerate Kingsbury town centre. In addition, we are also funding studies covering the whole growth area, including one relating to health and hospital provision.

We are also considering transport infrastructure. My right hon. Friend the Secretary of State for Transport announced on 9 July a package of improvements worth £2.2 billion across the growth areas. That will support links from Milton Keynes to Aylesbury and public transport improvements that are being worked up in Aylesbury itself.

Mr. Bercow *rose—*

Yvette Cooper: I cannot give way because I am short of time. I am, however, happy to discuss the issue with hon. Members after the debate.

We are at the beginning of the process. Many infrastructure issues will need to be dealt with over the coming period. That is why we are funding a local delivery vehicle for Aylesbury to involve local partners and to anticipate what the infrastructure needs might be. At the Milton Keynes and south midlands level, we are establishing an inter-regional board to be chaired by my noble Friend Lord Rooker. It will bring together representatives from the delivery agencies at the highest

possible level to focus on the areas where high-level executive intervention is necessary to achieve the delivery of the sub-regional infrastructure. The board will start by establishing infrastructure priorities and core needs to deliver the growth area proposals. Much of that work still needs to be done, and will include infrastructure and services such as highways, education, health services, environmental requirements, utilities and community facilities, as well as other infrastructure such as public transport, emergency services, community support and social services. All the key organisations need to be involved.

We recognise that infrastructure is critical to ensure that the growth areas are successful. There are considerable opportunities for Aylesbury Vale district council to take advantage of, both in new inward investment and opportunities for growth, and I hope that the local partners will work together to make the most of them. The Government are keen to support the developing opportunities to build the Aylesbury communities so that they can prosper in future.

Question put and agreed to.

Adjourned accordingly at four minutes to Eight o'clock.

Deferred Division

Recovery Plan for Cod and the Recovery of the Northern Hake Stock

That this House takes note of European Union Documents No. 9081/03, draft Council Regulation establishing measures for the recovery of cod stocks, and No. 10980/03, draft Council Regulation establishing measures for the recovery of the Northern hake stock; welcomes the Government's support of the adoption of recovery plans for cod and hake in which effort control and other measures can play a part, and also supports the Government's intention to ensure a close dialogue with the fishing industry in developing these plans.

The House divided: Ayes 251, Noes 168.

Division No. 334]

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Banks, Tony
Beard, Nigel
Beckett, rh Margaret
Benn, Hilary
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burnham, Andy
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Doran, Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin

Howarth, rh Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis

Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Younger-Ross, Richard

Question accordingly agreed to.

House of Commons

Thursday 23 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Biofuels

1. **Mr. Bob Blizzard** (Waveney): What assessment she has made of the potential value to rural economies of producing biofuels from crops. [133781]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The impact of the UK meeting the reference target in the European Union biofuels directive for the substitution of 5.75 per cent. of fossil fuels by biofuels by 2010 would be to create or sustain some 6,000 jobs in the agriculture sector. Production at this scale would require a mix of feedstocks, including a contribution from waste oil and crop production from up to 1 million hectares of land.

Mr. Blizzard: I thank the Minister for that answer, but does he agree that if we are to reap the full economic benefits from energy crops such as rapeseed for biodiesel, we need to kick-start the industry in this country? The Treasury advised me that a simple duty rate cut would risk sucking in imports from established industries in other countries, so will my right hon. Friend hold urgent discussions with the Department of Trade and Industry and the Treasury to find out what can be done to kick-start an industry in this country that would be good for farmers and towns such as Lowestoft in which people want to set up biodiesel factories?

Alun Michael: My hon. Friend's constructive question partly answers itself because, of course, we want to stimulate the industry, which requires creating the market and enabling growth in production. I can certainly assure him that we shall continue to talk to colleagues in the Department of Trade and Industry and the Treasury about those issues.

Mr. David Curry (Skipton and Ripon): The Government must decide what they want from this policy. It is quite reasonable for different Departments to have different expectations and aims, but when the Government make a collective decision they must decide where their priorities lie. They have not done so at the moment. The Treasury and the Department for Environment, Food and Rural Affairs seem to have different objectives and argue that different methods are needed to reach whatever the objectives are. May I urge the Secretary of State and her Department to hold urgent discussions with the Treasury and the Department of Trade and Industry so that we may have a clear idea of where the priorities lie? We could then decide whether the mechanisms, including the tax mechanisms that appear to be at the front of the debate, will get us there.

Alun Michael: I am grateful to the right hon. Gentleman for first criticising and then encouraging dialogue in government, which is what we have. He should remember that the Government are promoting the production of liquid biofuels through the existing 20p per litre cut in duty for biodiesel and the intention that was announced in the 2003 Budget to reduce the duty on bioethanol by a similar amount from January 2005. I assure him that we will continue to discuss with colleagues in the Treasury and other Departments how best to ensure that we pursue the issues.

Alan Simpson (Nottingham, South): The Minister may well know that the Select Committee on Environment, Food and Rural Affairs has been examining biofuels. In his deliberations, will he ensure that there is at least a differentiation between the value of a biofuels market and the implications of a biofuels industry? One of the issues that the Committee was asked to address was the environmental impact of crop growing—the fuel growing—on the environment itself. It was asked to consider the impact of footprinting on the environment as a broad picture of the costs involved, including the relative costs of producing crops for biomass rather than biofuel.

Alun Michael: My hon. Friend gives us a valuable reminder that our approach must be based on sustainable development and that we must consider the environmental, economic and community issues that are involved in promoting the sector. However, as I said in my first answer, there are obvious benefits for jobs and the economy, which I am sure that he wants us to pursue.

Mr. Bill Wiggin (Leominster): What assessment has the Minister made of the impact of the 20p per litre reduction in biodiesel duty, and what effect has that had on the industry?

Alun Michael: The cut in biodiesel duty has already brought forward the production of biodiesel from recycled vegetable oil, about 2 million litres of which are sold each month in the UK; half comes from that source and the other half is finished product that is imported from elsewhere in Europe. The hon. Gentleman will acknowledge that that is an important step forward.

Genetically Modified Crops

2. **Mr. Jim Cunningham** (Coventry, South): What plans her Department has to work with the Department of Health to improve public awareness of genetically modified crops and foods. [133782]

The Minister for the Environment (Mr. Elliot Morley): There are no plans for any specific initiative with the Department of Health to improve public awareness of genetically modified crops and foods. The recent GM public debate has already contributed toward the understanding of GM technology. The Food Standards Agency has also recently completed a series of activities with consumers to explore their concerns relating to GM issues.

Mr. Cunningham: Given the great public concern about genetically modified foods, does my hon. Friend think that at least something should be done, and that talks should take place with the food industry, to ensure that food labels clearly advertise the fact that food has been modified?

Mr. Morley: I accept my hon. Friend's points. It is important that people have proper consumer information. A number of GM products that were approved some years ago are on the UK market. They are labelled. The recent EU agreement that sets thresholds for labelling is a helpful step forward. Whatever the outcome of the debate on GMs in this country, the fact is that they exist globally; there is a global GM market. It is important that consumers have the relevant information so that they can choose whether to buy GM products.

Andrew George (St. Ives): Notwithstanding all that, does the Minister accept, on the basis of the evidence of the Government's own inquiries, that it would be significantly irresponsible to move swiftly to the irreversible decision of licensing GMs now? Would it not be better for the Government to set out a timetable so that there is an opportunity to assess properly and investigate further the science, the liability issues and the commercial reality? That could be followed by a re-run of the public consultation, because it is clear that the public did not have all the information that is now available to the Government.

Mr. Morley: I do not agree with the latter point. The GM debate was on the wider principles of GM crops and products. No country has done as much detailed research as us. In addition to the three strands—the public debate, the economic review from the strategy unit and the scientific review—we conducted a three-year study of the field-scale evaluations, the results of which have been published for all to see. The results will go to the Advisory Committee on Releases to the Environment, which will hold two open meetings to allow stakeholders to respond to the results of the FSEs. They will be able to put their points to ACRE in an open debate with open access. ACRE will consider the results in detail and make recommendations to the Government in spring next year. That is not rapid progress. We have given all the regulatory authorities the adequate time they need. The process has been going on since 1997. It is not rushed; it is a proper, thorough and science-based process. The issue has been approached cautiously, looking at the arguments in great detail in an open and transparent way. No other country has put that in place.

Mr. Michael Meacher (Oldham, West and Royton): In view of the growing public awareness of, and hostility to, GM crops in this country, is the Minister aware that agreeing the GM thresholds for the vote on the seeds directive in Brussels next week would allow GM into the country on a massive scale through the back door? Will he therefore instruct the British representative on that committee to oppose the 0.3 to 0.7 per cent. thresholds and insist that any GM threshold above the level of detectability, which is 0.1 per cent., is not acceptable?

Mr. Morley: There will not be a decision on the seeds directive next week. Further consideration is being given to the legal process—the way in which it is being handled in the EU—and to the position that we take in the UK. We have not come to a final conclusion on the thresholds. The opinion that we take will be based on good scientific advice and the practicability of the measurements that will be applied to ensure that we enforce the regulations when they are finally agreed.

Mr. Robert Key (Salisbury): Will the Minister confirm that after six years and with 6 million farmers worldwide growing genetically modified crops, supplying hundreds of millions of consumers, there have been no reported adverse health impacts of GM products? We cannot pursue the issue in a luddite manner. We must look forward and seize on science, sensibly assessed with sensible political judgments being made.

Mr. Morley: The hon. Gentleman makes a fair point on the whole GM issue, but we cannot ignore public concern and opinion. The "GM nation?" debate made it clear where those concerns lie. It is beholden on us as the Government to address those public concerns and listen to the opinion that came out of the debate. People were worried about the science. There are issues of trust. Of course, that has not been helped by problems such as BSE, which damaged the credibility of assurances given at the time. It is important to consider all issues—health and the environment—thoroughly, scientifically and openly and transparently. That is what we are committed to as a Government.

Diana Organ (Forest of Dean): The GM debate was an innovative experiment in participatory democracy, but for people to have real faith in it they need reassurance that Government policy will take note of the outcome of the consultation. What reassurance can my hon. Friend give me on that, and when do the Government intend to respond to the consultation on GM?

Mr. Morley: I can assure my hon. Friend that the Government will give a full written response to the GM debate, and we hope to do so in a matter of months. It was a detailed debate, as she knows, which we had the opportunity of discussing in the Select Committee. We want to give due weight to the opinions that were expressed and to respond in a thoughtful and detailed manner to a very useful exercise. It will influence the kind of work we do, and it may influence the kind of scientific research we have to commission—on health effects, for example. We have two detailed studies under way through the Food Standards Agency—the GEO-1 study, which started in 1994, and the GEO-2 study, which has a £6 million budget. They are taking place in response to legitimate public concern, which we must

address in a rational and scientific way. We need to make sure that the information is in the public domain, so that people can see it, question it and, if they wish, raise issues, to which we will try to respond.

Mr. John Hayes (South Holland and The Deepings): Following on from the question from the hon. Member for Forest of Dean (Diana Organ), the Minister, while he is in thoughtful mode, may want to think about Professor Malcolm Grant, the chairman of the public debate steering board, who said yesterday at the Environment, Food and Rural Affairs Committee—I paraphrase what Professor Grant said, but I think the Minister will find that this is pretty accurate—that if the Government policy does not reflect the outcome of the debate, it will have been a failure. Was Sir Malcolm right or wrong, and if he was wrong, why was he wrong?

Mr. Morley: May I put on record our acknowledgement of and thanks for the work that Sir Malcolm did as chairman of the steering board? We can see from the report that was commissioned that the people who attended found it a valuable exercise. With reference to Sir Malcolm's comments, of course we recognise that we must take seriously the opinions expressed in that exercise. It was made clear from the beginning by my right hon. Friend the Secretary of State that "GM nation?" was never designed to be a referendum on GM. It was designed to address the issues and to discuss the science behind GM and the background to potential commercial applications of it. I made it clear in previous answers that we will take the concerns seriously and address them.

Beef Exports

3. **Mr A.J. Beith** (Berwick-upon-Tweed): What steps she is taking to remove barriers to beef exports to EU countries. [133783]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): I most recently discussed beef exports with Commissioner Byrne in Italy last month. The European Food Safety Authority is considering the UK case for relaxing rules on UK exports.

Mr. Beith: Does the Secretary of State recognise how crucial it is to beef farmers in Northumberland that we get support at the highest political levels to overcome obstacles that may owe more to protectionism than to science? In particular, does she realise how important it is to secure the smooth dismantling of the data-based export scheme and the over-30 month scheme, and to achieve a target of getting bone-in beef exported by next autumn?

Margaret Beckett: We fully understand the concern of beef farmers, whether in Northumbria or elsewhere. The Government's clear aim is to be able to trade on the same basis as other member states. That is what we are pursuing, but the right hon. Gentleman will appreciate that we must make sure that the right safeguards are in place and that we are giving the right reassurance. We are doing everything we can. I reassure him that at the highest possible level we have all the support that we could want, but we have to carry others with us.

Mr. Douglas Hogg (Sleaford and North Hykeham): Would the right hon. Lady tell the House how much beef has been exported to France over the past 12 months, and, if the quantities are very small, what steps she is taking to ensure that they improve?

Margaret Beckett: I am afraid that I do not have that information with me, but I shall certainly write to the right hon. and learned Gentleman. As I said to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), the Government are doing everything we can to ensure that it is recognised and acknowledged that Britain has overcome many of the difficulties that were experienced in the past. We have a strong case for saying that we are no higher risk than any other EU country. We should be able to trade on that basis, and that is what we are pursuing.

Abattoirs

4. **Matthew Green** (Ludlow): When she will publish the action plan to support small and medium-sized abattoirs and slaughterhouses. [133784]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): We will publish data on the abattoir and meat cutting plant sector shortly. That will help to inform the better use of support mechanisms provided for under European Community legislation.

Matthew Green: The Minister will be aware that in 1997 there were 506 abattoirs and that by August this year the figure had fallen to 395—a fall of more than 20 per cent. in six years. By now the figure may be even lower. Given the advantages of local abattoirs in minimising transport-related stress to animals, reducing the likelihood of disease outbreaks and increasing the availability of locally produced meat to consumers, should not the Government find specific grants to support and to increase the number of local abattoirs?

Alun Michael: The hon. Gentleman makes some important points. It is also important that abattoirs are commercially viable and sustainable in the long term. Preparing the data on the current work of the sector has been time-consuming and exhaustive, but it is important to get those facts right. We are liaising with rural development agencies—indeed, I spoke to one this morning—and with Government offices for the regions to encourage planning for adequate abattoir provision in the development of regional food strategies. That goes with the grain of the hon. Gentleman's remarks.

Mr. Michael Jack (Fylde): Will the Minister acknowledge the important role that is played in the work of abattoirs by vets with experience of large animals? The findings of the recent inquiry into veterinary practice by the Select Committee on Environment, Food and Rural Affairs, which are published today, show that there is an extreme shortage

of vets with large animal experience. Will the Minister outline the steps that his Department will take to address that problem?

Alun Michael: The right hon. Gentleman will have heard the response of the chief veterinary officer to that report—he welcomed and acknowledged its findings. The animal health and welfare strategy will address those issues, which we regard as very important.

Norman Baker (Lewes): The situation described by my hon. Friend the Member for Ludlow (Matthew Green) is even worse than he suggests. In 1975, there were 1,385 abattoirs; now, there are just 395. That huge reduction has an environmental effect in terms of extra lorry journeys, often over long distances, that are necessary to take farmers' stock from where they are reared. That not only affects the environment, but is bad for the animals and for biosecurity. Is not there a case for direct Government investment in that area?

Alun Michael: The decline in the number of abattoirs has been with us for a very long time. Indeed, the first challenge that I was given when I went into local government in the early 1970s was to deal with the Cardiff abattoir. Distance of travel is an important issue, but I remind the hon. Gentleman that finance is available in the shape of the processing and marketing grant, which offers capital grants for processing and marketing facilities to help rural businesses to become more competitive. Small and medium-sized abattoirs may be eligible for that scheme, in competition with other projects. The region concerned is the right place in which to develop a strategic approach. We hope to be able to publish the data shortly, and, on the back of that, to work with rural development agencies and Government offices for the regions to consider the regional dimension and to ensure that the sector is able to compete effectively.

Gangmasters

5. **Mr. Peter Luff** (Mid-Worcestershire): What plans she has to control the activities of gangmasters in (a) horticulture and (b) food processing. [133785]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): My Department is working with organisations and businesses in the food chain to draw up a code of good practice and a system of accreditation for labour providers operating in those sectors. We are considering the recent report on the subject by the Select Committee on Environment, Food and Rural Affairs, and the Government will reply in due course.

Mr. Luff: Does the Secretary of State agree with my calculation that up to seven Departments and, according to the Committee, eight agencies have an interest in the issue? Does she understand that many of us feel that the Government have not shown enough determination or urgency in joining up those seven Departments and eight agencies; and that by their failure they are undermining the work of good gangmasters, which leads to the loss of substantial Government revenues and enables the continued exploitation of some of the most vulnerable people in our country?

Margaret Beckett: I have great sympathy with the hon. Gentleman's concerns for those involved who are, as he says, vulnerable. He is right that a range of agencies as well as Departments are involved. However, I do not agree that insufficient work has been done. One can always improve and do better, but there has been much cross-departmental and cross-agency work, not least on Operation Gangmaster, as he knows. Several prosecutions have been undertaken and examples of exploitation—over-payment of benefit, tax avoidance and so on—have been addressed. Work is therefore being done, but I agree that we need to continue with it.

Mr. Mark Simmonds (Boston and Skegness): Will the Secretary of State acknowledge that there is a significant problem of rogue gangmasters in Lincolnshire and throughout the United Kingdom, admit that Operation Gangmaster has been a failure, with no budget, no aims, no goals and no objectives, and assure legitimate gangmasters that the Government will act and that a specific Minister will be responsible for eradicating the exploitation of vulnerable workers and stopping extensive benefit fraud and tax and VAT evasion?

Margaret Beckett: Frankly, although that was a useful rant, it was not related to the facts. In the last year for which we have full information, the Department for Work and Pensions took enforcement action in 235 cases and made more than 1,000 adjustments to benefit. Inland Revenue specialist teams dealt with inquiries in the Thames valley that resulted in repayments worth approximately £4.3 million.

Action is being taken. Perhaps the hon. Gentleman does not know that we have been working with the industry to try to set a standard of best practice and draw up a code of practice. A pilot exercise will start in the next couple of months with a sample of labour providers and users in south Lincolnshire. There is great concern in the industry, and that is natural and understandable because people with high standards who treat their work force decently are being undercut by exploitation. However, it is not right and not fair to suggest that nothing is being done.

Mr. David Lidington (Aylesbury): Is not the right hon. Lady displaying shocking complacency about Operation Gangmaster? The recent report of the Select Committee on Environment, Food and Rural Affairs, which has a majority of Labour Members, was agreed and concluded that Operation Gangmaster—a flagship initiative—had been running for five years with no targets and no Minister with responsibility for its actions and had carried out no significant analysis of the problems that it was set up to tackle. The Committee also concluded that Operation Gangmaster was a convenient reference point to enable Ministers to give the impression that the Government are doing far more about dealing with the problems than is the case.

Instead of saying that the Government will respond in due course to that damning, critical report, should not the right hon. Lady urgently introduce proposals to deal

with the failures that the Committee identified? Is she genuinely content with the indolence and inertia that has characterised the Government's response to date?

Margaret Beckett: Anyone listening to that rant would believe that the problem was new. It has been going on for years and that is unsatisfactory. *[Interruption.]* There is no evidence that it is getting worse but it is persistent and the Government are determined to tackle it. In the past 18 months, there have been criminal prosecutions in 14 cases. Indeed, the prison sentences passed total 31 years. The hon. Gentleman should know, but perhaps he does not, that following the Grabiner report, the Government set up a working group on the informal economy. It will consider such issues and report to Treasury Ministers on their impact. Operation Gangmaster reports to the working group.

Of course, I am aware of the concerns that the Select Committee expressed. I understand Members' anxiety, but I do not wholly agree with their conclusions. However, we shall respond to them.

Bovine TB

6. **Mr. Colin Breed** (South-East Cornwall): If she will make a statement on the impact of bovine TB on the countryside's economy. [133786]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): The impact of bovine tuberculosis on the economy of the countryside will vary from region to region. Farmers are compensated for animals slaughtered, and, in addition, payment for TB testing makes a significant contribution to the income of veterinary practices.

Mr. Breed: I thank the Minister for that response. I know that he has been in his post for only a little while, but I wonder whether he would be interested in a report from the Department's predecessor, the Ministry of Agriculture, Fisheries and Food, entitled "Badger control policy: an economic assessment", which suggested that the then Conservative Government would undertake a review of policy in relation to the economy in this area. The report is dated 1984, and since then we have had 13 years of inertia from the Conservative Government and six years of it from this one. That means that, today, we are seeing more and more cases of TB—

Mr. Speaker: Order. The hon. Gentleman must ask a question, and it is supposed to be brief.

Mr. Breed: The question is, when, after nearly 20 years, are our farmers going to get a credible policy to eradicate bovine TB?

Mr. Bradshaw: I am aware that this problem has existed for some time, but, with all due respect, we are not responsible for the first 13 of those years. We have set up the Krebs trials, which are now back on course after the delay that was inflicted on them by the foot and mouth outbreak. We expect them to report in 2006. If, in the meantime, they have anything important to say, I will take those reports on board and we will change our policy accordingly.

Mr. David Drew (Stroud): I concur with what my hon. Friend the Minister says, but will he look carefully at the results of the research that is going on in Ireland at the moment? Will he assure me that he will look only at the scientific outcome of that research, rather than at the propaganda, which is not helping the case in trying to find a solution to this awful disease?

Mr. Bradshaw: My hon. Friend makes an important point. The research that has been going on in Ireland has not yet been published or peer reviewed, and there has been a great deal of mis-reporting in the press. I hope to visit Ireland shortly to have a look at the work that is being done there, and if there is anything useful and scientifically accurate that we can use to inform our policy we will, of course, take it on board.

Mr. Richard Bacon (South Norfolk): Will the Minister confirm that he has just moved the date for the announcement of the results of the Krebs study by two years, from 2004—the previously announced date—to 2006? Many people are at a loss to understand why the study, which has been rambling on for years, seems unable to come up with any definitive answers on whether bovine TB is transmitted from badgers to cattle. May I suggest that the Minister gets a field, fences it off, puts in some cattle that he knows are healthy, introduces a few badgers that he knows have TB, and sees what happens?

Mr. Bradshaw: No. The hon. Gentleman reveals his outstanding ignorance not only of the nature of the Krebs trials but of science. We cannot rush science. It has been known, certainly since I have been the Minister responsible for these matters, that the Krebs trials would not report until 2006, so I do not know where the hon. Gentleman has been for the last few months.

Mr. David Kidney (Stafford): In our debate on this subject in Westminster Hall, I described the approach of bovine TB towards the Stafford constituency from two directions. Sadly, this week, I have received notice of a second TB breakdown in a cattle herd in the constituency. Does my hon. Friend understand the anger that farmers feel, because they feel powerless to act against this tide and believe that the Government should do something about it? In that debate, we talked about adopting a plan B if the present approach did not work and Krebs did not produce any advance on it. My hon. Friend the Minister even thought that my idea of a seminar for hon. Members would contribute to creating a plan B. Where are we in relation to developing our alternative arrangements?

Mr. Bradshaw: My hon. Friend is absolutely right. Nobody should underestimate the distress and anger felt by farmers whose herds suffer a TB breakdown. I hope to honour his request for a seminar on this issue, in which all hon. Members will be free to take part. My right hon. Friend the Secretary of State has also announced a review of the TB policy, and we expect to consult on that before the end of the year. That will

include consultation on a plan B, should the Krebs trials show something dramatic, or, indeed, not show anything at all.

Rural Development

7. **Mrs. Patsy Calton** (Cheadle): What discussions she has had with colleagues in other departments to discuss delivery of sustainable rural development. [133788]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): We have discussions with colleagues in other Departments on rural development issues almost daily. I must have spoken to some five or six colleagues yesterday alone. Ensuring a better quality of life for everyone, now and for future generations, lies at the heart of DEFRA's vision of sustainable development, and is relevant to everything that we do, including sustainable rural development. Over the coming weeks, I shall meet colleagues in other Departments, along with Sir Ewen Cameron, to discuss these issues and other matters of mutual interest in relation to each Department's responsibilities.

Mrs. Calton: In his discussions, will the Minister take up the issue of the closure of rural post offices on the edge of urban conurbations, which the Post Office considers to be urban post offices? I am especially concerned about the effect on the quality of life of urban communities, but I am also worried about the transport implications for those communities.

Alun Michael: The hon. Lady makes an important point. The interface between rural areas that are near to urban areas and the maintenance of services is a difficult and challenging issue, not least because people living in villages often choose to shop in the town rather than at the rural post office.

We have provided a £450 million support package for 2003 to 2006 to help Britain's 8,500 rural post offices, but we need to look beyond that to the creation of a sustainable future. I am pleased that colleagues across the Government have agreed on the importance of co-location and co-delivery of services in rural areas, and of ensuring that services that would otherwise be unsustainable support each other.

I agree that we need to look particularly at rural areas that are close to urban areas.

Mr. David Chaytor (Bury, North): May I return to the subject of the role of energy crops in sustainable rural development? Does the Minister agree that the market for such fuels will grow only if consumers know where they can buy them? Does he know how many retail outlets we currently have for biodiesel and where they are, and what could his Department do to publicise them?

Alun Michael: I know that there is one in my hon. Friend the Minister of State's village and that he uses it, but he has expert knowledge of his own area, and I agree that a market needs to be created. The difficulty lies in ensuring that supply and the creation of the market do not outpace production and sales, and delivery independence. That is not easy, but we are trying to deal with it, as I have indicated in earlier answers.

Mr. Boris Johnson (Henley): In delivering sustainable rural development, what steps are the Government taking to encourage supermarkets to stock locally produced meat and other products, so that consumers can not just assist the British livestock sector but have the security of knowing where the meat came from and how it was reared?

Alun Michael: I acknowledge the value of that approach, which we try to encourage in regional food strategies. I talked to a regional development agency this morning about the link between the use of local products and tourism, and the importance of encouraging those who run restaurants and hotels to make such choices.

The industry can help itself in this regard. A short time ago, I met a farmer in Cumbria who had taken the produce of some 40 farmers to a supermarket and persuaded it to provide a rack featuring local produce, which subsequently outsold many national brands.

The Government's promotion of the outcomes of the Curry report "Farming and Food: A Sustainable Future" is very relevant. I am grateful for the hon. Gentleman's endorsement of that approach.

Joyce Quin (Gateshead, East and Washington, West): Does my right hon. Friend accept that if the Government's policy of devolution within England is to work, it will be vital for rural interests and the rural economy to be a central, integrated part of the process? Will he assure me that the Government will ensure that the task of addressing rural needs and issues such as that raised by the hon. Member for Henley (Mr. Johnson) becomes an essential part of the work of regional development agencies and, where they are established, regional assemblies?

Alun Michael: I can certainly assure my right hon. Friend of that. Only last week we had discussions with regional development agency chairs, during which my right hon. Friend the Minister for Sport and Tourism and I spoke of the consonance between the issues of food production and tourism. This morning I emphasised to RDA representatives the link between tourism and commercial opportunity for producers and processors. This is very much a regional and local issue, which should not be viewed only at national level.

Mr. James Gray (North Wiltshire): One would have thought that the Minister would have welcomed one of the recommendations in the Labour-dominated Select Committee on Environment, Food and Rural Affairs report on broadband that he should play an absolutely central role in promoting broadband in rural areas. But his response, which was published yesterday, was:

"Defra Ministers have stressed that it would undermine rural delivery . . . were policy for rural broadband . . . to be divorced from the mainstream."

He says that

"in this case the Department of Trade and Industry"

must

"ensure that delivery is as good as it can be in rural areas."

Does not he understand that broadband can, broadly speaking, be easily delivered in urban areas, that it is much harder in rural areas but that it is much more essential that we should have it in rural areas? Does not he understand that, as Minister for Rural Affairs and Local Environmental Quality, he should be taking a key and central part in pressing the other Government Departments and other agencies involved to ensure that broadband is spread as widely as possible?

Alun Michael: The Select Committee is Labour dominated because this House is Labour dominated, and long may that continue. It is certainly in the interests of rural areas that we have strong representation on the Labour Benches—Labour Members really are interested in the regeneration of rural areas.

The hon. Gentleman has been wandering around in a fog for many months. He seems to be pre-occupied by one or two other issues, rather than the interests of rural communities. Great steps forward have been made in the delivery of rural broadband. I am pleased that the Minister for Energy, E-Commerce and Postal Services has given the same undertakings that we have been willing to give on the delivery of broadband to rural areas.

We need to remind rural areas—I reminded some of its regional representatives this morning—of the opportunity that broadband gives for commercial activity based in rural areas, which previously could exist only in urban areas. The way in which we are pushing forward the delivery of broadband in rural areas will show us competing successfully with other countries and surging ahead of them. [HON. MEMBERS: "Where?"] Opposition Members really should get out a bit more.

Genetically Modified Crops

8. **Mr. Huw Edwards** (Monmouth): If she will make a statement about the findings of the public consultation on GM crops. [133789]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): We are currently considering the findings of the public debate on GM issues. The Government hope to publish their response in the new year in the light of all the available evidence, which includes not only the findings of the specific debate itself but the other components: our science review; the costs and benefits study; and, of course, independent advice on the results of the crop trials.

Mr. Edwards: In view of the public unease that has been expressed about GM at public events throughout the country, including two in my constituency in Monmouth and Abergavenny, the evidence of the farm-scale trials showing an adverse effect on biodiversity, the decision of the Co-op, and Monsanto's decision to throw in the towel in Europe, is it not time for the Government to change their position from being neither for nor against GM to having a presumption against?

Margaret Beckett: No, I am afraid to say. The whole point about the extensive process that the Government have undertaken since we were elected in 1997 has been to endeavour to get as much sound science and understanding as we can. If I may refer my hon. Friend to what appeared to come through from the results of the in-depth discussions with the public, they showed that what people wanted most of all—I am talking not about campaigners, who have a perfectly legitimate point of view and express it, which is fine, but about many ordinary members of the public—was firm regulation, to which we are absolutely committed; evidence that there would be clear benefits, which again is something that we are all interested in; and much more information.

With respect to my hon. Friend, the results of the trials were not uniform. We shall await the advice from the committees, but the effects of the trials were quite mixed. They were extremely interesting as a matter of fact and have much more relevance for agriculture as a whole than just the issue of GM.

Mr. James Paice (South-East Cambridgeshire): Does the Secretary of State agree that the Government's role in respect of GM crops should be to assess the safety in terms of health, and the safety of those crops or their growing in terms of the environment, and to inform the public accordingly to allow them to make their decisions? Does she agree that issues of consumer demand are a matter for the marketplace? However, does she also agree that the biggest problem in informing the consumer about environmental issues is the fact that the field-scale trials did not address one of the most fundamental questions: gene escape from GM crops into native species? Until that issue is properly addressed with field-scale trials, no one can be properly informed on the subject.

Margaret Beckett: I do not disagree with much of what the hon. Gentleman said, and he is absolutely right: the Government's overriding objective is, and always has been, to safeguard human health and the environment. But with respect, he has mistakenly identified the purpose of the trials, which were set up specifically to address a gap in our knowledge. Other work already exists, and additional work recently published outside of the field-scale trials does address gene escape, gene transfer and so on. The field-scale trials were designed for the specific and single purpose of addressing a gap in our understanding of the impact of herbicide use on wildlife, which is why we have emphasised throughout that this single piece of evidence is not the determinant. It is important, new and extremely relevant, but it is not the only evidence; there is much more that we need to take into account.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): May I urge the Secretary of State to treat with some scepticism the views of the scaremongers, particularly those of ex-Labour Ministers? *[Interruption.]* I said, "The scaremongers." After all, had we listened to Lord Melchett and the protesters, we would not have had field-scale trials. May I ask the Secretary of State to take account of the fact that, because GM technology means the use of less pesticides and chemicals, we can have much higher yields, which will help to feed the hungry in the third world?

Margaret Beckett: My right hon. Friend makes an extremely important point about the potential importance of this and other technologies to our capacity to feed the hungry in the third world. I do not myself hold a particularly greater grudge against ex-Labour Ministers than against anyone else, but he is certainly right that we should always give careful thought to the views of others. It is not often appreciated that GM crops have to go through five separate sets of approval procedures before any question can arise of their being grown—a scale of precaution that we do not apply to anything else. One of the trials' most interesting outcomes was their demonstrating that we should perhaps examine other things that we do, and not just GM crops.

Mr. David Lidington (Aylesbury): May I follow up the question asked by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice)? In the light of the fact that, as the Secretary of State said, the commercial crop trials just reported on dealt with biodiversity and environmental impact, can she indicate whether the Government intend to publish a similar authoritative statement of scientific advice on gene transfer and the possible impact of GM pollen on conventional and organic crops? This matter needs to be resolved, and we need conclusive scientific evidence in order to take an informed decision on the possibility of large-scale commercial growing of GM crops in this country. Can the right hon. Lady also say when she expects to be able to share with the House the Government's proposals on matters such as separation distances between GM and non-GM crops? Such questions are being asked not just by politicians, but by many farmers, growers and consumers.

Margaret Beckett: The hon. Gentleman is entirely right and I do not disagree with him at all. Many important questions arise, and a great deal of information—far more than people realise—is now in the public domain, much of which has had little publicity.

On separation distances, the hon. Gentleman will recall that we are awaiting advice from the Agriculture and Environment Biotechnology Commission, which is the independent body that advises the Government on such issues. When we receive it, we shall have to take it into account, along with the other issues. He also asked whether work similar to that undertaken through field-scale trials has been carried out on gene transfer, pollen transfer and so on, and the answer is yes: the Royal Society and other researchers have published such work comparatively recently. *[Interruption.]* My hon. Friend the Member for Scunthorpe (Mr. Morley) reminds me that some eight studies—I was certainly conscious of four or five—have been published outside of the trials on which publicity has focused. Those studies give a great deal more information on these issues, so a huge amount of scientific evidence is available.

Horticultural Development Council

9. **David Taylor** (North-West Leicestershire): What representations she has recently received about the operation of the Horticultural Development Council. [133790]

The Minister for the Environment (Mr. Elliot Morley): Representations have been received recently on the requirement for growers to pay a statutory levy to the Horticultural Development Council, on the commissioning of research and development by the council, and the statutory review of the council.

David Taylor: The HDC does some excellent work in the top-class research that it commissions for horticulture, but is the Minister happy about the equity and impact of its levy on some specialist growers who receive little or no benefit from its work? Will he see me to discuss the concerns of a large-scale mushroom grower in my constituency, whose levy is more than 10 times higher, relative to turnover, than that of others in its industry sector? Where is the value for money in that?

Mr. Morley: I understand the point that my hon. Friend makes. As a general principle, there is value in a statutory levy on industry groups to finance near-market research and development. I understand that the HDC has three strands of funding, including a separate strand of funding for the mushroom sector. Those who grow exotic mushrooms feel that the calculation works against their interests. If memory serves, the levy is 8p a litre on mushroom spawn and the exotic sector requires much more spawn. The HDC is sympathetic to that point and it can be considered in its statutory review, but if my hon. Friend would like to discuss the matter in more detail in relation to his constituency concerns, I would be only too happy to arrange that.

Hugh Robertson (Faversham and Mid-Kent): The HDC is, of course, intimately involved in the national fruit show, which has been taking place yesterday and today in my constituency. Fruit farming is something that we should all support, because the orchards are good for the environment, the produce is of high quality and delivered close to the marketplace, it forms part of the Government's five-a-day and fruit for schools programmes, and it is unsubsidised. Given that, will the Minister explain why no Minister has been to visit and support the national fruit show and why one of the organisers said to me yesterday that it is easier to get royalty along than a Minister from this Government?

Mr. Morley: I am sure that if a formal invitation were sent to DEFRA, it would be treated seriously alongside all the invitations that Ministers receive. We are very aware of the valuable work that Horticulture Research International has done in the past and that the HDC plans to do in the future. Of course we want to see the British fruit-growing sector supported, and to see it prosper and do well. We will do whatever we can to assist in our role as DEFRA Ministers.

Fisheries

10. **Sir Archy Kirkwood** (Roxburgh and Berwickshire): If she will make a statement on progress with the implementation of the EU North sea cod recovery plan. [133791]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): We have already taken measures to implement the interim cod recovery plan. We will be considering further such measures in the light of the latest scientific advice, consultation with the industry and the outcome of the December Agriculture and Fisheries Council.

Sir Archy Kirkwood: Will the Minister use his influence to try to discourage the scientists at the International Council for the Exploration of the Seas—ICES—from issuing headline-grabbing press releases two days before today's publication of a very sensitive piece of scientific research by ICES? Such behaviour really is not helpful. Can he also assure the House that he understands the importance of the North sea fleet having continuing access to demersal or white fish stocks next year, even if that means delinking haddock from the remaining stages of the cod recovery programme; otherwise, there will be no sustainable onshore or offshore industry left? Does he understand that the economic consequences of the total closure of the North sea next year would be devastating for many of the coastal communities around the United Kingdom?

Mr. Bradshaw: The short answer to those three questions is yes. I share the hon. Gentleman's discontent with the way in which ICES handles the release of information, by issuing a press release on Monday and the final report on Friday. I also understand that in the meantime some of the recommendations have changed.

On the second point, we will do whatever we can to mitigate any impact that the cod recovery plan has on other stocks, although I am sure that the hon. Gentleman will accept that we have to ensure that it is possible technically or through other measures to carry on catching shellfish and haddock, which are profitable and the stocks are plentiful, without catching cod as a by-catch. On the general economic impact on the North sea, he is right: a total closure would be absolutely devastating.

Lawrie Quinn (Scarborough and Whitby): My hon. Friend will probably remember his visit to my constituency in the early part of the summer. When he visits the coastal communities, is he picking up information from the quayside about the effectiveness of enforcement measures, which are a key component of the recovery plan? Does he propose to come back to the north-east and Yorkshire to hear concerns about whether an effective enforcement system is being applied to ensure that the recovery plan works so that we can have a sustainable fishery in the North sea?

Mr. Bradshaw: Yes, I remember with great fondness my visit to my hon. Friend's constituency, in particular a very smoky kipper that I had for breakfast, and I will endeavour to return as soon as possible. I feel that it would be just to other hon. Members, however, if I managed to visit their constituencies before I returned to one I had already visited.

On enforcement, my hon. Friend is right. The common fisheries policy makes no sense unless we can have some faith that there is a level playing field in enforcement throughout the European Union. That is something about which the Commission is very exercised. Indeed, it has an action plan to rectify it.

Pete Wishart (North Tayside): Can the Minister explain why, when the scientific assessment suggests that Scotland's major fish, the haddock, is at the highest level for 30 years, European scientists are recommending a complete ban on fishing in the North sea, which is ridiculous?

Mr. Bradshaw: That is because the haddock stock level is based on a single year, 1999. It is perfectly possible to have a good single year in which many haddock are born, which does not necessarily mean that the biomass, which is the important measurement of the health of the stock, is as healthy as that would indicate. I agree with the hon. Gentleman inasmuch as there are plenty of haddock. Fishermen are catching plenty of them. If we can do what we can to decouple haddock and shellfish from cod in the forthcoming negotiations, we will do so, but we need the evidence, which we are collecting. We are spending money collecting it with the fishermen on their vessels to satisfy ourselves that that is possible.

Genetically Modified Crops

11. **Paddy Tipping** (Sherwood): What criteria other than the results of the farm-scale trials will be considered in reaching the decision on the commercial growing of GM crops; and when a decision will be announced. [133792]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): The criteria that must be met before any GM crop can be considered for approval for commercial cultivation in the EU are set out in great detail in EU Directive 2001/18/EC. No GM crop can be grown commercially without collective agreement by EU member states. No decisions on the

current applications are expected until after we have responded to the GM public dialogue, and all the different strands of that and the other evidence.

Paddy Tipping: The Secretary of State has undertaken a significant amount of work on this matter. There are different voices in the argument. One thing that might unite us is the recognition of the process and timetable for decision making. Will the Secretary of State use her best endeavours to indicate to the House today when a final decision on commercial growing in the United Kingdom will be taken?

Margaret Beckett: I cannot give my hon. Friend that understanding, but I can give him some indication of when the decision will not be taken. My hon. Friend the Minister for the Environment referred earlier to the public hearings that the Agriculture and Environment Biotechnology Commission is conducting. One is to be held on 27 November and one on 4 December, if my memory serves me right. After that, it will have to consider and produce its reports. We are not sure when we will get the report from the Advisory Committee on Releases to the Environment on co-existence and how different crops can be grown alongside one another, but we anticipate that it will probably be before Christmas, although that is not clear. All of that will have to be taken into account and it is extremely unlikely that the evidence that European Union member states will need will be available much before the new year. I should not be surprised if it were not early in the new year. I am afraid that that is the best I can do, because the timetable is not all within our control.

Fisheries

12. **Mr. John MacDougall** (Central Fife): What measures she is taking to protect fish stocks in UK waters. [133793]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): We agreed last December on reform of the common fisheries policy to improve management of fish stocks in EU waters. We also agreed emergency measures to protect cod in the North sea and west of Scotland, and are discussing long-term recovery plans with other member states. We have introduced a number of UK measures to protect stocks, including restrictive licensing for shellfish, which will come into effect from 1 January.

Mr. MacDougall: I thank the Minister for his response. He touched on the subject earlier, and that reaffirmation regarding a level playing field in our approach to fish stocks is an important message for our fishing industry. Will he continue both to give out that message and to make representations?

Mr. Bradshaw: I am happy to give my hon. Friend that assurance. My Scottish colleague and I will work hard with the industry on this issue, which is devolved, to try to get the best deal possible for the whole of the United Kingdom from the forthcoming Council, while ensuring that stocks that are under threat have a sustainable future.

Business of the House

12.30 pm

Mr. Eric Forth (Bromley and Chislehurst): May we please have the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 27 OCTOBER—Opposition day [20th allotted day]. There will be a debate entitled "The Threat to NATO from EU Defence", followed by a debate entitled "Effect of Government Targets on the Provision of Health Care". Both debates arise on an Opposition motion.

TUESDAY 28 OCTOBER—Remaining stages of the Waste and Emissions Trading Bill *[Lords]*.

WEDNESDAY 29 OCTOBER—Motion to approve the Misuse of Drugs Act 1971 (Modification) (No. 2) Order 2003.

The Chairman of Ways and Means has named opposed private business for consideration.

THURSDAY 30 OCTOBER—Motion relating to pay for Select Committee Chairmen.

FRIDAY 31 OCTOBER—The House will not be sitting.

The provisional business for the following week will include:

MONDAY 3 NOVEMBER—Remaining stages of the Sexual Offences Bill *[Lords]*.

I should like to inform the House that the business in Westminster Hall for the beginning of November will be:

THURSDAY 6 NOVEMBER—A debate on the reports from the Quadripartite Committee on export controls.

THURSDAY 13 NOVEMBER—A cross-cutting question session on older people, followed by a debate on housing: improving conditions and making the market work better.

I am pleased to announce the Commons calendar for the next Session. I have to warn the House that I have erred on the side of caution and have identified only those days on which we can be confident that the House will not be sitting. However, subject to the progress of business, if I am able to offer additional days I will do so. Details of the recesses are as follows:

For Christmas, the House will rise on Thursday 18 December and return on Monday 5 January 2004. For the constituency recess, the House will rise on Thursday 12 February and return on Monday 23 February. The House will rise for Easter on Thursday 8 April and return on Monday 19 April. For Whitsun, the House will rise on Thursday 27 May and return on Monday 7 June. The summer recess will begin when the House rises on Thursday 22 July, returning on Tuesday 7 September. The House will rise for the conference recess on Thursday 16 September and will return on Monday 11 October.

Copies of the Calendar are now available in the Vote Office—I have one here.

Mr. Forth: I am sure that the House is especially grateful for the information that the part-time Leader of the House has given us. I noticed that colleagues were assiduously making notes as he spoke, which shows the level of interest in that information.

Can the right hon. Gentleman comment on the mysterious shrinking September sittings? It is within my memory that, when the Government first announced the very welcome development that we were to sit in September, three weeks was mentioned. That may be in your memory, too, Mr. Speaker. Then the time was rather mysteriously reduced to only two weeks; because, I suspect, the Government suddenly realised that they might be held to account rather too much while the House was back. If I heard the part-time Leader of the House correctly, he has now shortened that period yet again. We are to come back on Tuesday 7 September, not on Monday 6 September; then, presumably—if the right hon. Gentleman will confirm this—we shall sit only for three days in that week and for only four days in the following week. So the September sitting, during which the House was going to have an opportunity vigorously to hold the Government to account, has shrunk, by my calculation, to seven sitting days. Is that accidental or deliberate? What are the Government afraid of? Why does not the Leader want us back for lots of time in September to do our business, and why is he denying us that opportunity? We need to know.

Now I should like to ask the part-time Leader whether he can allow the Deputy Prime Minister to lead a debate which I suggest might be entitled, "How to own up gracefully to ministerial inaccuracies". I say that because yesterday, my right hon. Friend the Member for Haltemprice and Howden (David Davis) asked the Deputy Prime Minister:

> "Why is it... that under his Labour Government the construction of social housing in English rural authorities has halved?"

That was a perfectly reasonable question. The Deputy Prime Minister replied:

> "I believe that the right hon. Gentleman has said that before, but it is just not true."—[*Official Report*, 22 October 2003; Vol. 411, c. 630.]

That seems to be an absolutely factual statement by the Deputy Prime Minister, but my right hon. Friend immediately wrote to him:

> "I am afraid that your answer to my question was completely contrary to—"

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): What has this got to do with next week?

Mr. Forth: I'll tell you what, Mr. Speaker: I am in a generous mood, so I will do the right hon. Gentleman a favour and get him into *Hansard*. If he had been listening to what I said, he would have heard that I have asked for a debate, and the debate was to be entitled, "How to own up gracefully to ministerial inaccuracies." If I had been in error, Mr. Speaker would have been down on me like a ton of bricks, but so far he has allowed me to continue, so I shall press my luck just a little bit further.

[Mr. Forth]

In his letter, my right hon. Friend said to the Deputy Prime Minister:

"I am afraid that your answer to my question was completely contrary to answers given by your Department."

That indeed was the case, but in fairness to the Deputy Prime Minister, he wrote back immediately to my right hon. Friend, saying:

"I can confirm that the figures"

that were given by the Minister of State

"are correct. I apologise for the fact that on the floor of the House"—

and so on.

Now, will we have that debate? Will the Deputy Prime Minister be able to give us a shining example of how properly to apologise to the House for inaccuracies, and will he then pass the report of that debate to No. 10, so that the Prime Minister can learn for once how one should apologise to the House for inaccuracies, and so that I do not have to raise it in "Prime Minister's porkies" every week? That, I think, would be a very helpful development indeed.

Finally, may I ask, please, when we shall have a debate—I know that this has just been raised at Question Time, but I think we should have such a debate—on genetically modified crops? We know the position that the right hon. Member for Oldham, West and Royton (Mr. Meacher) takes on this; it is a very knowledgeable and honourable position. We are constantly intrigued by the role played by Lord Sainsbury, an Under-Secretary of State responsible for science at the Department of Trade and Industry. And now—this is fairly unusual—we have an insight into the Prime Minister's views on this very important subject. He told us yesterday in the House:

"I know that there is a huge campaign against GM"—

for once he is plumbed in and well informed. He is aware of it. But then he says,

"but to be frank, the Government have no interest in the matter one way or the other"—

this is the Prime Minister—

"other than to . . . do the right thing. However"—

there has to be a however, and this is the however, and this is why we need a debate to tease this out—

"the biotechnology industry is a vital part of this country's industry. Many people believe that the science of genetics will be the most important science of the first half of the 21st century, and I can tell the hon. Gentleman that other countries are piling investment into this area."—[*Official Report*, 22 October 2003; Vol. 411, c. 642.]

The Prime Minister would appear to have prejudged the issue, would he not? It is therefore very important that we have a debate in the House as early possible, so that the Government can tell us what they are thinking and, as important, so that the House can tell the Government what Members of Parliament are thinking. We must not, surely, have this issue kicked into the long grass.

Mr. Hain: I am delighted to see that the right hon. Gentleman is in such fine and robust form, because I have been getting a bit worried about him; he has been unusually invisible over the past week. One exception was when I saw him sitting on the second row—interesting—when his leader was on the front row. He was almost right behind him. Surely the shadow Leader of the House should show some solidarity and loyalty to his leader by sitting alongside him, but there he was. I do not know whether he is stepping into the newly vacated role as the quiet man of British politics.

I do not know whether the right hon. Gentleman was one of the dozens—scores—of his hon. and right hon. colleagues who were plotting over the past few days, one of whom said:

"While it is true we need 25 names to get a vote of confidence, we need only three names to get him sectioned".

I do not know whether that was the right hon. Gentleman, but to come his points on September, I do not know whether he would really like the September sittings to be switched to coincide with the Tory party conference week, because I am sure that he would far rather be here than at the Tory party conference. He overlooks the fact that we did a lot of very important business in September. I think that I am right in saying that he was critical of sitting in September.

Mr. Forth *indicated dissent.*

Mr. Hain: Oh, fine. I withdraw that. The right hon. Gentleman ought to know that we did a lot of very good work in September, and I am sure that we will do a lot of very good work in the days that we have allocated in the coming September.

The right hon. Gentleman asked such a long, contorted question about the Deputy Prime Minister that I do not think that anyone understood what on earth he was on about, but if he was asking for a debate on social housing, he can apply for one in the normal way or encourage some of his Back Benchers to do so.

On the substantive issue that the right hon. Gentleman quite properly raised on GM crops, it is important that there be an open debate on GM crops. The scientific evidence has now come in; the Government will consider it very thoroughly; and I would expect the House to debate GM crops in due course, so I am very happy to accede to his request. The timing will depend on when the Government have considered all the evidence and we will then come to that matter.

Finally, I was very surprised that the right hon. Gentleman did not raise the great, important issue of public finances, because I see that the Tory party treasurer is planning to stop his £5 million funding of the Tory party unless there is a change of leader. [HON. MEMBERS: "What has that got to do with next week?"] Well, I am sure that he will want to know. *[Interruption.]*

Mr. Speaker: Order. Speakers should not hear these things.

Mr. Paul Tyler (North Cornwall): Just following up that ticklish little bit at the end of the right hon. Gentleman's comments, I wonder whether we ought not to have an urgent debate on the state funding of political parties. The Leader of the House will recognise that the Electoral Commission is doing a very careful job in analysing exactly what is happening at the moment and

what could happen in future, but I understand that that report may not be available to us until quite late next year. I wonder whether the Leader of the House could identify an opportunity, perhaps immediately after the Queen's Speech, to hold a debate on that issue. Or perhaps, indeed, we need a paving Bill; otherwise any changes, reforms and improvements in the state funding of political parties could not take place before the next general election.

I am sure that the Leader of the House will be aware that all parties are signed up to the principle of state funding. Indeed, the Conservative party has accepted about £20 million from the taxpayer since the 1997 loss of office. I wonder therefore whether he could particularly consider the concerns that have been expressed on all sides about the way in which parties—such as the Conservative party, which is now very seriously in debt—are becoming corrupted by the way in which influence is imposed on them by millionaires' cheques. Perhaps he will have seen the interview this morning with Mr. Stuart Wheeler, who said that it is the duty of Conservative MPs to act urgently and that there is an overwhelming case for changing the leader of the Conservative party.

Mr. Speaker: Order. The hon. Gentleman is going too far.

Mr. Hain: I would very much welcome a debate on state funding, and I am grateful to the hon. Gentleman for raising the issue because what it is actually about is extending the existing public funding for political parties in the House, which has led to a situation where the public funding of the Conservative party has more than trebled to a staggering £4 million since 1997. In fact, the Conservative party is now propped up by public funds. Over the last period, the Conservatives only raised £3.5 million themselves and received £4 million of public funding. The taxpayer should know about that.

There is a strong case—and I will therefore look seriously at the argument for a debate—for extending public funding so that our political parties outside Parliament, as well as inside Parliament, are supported and we can better connect with the public. I do not mean funding for campaigning, poster boards or leaflets—I mean state funding of the kind that is practised widely throughout the world, which makes sure that political parties can keep more closely in touch with local people and therefore better reflect their views.

Joan Ruddock (Lewisham, Deptford): Is my right hon. Friend aware that in Europe next week there will be a meeting of the Standing Committee on Seeds and Propagating Material of Agriculture, Horticulture and Forestry to consider the contamination levels of non-GM seeds by GM seeds? May I draw his attention to the statement made by Eurocommerce, which consists of Marks and Spencer, Tesco, Sainsbury's, Boots and others that

"the proposed thresholds for seed lots will lead to contamination of the whole of the food and feed supply chain and will considerably reduce the freedom of choice available to consumers"?

Given that this Government have consistently supported those thresholds for contamination, may I tell him that we cannot wait until the Government have considered all the evidence? There is a need for a debate now. Things are happening and decisions are being taken that will determine the future of GM in this country for ever.

Mr. Hain: My hon. Friend has expertise in this area, as I acknowledged last week when she properly raised a similar matter, and I do think that we need a debate on it. As to whether it is as urgent as she says, although she made a powerful point, that will be a matter for the Secretary of State for Environment, Food and Rural Affairs, and I shall certainly draw it to her attention.

Bob Spink (Castle Point): The Government are forcing thousands more houses on my small but beautiful—although overdeveloped and congested—constituency, without any thought of infrastructure improvement. Can we have a debate to consider a third road for Canvey Island, the congestion at Saddler's Farm and in Hadleigh, and the provision of a new terminus rail station for Waterside Farm, linking up to Pitsea?

Mr. Hain: Congestion is serious—there is no question about that—and it is a legacy of the dreadful transport policy that this Government inherited from the Conservatives. The hon. Gentleman of course has the opportunity, of which I hope that he will take advantage, of applying for an Adjournment debate in which he can properly raise these issues and reflect his constituents' concerns.

Mr. Tony McWalter (Hemel Hempstead): Will my right hon. Friend alleviate the worries and concerns of many of the pensioners in my constituency who are looking at policy being adumbrated by the Conservative party to remove a large amount of the moneys that they currently get? A single pensioner currently getting £102.10 would be reduced to £85 by the policies of the Conservative party—

Mr. Speaker: Order. Those matters have nothing to do with the Leader of the House during business questions.

Mr. Henry Bellingham (North-West Norfolk): Will the Leader of the House clarify one key point? Will he endorse the comments of the Economic Secretary the other day that the Government have no intention whatever of changing the capital gains tax regime for homes? Will he also tell the House what the Government raised in stamp duty in 1997 and what they are likely to raise in stamp duty this year?

Mr. Hain: I certainly note the hon. Gentleman's request for a debate, but I can confirm the Treasury's view that the Government have absolutely no such intention. Indeed, right across the board on tax matters, this Government have a very good record, which is confirmed by the recent report of the Organisation for Economic Co-operation and Development which showed that we have one of the lowest business tax regimes in the world.

Mr. Harry Barnes (North-East Derbyshire): Has my right hon. Friend seen early-day motion 1761, on the proposed closure of the Coal Aston post office in North-East Derbyshire?

[Mr. Harry Barnes]

[That this House is deeply concerned that the work of the National Consultative Team at the Post Office in considering representations made about proposed branch closures is nothing but a sham; is concerned that a typical letter sent out to local residents opposing the proposed closure of their Post Office in the parliamentary constituency of North East Derbyshire contains lengthy arguments in favour of the closure programme indicating that no special circumstances exist in their case and that their representations have already been dismissed; believes that it is not good enough for 80 per cent. of a Post Office letter supposedly relating to a current consultation process to prejudice the outcome; and calls upon the Secretary of State for Trade and Industry to ensure that no decision is made about the future of the Coal Aston branch until a genuine and open assessment is made of the substantial representations which have been made.]

It relates to the response of the national consultative team of the Post Office to the massive number of letters and the great petition presented to it. That response almost says that it is all a waste of time because the decision has already been made, as 80 per cent. of it tells them why it thinks that there should be changes in the Post Office programme.

If there is to be a consultative procedure, should it not be an open procedure and not a sham? Should not the Post Office at least have the good grace not to tell us that it is a sham in advance, during the time that it is taking place? Can we have a statement from the Secretary of State for Trade and Industry to show how we will have genuine consultative procedures so that constituents' views can be listened to?

Mr. Hain: I will certainly draw that to the Secretary of State's attention. I agree with my hon. Friend that consultation on local post office closures in his constituency and throughout the country must be genuine, and I am sure that the Post Office will want to ensure that it is. Local post offices perform a vital function in local communities, but unfortunately, there have been progressive closures for decades. It is important that each closure should happen on its merits in the current context.

Pete Wishart (North Tayside): Can we have an early debate on the impact of tuition fees and foundation hospitals on Scotland and Wales? Being a Welsh Member, the Leader of the House will be aware of the negative financial implications for Scotland and Wales, not to mention issues relating to staff retention. For example, does he know whether the Treasury has made an assessment of the cost to Scotland and Wales; and is he prepared to concede that there are issues here?

Mr. Hain: There are clearly issues here that are a proper matter for debate in the House—indeed, they have been debated and will continue be debated in the months to come. The really important question that the hon. Gentleman must answer is how he would plug the funding gap in universities. Universities were virtually bankrupt when we came to office in 1997. We have increased funding progressively and now propose to introduce a much fairer system of student finance that will especially support those at the bottom of the income range. The Scottish National party, the Conservatives and the Liberal Democrats have no answer to the serious funding gap that will exist unless we allow students to contribute a small amount toward their university education. *[Interruption.]* Yes, indeed, because taxpayers currently contribute £14 for every £1 contributed by students. I think that most taxpayers will say that our proposal is a fair deal because university graduates have a much greater opportunity to earn high incomes than others.

David Winnick (Walsall, North): Would it not be appropriate for the Home Secretary to come to the House as quickly as possible to make a statement on police training and the need to ensure that those with sickening racist views are excluded from the police as quickly as possible? Would it not also be appropriate for the reporter who made the programme that was shown on the BBC to be congratulated on carrying out an important public duty? The shadow Leader of the House did not raise the subject, so perhaps he is not interested in it, but Labour Members are interested. Racism must be fought, and there is certainly no room for racists of any kind in the police force.

Mr. Hain: I strongly agree with my hon. Friend, and the BBC indeed deserves praise for exposing the problem. I congratulate Clive Wolfendale, the deputy chief constable of North Wales police, on saying that he admitted to feeling "physically sick" when he saw the scenes. That shows that the police force is absolutely determined to root out racism. Although 99 per cent. of police officers are not racists and have never practised racism, a minority in the force needs to be dealt with and it is quite clear that police chiefs are dealing with it in the most robust fashion; as my hon. Friend says, individuals are rightly being thrown out.

Mr. Patrick McLoughlin (West Derbyshire): When will the Leader of the House be able to tell us the arrangements for a joint address of both Houses by President Bush? Would it not be an absolute disgrace if he did not address both Houses and follow the precedent that has been set on many occasions when Presidents of the United States have visited this country?

Mr. Hain: I will obviously give consideration to the hon. Gentleman's request.

Mr. Gwyn Prosser (Dover): Will the Leader of the House find time for an urgent debate on security and transparency in the Home Office's detention and removal centres? According to this morning's *Dover Express*, there have been 16 breakouts from the Dover centre in the past eight months, with 24 failed asylum seekers going missing, and no one from the Home Office, the immigration and nationality directorate or the Prison Service has seen fit to inform the public or brief the local MP. Surely those important matters should be brought to the Floor of the House for urgent debate.

Mr. Hain: I am very surprised that my hon. Friend, as the local Member of Parliament, has not been properly informed in the manner to which he should be entitled. I am sure that the Home Office will want to address the

problem and I shall draw it to the Home Secretary's attention, because the situation is clearly intolerable. My hon. Friend's community is putting up with a detention centre that I understand is used prior to the removal of asylum seekers. If there are any escapees, that must be tackled and the local community must be reassured.

Mr. Andrew Mackay (Bracknell): Further to the question asked by my hon. Friend the Member for West Derbyshire (Mr. McLoughlin), will the Leader of the House confirm that stories in national newspapers saying that the Government have decided to withdraw the invitation for President Bush to speak to both Houses are untrue? Although I would not expect him to give us details of when the speech will take place, for security reasons, does he accept that many hon. Members on both sides of the House would like to hear President Bush? There is a clear precedent because he and I, among others, heard President Clinton speak to both Houses in the Royal Gallery of the House of Lords, and President Reagan did that as well.

Mr. Hain: I certainly recall the example of President Clinton's address and I shall report back to the House at an early opportunity if I can give further information.

Mr. Bill O'Brien (Normanton): Will my right hon. Friend consider giving us a full day's debate on the packaging industry, which employs hundreds of thousands of people who are involved in paper, board, glass, plastics, steel, aluminium and wood? The industry must meet targets that are set by the European Union and Her Majesty's Government. The question of reducing, recycling and reclaiming waste applies to every constituency in the country. We should be allowed a full day's debate on the packaging industry to consider what happens with the industry, including the landfill tax, and the environmental factors that follow. Given that there has been no debate in the House on the packaging industry for such a long time, will my right hon. Friend consider allowing a full day's debate?

Mr. Hain: I am grateful that my hon. Friend raised the matter because I, like many hon. Members, have packaging companies in my constituency. The packaging industry plays a vital role in our economic life. I will certainly ensure that his request for a debate is reported to the relevant Secretary of State, although I think that more than one Department is responsible for the issue because it is relevant to industry and the environment.

Mrs. Patsy Calton (Cheadle): Did the Leader of the House hear this morning's reports that unsafe track has been laid in my constituency between Cheadle Hulme and Stockport? Will he urge the Secretary of State for Transport to come to the House as soon as possible to make a statement on the situation, tell us what he intends to do to sort out the mess—a mess it is—and assure us that unsafe track has not been laid on other parts of the west coast main line? We have had the wrong sort of leaves and the wrong sort of snow, and now it seems that we have the wrong sort of track.

Mr. Hain: I spoke to the Secretary of State for Transport this morning and he is seized of the issue. He is meeting Network Rail today. He has ensured that safety will apply on that stretch of track because speed will be reduced. I understand that it is anticipated that normal running may be resumed after Sunday next. The situation is a very bad example of rail contracting and, no doubt, of other matters which will be investigated. I am sure that the Secretary of State will want to keep the House informed.

Mr. Dennis Skinner (Bolsover): Last week I asked the Leader of the House whether local authorities that refuse to transfer their council housing stock on principle should be penalised compared with those that sell off or transfer their stock. I did not get a decent answer, so I would like one today to tell me that those authorities will not be penalised for sticking to Labour party principles and keeping their own council houses.

On the subject of crime, does my right hon. Friend think that the figures are comprehensive enough, because there have been many incidents of backstabbing on the Tory party Benches lately and I think that they should be included in a comprehensive review?

Mr. Hain: A bit of law and order on the Tory Back Benches would be advisable.

On council housing, I do not want Labour councils penalised, nor does my hon. Friend. I drew his concern to the attention of the Deputy Prime Minister and I am sure that it will be addressed in due course.

Mr. Julian Brazier (Canterbury): May we have an early debate on the mounting crisis in local government funding in many southern councils? Before the recent change in the formula, a granny from an area like mine received funding to be in an old people's home at about 40 per cent. of the level of a granny from Islington, to mention a borough at random. We now face three years of further squeezing under a formula that rewards every constituency represented by a Cabinet Minister. That is a travesty of justice for the elderly and the school children in my constituency.

Mr. Hain: It is a myth that the Government are discriminating against local authorities. All local authorities, including the hon. Gentleman's, have received big increases in funding in recent years. Whether that is channelled into facilities for the elderly or used in other ways is a matter for local authorities. The idea that there are huge cuts is a travesty. Huge cuts were running around when his party was in power.

Mrs. Louise Ellman (Liverpool, Riverside): I note the response to the hon. Member for Cheadle (Mrs. Calton), but will the Leader of the House go further and consider allowing the House to debate a call for Network Rail to conduct an inquiry into Jarvis engineering works on our railways and to withdraw its decision to make Jarvis the preferred bidder for a major renewals contract in the London north-east area? Jarvis has withdrawn from its three major contracts. It has a poor maintenance record, is associated with accidents and derailments, and faces possible prosecution on safety issues.

Mr. Hain: Jarvis has many questions to answer, which it will do over the coming period when the incident is

[Mr. Hain]

investigated. That is the intention of the Secretary of State for Transport and is partly the purpose of his meeting today. No doubt he will keep the House informed on that serious matter.

Mr. Graham Brady (Altrincham and Sale, West): When the House debates the reclassification of cannabis next week, will the Leader of the House ensure that sufficient time is available for a proper debate? Will he also ensure that all evidence on both sides of the argument is put before the House? There is a danger that some hon. Members, especially those of a certain age, will address the issue with knowledge or experience that is out of date and inappropriate. It is important that the House knows that the cannabis available today is 10 or 15 times stronger than cannabis that was freely available in the 1960s and that it leads to a fourfold increase in the danger of serious depression or schizophrenia. Evidence suggests that the level of mental illness will rise dramatically if the use of cannabis in its current form is to increase. It is vital that Members are aware of those facts. Will the Leader of the House ensure that they are made available before the vote next week?

Mr. Hain: The hon. Gentleman makes his point eloquently. I am sure he will try to catch the Speaker's eye in next Wednesday's debate.

David Wright (Telford): As winter approaches, there have been numerous reports of problems with electricity and water supplies. May we have a statement on the preparedness of utility companies for the forthcoming winter period?

Mr. Hain: I shall ensure that the relevant Secretary of State is made aware of my hon. Friend's concern. If there is information that he or the House needs, I am sure that it will be provided by the Department.

Rev. Martin Smyth (Belfast, South): May I support the plea for President Bush to address both Houses of Parliament? Such announcements are always made in the United States first. I hope that this time it will be announced here first.

Is it possible for a Foreign Office Minister to address the House in the near future on the guidelines on people who come to the UK for specific purposes that are given to entrance clearance officers? If not, perhaps they could be published instead. Some people travel great distances only to be refused entry for spurious reasons. For example, a person who came here for training in orthopaedics was refused entry because he was not going to spend long enough in the UK. That is strange.

Mr. Hain: I shall draw that to the attention of the Foreign Office Minister with responsibility for visas. I am sure that the hon. Gentleman will get a response.

Mr. Clive Betts (Sheffield, Attercliffe): Yesterday I attended a lobby of London bus workers organised by the Transport and General Workers Union to press for extra funds because of the success of regulated buses in London, which carry 1 million more passengers a day than they did three years ago. Will the Leader of the House organise a debate on the possibility of re-regulating buses outside London where passenger numbers are falling, services are being cut and there is general public dissatisfaction with a service that is effectively the same free-for-all that we inherited from the previous Government?

Mr. Hain: I know that the Secretary of State for Transport is aware of local concern about the subject and of the campaigns by local bus authorities. I am sure that he will want to take account of the situation in south Yorkshire.

Mr. John Bercow (Buckingham): Will the Leader of the House reinstate the regular debate on small businesses, which used to take place in Government time in this Chamber? Given that 99.6 per cent. of companies in the UK employ fewer than 100 people, that they account for approximately 50 per cent. of the private sector work force and that they generate two fifths of national output, is it not important that we debate the fact that those small businesses, which are the seedcorn of our current and future prosperity, are drowning in a sea of regulation, which is deeper and more hazardous than any with which they have previously had to contend?

Mr. Hain: I can agree with the hon. Gentleman on one thing: small businesses are the seedcorn of our economy. That is why the Government are providing more support and assistance to small businesses than ever before, which is why they are flourishing in a way that they have not for generations. However, regulation is an issue. The hon. Gentleman is right to raise it and it is being addressed by my right hon. Friend the Secretary of State for Trade and Industry. We want to ensure that businesses are not overburdened with red tape or regulation but allowed to proceed with their enterprises to generate the prosperity and jobs that flow from that.

Mr. David Chaytor (Bury, North): May I draw the attention of the Leader of the House to last week's report by the Audit Commission and Ofsted on the planning of school places? It highlights the increasing problems caused by the polarisation of more-popular secondary schools and less-popular secondary schools. We are increasingly running a system in which schools are choosing children rather than children choosing schools. That is why we have a vast increase in the number of parental appeals and an increase in the number of cases going to the school's adjudicator. Is it not time that we had a full debate on the issue so that we can examine all aspects of admissions policies in our secondary schools?

Mr. Hain: I am sure that the Secretary of State for Education and Skills will study carefully what my hon. Friend says and reflect on his local experiences. I am sure, however, that he will equally want to put it on the record that school standards have been rising in my hon. Friend's community and across the country—*[Interruption.]* Yes they have, including in the constituency of the right hon. Member for Bromley and Chislehurst (Mr. Forth). Morale is better and funding is

going into education. As a result, schools are in a much better shape to provide the highly skilled population that we need to have a successful economy.

Patrick Mercer (Newark): I was interested to see that elements of the police and the British security industry are working on a scheme whereby, in the event of a serious terrorist attack, the private security firms will send men and equipment to back up the police at the scene of the incident. Although I applaud the initiative, will the Leader of the House confirm how those volunteers will be co-ordinated and why it is necessary to have volunteers rather than a formed Government body? May we have a debate on the subject?

Mr. Hain: The hon. Gentleman has raised an important issue, and I shall make sure that my right hon. Friend the Home Secretary takes account of it.

Mr. Bob Blizzard (Waveney): A couple weeks ago the Government announced a new drive to improve levels of physical fitness in this country. May we have a debate on the matter so that, among other things, we can examine the performance of some Customs and Excise offices, such as the one that serves my constituency, which are charging non-profit-making sports clubs such as the Kirkley and Pakefield sports club in my constituency VAT on new changing rooms that the club wants to provide? We all thought that non-profit-making sports clubs that want to provide more facilities to get more people involved in sport were exempt from VAT.

Mr. Hain: I have noticed that as my hon. Friend has continued his life in the House, he has become a more and more radiant example of physical fitness, and I congratulate him on that. The issue that he raises is an important one in his constituency, and the Chancellor and other Ministers concerned will want to consider it and see whether it can be addressed.

Jim Knight (South Dorset): Has my right hon. Friend had time in the past week to visit the Committee Corridor, where the heating has been chaotic? Those of us who serve on the Standing Committee considering the Water Bill have been suffering Siberian temperatures until today, when it was positively tropical. While he is there, will my right hon. Friend look at the labels on some of the Committee Room doors? Committee Room 13 is now the MacDonald Room, Committee Room 12 is the Lloyd George Room and Committee Room 11 is curiously both the Peel Room and the Wellington Room. What is going on with the labelling of our Committee Rooms? Who is deciding all this? Have we not got better types of modernisation to get on with?

Mr. Hain: I understand that the Works of Art Committee has taken a decision to rename the Committee Rooms. I hope the numbers are not removed, or none of us will be able to find them. Since the Committee Rooms are all being named after former Prime Ministers, I am sure that the name Iain Duncan Smith will not appear on one.

Kevin Brennan (Cardiff, West): Will my right hon. Friend reconsider his opposition to reviewing the new hours of sitting of the House? Has he considered that, apart from the usual arguments, the new arrangements are clearly grossly unfair to the official Opposition, not because they are left with insufficient time to scrutinise the Government, but because they do not have enough time to plot successfully against their own Leader?

Mr. Hain: I have not noticed an absence of plots against the Conservative leader on the Opposition Benches. As I said before in respect of the hours, the House took a decision, which applies for the rest of the Parliament. It will be reviewed in due course to see whether we want to proceed with it.

Shona McIsaac (Cleethorpes): Will my right hon. Friend do his utmost to find time for a full day's Adjournment debate on the funding of the health service? The British people have a right to know how the health service is to be funded in the future, and what the Government will do to ensure that the future of the health service is safe. People need to see that there is clear blue shark-infested water between the Government's policies to protect the health service, and the policies of the Opposition, which would destroy the health service, not to mention the gloopy quicksand of the wannabe Opposition, the Liberal Democrats.

Mr. Hain: I would welcome a debate on the funding of the health service. There is now a clear choice for the country between the Government's investment at record levels in the health service, recruiting more and more nurses, doctors and consultants and providing a higher standard of service to all, compared with the Opposition's view that charging and private funding should be introduced, robbing the health service by putting public money into private hospitals. I alert the House to the fact that every time somebody takes out money in order to have an operation performed in the private sector, according to the Opposition's policies, they are effectively taking out nurses, consultants and doctors. It is not like going along to the local hospital and taking out money from a bank that one can take down the road to another bank. It is taking out money that funds medical staff, without whom the hospitals cannot function at the level that they should.

Defence Procurement

[Relevant documents: The Eighth Report from the Defence Committee, Session 2002–03 (HC694), Defence Procurement, and the Government's response thereto, Fourth Special Report from the Committee, Session 2002–03 (HC1194).]

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

1.14 pm

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Last week we had an informative and useful debate on defence policy, recognising at the time that today's debate on defence procurement would deal in detail with the equipment issues essential to the delivery of our strategic policy aims. I shall, therefore, deal primarily with those issues in today's debate.

This is the second procurement debate that I have opened, and I note the poor attendance on the Opposition Benches. I can only guess—*[Interruption.]* I hear a sedentary comment from the Opposition Benches that the attendance there is the same as on the Government Benches, but as I said the last time the matter was raised, Government Members are comfortable with our policies. As we are constantly reminded, it is the role of the Opposition to oppose the Government. I can only guess that the reason for the sparse attendance is that Opposition Members are all scheming and plotting somewhere, hoping to procure a new leader for their party. If so, I suggest that they use smart acquisition as a means forward. The way they tried to do it last time did not produce a very good result, and they may have to live on with the legacy systems.

It is important to set procurement policy in context. It would be helpful to define the key purpose of our defence procurement. It is people who are at the heart of our procurement and equipment policies. In the simplest terms, our job is to provide the best equipment and support that we can for the men and women of our armed forces, in order that they can best do what we ask of them. Alongside that, we must always remember our responsibility to the taxpayer, which means striving for the best value that we can achieve when procuring the systems and items that we need.

We are no different from any other Department in that we need to manage our funds carefully. As my right hon. Friend the Secretary of State pointed out in last week's debate, we face fluctuating pressures on our budget. Recently these have included recruiting well above our expectations—which is good news but costs money—the changing exchange rate, and managing the impact of operating full resource accounting and budgeting for the first time. All this means that we must spend our money as wisely as possible.

David Wright (Telford): With regard to spending our money efficiently, can my right hon. Friend assure the House that he factors into that process the issue of buying British, and that he uses a qualitative analysis on that basis to make decisions?

Mr. Ingram: I know that my hon. Friend takes a close interest in these matters because of the industrial footprint in his constituency. The defence industrial policy, which I shall mention later, shows that we are working with a clear focus and in close harmony with UK industry. We consider what is right for industry, but the equipment that our people need must be the main driver in this. If British is best, it will be purchased. That is why British industry must strive to be the best. There are many examples where it outshines its international competitors. I shall mention some of the procurement decisions that have been taken recently, which I hope will provide the assurance that my hon. Friend seeks.

Mr. Ian Davidson (Glasgow, Pollok): Given that the Minister is stressing the willingness of Britain to buy abroad when the equipment is better, have any comparisons been run between Britain and other major industrial powers? Is it not the case that other countries are far less likely to buy from us than we are from them? What is he doing to open their markets to our efficient producers?

Mr. Ingram: I compliment my hon. Friend on his hard work for his constituency and the associated industries, particularly shipbuilding. I was not saying that it is imperative that our purchasing focus is on products from abroad. I was seeking to say—my hon. Friend may have misunderstood me—that our focus in terms of defence industrial policy is always to try to buy from the home base, but the equipment has to be good enough to match the very best that is out there internationally.

Joint ventures and partnerships are increasingly becoming the norm, both in Europe and with our partners in the United States. As my hon. Friend will be aware, a company that is seen as a UK company may be majority shareholder owned in another part of the world. There are always moves afoot as regards amalgamations. In that context, a procurement decision based on "buy British" does not mean much. What is important is that British-based companies receive the best support to enable them to produce the best for our armed forces—and, importantly, for export purposes. I hope that my hon. Friend shares my concern about the lobbying to try to stop the export of British-produced armaments, which significantly attacks British jobs. I look forward to him joining me in the campaign to make people more aware of the importance of the armaments industry to the United Kingdom.

Mrs. Anne Campbell (Cambridge): Does my right hon. Friend agree that it is important to take into account a manufacturer's length of experience when considering it for a procurement contract? Will he take this opportunity to congratulate Marshall Aerospace in Cambridge on the 20th anniversary of its involvement in the conversion of the RAF tanker fleet? I hope that he will bear that in mind when he comes to make a decision about the future tanker project.

Mr. Ingram: I am always prepared to congratulate companies on the length of time for which they have been committed to such work and to wish them many more years based in the United Kingdom, and I do so in the case of Marshalls in my hon. Friend's constituency. However, I should not discuss from the Dispatch Box the sensitive negotiations about the future strategic tanker aircraft, which are reaching their conclusion. Our judgment will be based on what is best in terms of the needs of our armed forces in delivering our objectives.

The people who make up the armed forces enable us rightly to proclaim them as among the best in the world; in the modern age, we must ensure that our procurement programmes help them to maintain that crucial, battle-winning edge, now and in future. I hope that hon. Members agree that that should be our overriding priority. Getting it right means not only providing the right kit for today, but trying to read the strategic future well enough to ensure that we do so for tomorrow. The pace of change in the new strategic environment, which we examined in last week's debate, is challenging. As my right hon. Friend the Secretary of State informed the House, in the past been there have been periods during which we faced a static, if technologically evolving, threat. But there have also been key moments when significant shifts in defence posture were needed. The threat that we face at present is far from static, and we face another of those moments when a substantial shift in defence posture is essential if we are to continue to be effective. Change is the key—but not for the sake of it or because we have got it wrong in the past. As our defence posture changes, so do the tactics and strategies that we employ and, in turn, the equipment that we use to do the job.

The strategic defence review got it right in 1998. I doubt that anyone would seriously argue against the overall focus that it placed upon readiness, deployability, sustainability and flexibility of forces. It would be wrong, however, to allow any set of conclusions to remain inviolate. We owe it to our servicemen and women to review our conclusions and, where necessary, to redirect our efforts and to make changes to our plans. We must also respond to changes in the security environment such as those which, sadly, took place on 11 September 2001, three years after the SDR.

We used the new chapter to tune our assessment of where we were and where we needed to be. It considered how best to build on the SDR in countering international terrorism and the increased threat of asymmetric attacks. Its aim was to ensure that our armed forces have the right capabilities to play their part. At the heart of that is network enabled capability, about which I shall say more later. The new chapter came to some distinct conclusions about the way forward in policy terms, highlighting issues of technology, interoperability, flexibility and speed. It is clear that to achieve our aims, we need to invest heavily in new technologies and capabilities. Of course, like all Departments, our funds are not infinite—that will necessitate some tough decisions.

As my right hon. Friend the Secretary of State said last week, in investing in areas that are so crucial to the present and future we must recognise that systems that are rendered less effective as a result of the changing security environment will have to make way for those that can help the armed forces in the tasks that lie ahead. It would be very wrong to maintain ineffective structures and systems when we know that others would be better to meet our front-line needs. Sentiment for older pieces of kit is understandable, but sentiment will not give us that battle-winning edge. We should not assume that the future threat will neatly conform to a traditional notion of how the armed forces should look. Defence capability cannot be preserved in aspic—it needs to evolve to meet the new threats and challenges that we face.

Dr. Julian Lewis (New Forest, East): I endorse what the Minister is saying. Does he accept, however, that when procuring systems such as aircraft carriers and other pieces of equipment that take many years to build and have to be in service for many years, their specifications must allow them to be as versatile as possible, because we cannot predict how threats will come and go, develop and complicate over that very long period?

Mr. Ingram: I agree with that view, generally speaking, but not necessarily in terms of the aircraft carrier. The lifetime of an aircraft carrier may be 50 years, but that of other equipment systems will be shorter. Some may be much more easily adaptable than others due to the nature of what was procured. I shall deal specifically with the aircraft carrier procurement decision later.

In terms of equipment, we need to have the right industrial policies, the determination to drive through the benefits of smart acquisition, and an equipment programme that is designed to ensure that the armed forces retain their decisive edge. Much has happened since we last debated defence procurement in this House in July 2002. The Defence Committee's thorough and thoughtful annual report on defence procurement, published in July, and the Government's response, which was published only two days ago, demonstrate a wide range of activity in terms of industrial policy and important developments in a number of key equipment capability projects. Most notably, we have seen our armed forces engaged in major war-fighting operations in Iraq, where they faced, and continue to face, tough challenges.

I want to focus on the implications of those operations and the lessons that we draw from them for our equipment programme. First, I shall deal with how our equipment performed during recent conflicts. We intend to publish a full report on operations in Iraq in December, but I can offer the House a number of key conclusions relating to equipment. There was much good news from recent operations in Iraq. The RAF's newest air-to-ground missile, Storm Shadow, was used operationally for the first time and showed astonishing precision. Our Tomahawk land attack missiles fired from our attack submarines once again proved their worth, enabling accurate attacks at long range. We also showed progress towards our goal of integrating sensors, weapons and decision makers to deliver military effect more rapidly and precisely. In the past, the thorough planning of Tomahawk missions took days. In Operation Telic, the time line for Storm Shadow and TLAM planning was reduced to just a few hours, revolutionising the responsive nature of the capability.

It is worth noting that lessons were implemented from previous operations. Kosovo showed us the need for an all-weather precision-guided bombing capability. As a direct result, we procured enhanced Paveway bombs, which were used to great effect in Iraq. Similarly, the AGM-65 Maverick anti-armour missile had its first operational use in Iraq, integrated on to the Harrier GR7 aircraft. Approximately 85 per cent. of air-dropped munitions were precision guided. We re-emphasised the importance of smart weapons with the announcement in June of the selection of Raytheon's Paveway IV munition as the new precision-guided bomb for the Royal Air Force. It is due to enter service from 2007.

[Mr. Ingram]

Afghanistan showed us the need for an improved maintenance regime for the modified SA80 A2 assault rifle. That ensured that it could cope with the hot and dusty environment in Iraq and early reports suggest that it was a success. The SA80 A2 was used for the first time in Iraq in combination with the new head-mounted night-vision system. That enabled our infantry to move and acquire targets simultaneously at night—a potent and lethal enhancement.

In the ground campaign, our Challenger 2 main battle tanks and the Warrior armoured fighting vehicles made an outstanding contribution to the speed and decisiveness of the coalition intervention. Their enhancements for desert conditions were a great success. Early reports suggested that they achieved an availability rating of around 90 per cent. during operations. In addition, fitting bolt-on armour considerably increased their protection. The AS90 self-propelled gun also performed well, delivering a great weight of accurate fire support with 95 per cent. availability.

All recent operations have highlighted the importance of the ability to deploy, sustain and recover our forces. Our strategic air and sea-lift capability, notably the C-17 and C-130 aircraft and the roll-on/roll-off ferries, were decisive in enabling us to deploy and sustain a force in Iraq the size of that deployed in 1991 but in half the time. That fully justified the emphasis we have placed on that aspect of capability from the time of the strategic defence review.

Mr. Colin Breed (South-East Cornwall): I applaud the successes that the Minister enumerated. However, does he acknowledge that the threat that we anticipated was significantly less than that in previous operations and that success of our equipment and men must be set against that? I am pleased that they were successful but we must recognise that threats in future may be considerably more difficult to surmount. We need to measure that.

Mr. Ingram: I do not agree with the hon. Gentleman's analysis because the potential threat was great. I remind him of our discovery after the conflict of buried effective equipment, which the Iraqi forces did not use but had purchased for use. It was probably available for use and people had probably been trained to use it. The threat in the air and on land could have been great. The potential numbers in the Iraqi army were great and the concept of the operation was designed to degrade the Iraqi forces' capability of mounting an effective threat to our advancing forces. That is why I mentioned precision bombing, which took out communication lines thereby hitting the command chain network of the Iraqi senior command structure. That was important in achieving our success. Without that capability, there might have been a different sort of ground campaign. The joint approach—marrying the three elements of our armed forces—is vital. It was the underlying principle of the strategic defence review and the expeditionary concept implied in it.

On future threats, I was making the point that we live in a changing environment and that we must always make our best guess. If the hon. Member for South-East Cornwall (Mr. Breed) has greater insight than the military planners who advise the Ministry of Defence, I look forward to his contribution and his perception of how the threat will develop and evolve in the months and years ahead.

Although we learn from operations and necessarily look at a distant horizon when planning to meet equipment need, we must recognise that each operation has its specific challenges. We therefore optimise our capability through urgent operational requirements. That allows us to take advantage of the latest technology. The comments of the hon. Member for South-East Cornwall fit comfortably with that point because we have the capability to be flexible and adaptable, depending on the circumstances. Let me give an example.

For operations in Iraq, the Ministry of Defence procured 190 urgent operational requirements at a value of approximately £510 million. The Select Committee on Defence is currently conducting an inquiry into that and we shall assist its understanding on a confidential basis with background information.

In some cases, UK industry had to supply equipment at extremely short notice. Industry and our organisations such as the Defence Aviation Repair Agency, ABRO—Army Base Repair Organisation—and the Defence Storage and Distribution Agency, responded magnificently to the surge of requirements in the build-up to the operation, thereby proving the value of the partnering approach that the Ministry of Defence has developed in recent years.

Some urgent operational requirements involved accelerating existing programmes such as the procurement of the temporary deployable accommodation and the head-mounted night-vision system. Others, especially the measures to enhance interoperability with coalition allies, were new procurements made within short time scales. However, the process is not flawless.

Peter Bradley (The Wrekin): My right hon. Friend is right to credit the achievements of DSDA and ABRO, which are in my constituency, but will he extend his appreciation to the private sector, especially Alvis, which sent personnel to the Gulf to undertake modifications to Challenger 2, thus making a considerable contribution to the effort in Iraq?

Mr. Ingram: Yes, I shall. I said industry and our organisations. *[Interruption.]* We are reminded that the company's name is Alvis Vickers and there is obviously some competition on the Labour Benches to acknowledge the contribution. I acknowledge the role of Alvis Vickers and many other companies, which contributed in so many different ways. The Select Committee on Defence will be advised of that when it conducts its inquiry. Much of the information is given in confidence and I am sure that hon. Members understand that it is not appropriate to give all the details publicly. However, I know that the Committee will give the information that we provide full and detailed consideration.

Mr. Siôn Simon (Birmingham, Erdington): Will the Minister go further on industrial policy and perhaps

learn a lesson from abroad? After going through the defence industrial policy process and considering the four key factors and the seven wider factors, will the Department ensure that the work is always given to a British company, preferably a Birmingham company?

Hon. Members: Answer that.

Mr. Ingram: Indeed. I could end up in a trading position, suggesting various cities and regions, including East Kilbride. British industry has tremendous capabilities in delivering for us—there is no question about that. I shall deal with defence industrial policy later, but buying what is best for our forces, not industry, must be the prime consideration. Members of the armed forces could be called upon to make the ultimate sacrifice in defence of the realm and our national interest. They would not respect us for saying, "Off you go and use this equipment because it's got a British flag", whether it came from Birmingham, East Kilbride or elsewhere. However, I pay tribute to the strength, depth and commitment of the United Kingdom industry.

I rightly considered our successes and the way in which our procurement policy progresses, based on previous conflicts and the most recent conflict. However, the process is not flawless. Although it would be inefficient and unaffordable to buy and maintain equipment for every contingency in every climate, we shall undertake further analysis to improve our understanding of the likely time scales in which different capabilities can be procured.

I make it clear that we will not fall into the old trap of planning to fight the previous war. Our plans revolve around the future, not the past but we must learn lessons from the conflicts and deployments in which we have participated.

I accept that there are areas in which we could have done better and in which lessons for the future have to be learned. No operation on the scale of Iraq can ever proceed perfectly in every detail. It has been a huge undertaking and has tested the organisational as well as the fighting capabilities of the MOD. Our people have met this massive challenge with commitment, professionalism and, ultimately, with decisive success—a fact not always acknowledged.

I recognise, however, that despite our best efforts, working night and day, we did not meet every unit's requirement for desert clothing and boots, and that some personnel experienced some shortages of other items of personal equipment. Action to improve asset visibility and tracking in theatre is something to which we must look to improve our capability. We have launched a no-holds-barred "lessons learned" process, the first reflections from which were published in July. The final report is expected at the end of the year. We want to ensure the continued high performance and capability of our equipment in any future operation and that we continue to meet the standards that our service people rightly expect.

We have a responsibility to plan for an uncertain future. That means concentrating on the key SDR capability goals and the network-enabled capability that will allow us to develop the effects-based approach that my right hon. Friend the Secretary of State described to the House last week. We intend to keep network-enabled capability at the heart of our approach to future equipment. As Operation Telic demonstrated, and as we foreshadowed in the SDR new chapter, this has become a fundamental part of almost every aspect of modern war on land and sea, and in the air. Any country that neglects this will find itself outclassed and outperformed on and behind the battlefield, whatever mass of individual equipment it can muster. Ultimately, it will enable us to link our intelligence, surveillance and combat capabilities together faster, giving us the ability to achieve decisive effects on the ground. It is also vital in helping us to link up with our allies and coalition partners.

The network, integration, test and experimentation works programme, or NITEworks programme, a three-year project that will serve to bring the MOD and industry into a partnership intended better to integrate existing assets to maximise operational capability, was launched in August. This process of practical testing and experimentation within synthetic environments has impressive potential advantages, and British industry has responded positively to the partnership approach on this programme. Another key enabler project is the Bowman tactical radio system, which remains the Army's No. 1 equipment priority, and which will supplement the personal role radio already in service. We intend to meet the demanding March 2004 in-service target date for this piece of equipment.

We also expect to place a contract for Skynet 5 with Paradigm Secure Communications very shortly. This private finance initiative contract will provide modern, robust and flexible worldwide communications for the front line and is very good news for the armed forces. Added to this, services will be offered to friendly third parties, such as NATO, opening up possibilities of enhanced inter-operability and improved value for money. It is also good news for UK industry, as just under 2,000 people will be in jobs associated with the programme at its peak. The north-west and south-west of England, south Wales and Northern Ireland will all benefit from this programme.

While sensors and networks are critical, we must also invest in the platforms that allow us to respond swiftly and flexibly. We are doing that across all three environments—land, air and sea. I would like now to deal with each of those in turn. We have recently entered stage 3 of the assessment phase for the future aircraft carrier, the CVF, providing further impetus to alliance operations and the constructive relationship with BAE Systems and Thales UK. This assessment stage will increase the maturity of the design, optimising capability and value for money.

Mr. Kevan Jones (North Durham): Will my right hon. Friend comment on some of the headlines that have appeared in the north-eastern regional press? The Newcastle *Journal* has one that reads:

"Delays on ship deal put jobs in danger."

That refers to work that could go to Swan Hunter. Obviously, the procurement of the CVF will have a great impact not only on the north-east but on other

[Mr. Kevan Jones]

regions. Will the Minister scotch some of the more alarmist rumours that have been put about in such articles?

Mr. Ingram: I do not know whether it is because I am from Scotland that my hon. Friend is asking me to scotch those rumours. We should not respond to lurid press headlines as this process develops. Every procurement process has decision-making points at which we have to get it right, otherwise we cannot move to the next phase. Clearly, the bigger and more complex the project, the tougher that task is. I understand my hon. Friend's very strong commitment to the shipbuilding industry in his own constituency and region. I have already made the point that we should not necessarily focus on what is right for industry. We should focus on what is right in terms of the eventual capability. It takes a lot of fine tuning and precise planning to get that right, both in terms of structure and, importantly, delivering on time, which can be critical.

I would love to be able to say that everything runs smoothly in every procurement, but it does not. So far as this particular procurement is concerned, there has been a lot of comment about the way in which we put together the strategic partnership between BAE Systems, Thales UK and the MOD. People said that it was flawed and that it would never work, but the opposite is happening. We now have a very committed high-grade project team driving forward to meet the tough demands that we at the MOD insist on.

Dr. Julian Lewis: I thank the Minister for giving way again. Of course, he is making reasonable points in a general sort of way, but this cannot all be put down to lurid press reports, can it? The Minister may recall that the Secretary of State said in his statement about the future aircraft carrier on 30 January this year:

"At around 60,000 tonnes, they"—

the aircraft carriers—

"are approximately three times the size of our current carriers. They will rank alongside the most formidable and complex weapons systems deployed by any country in the world."—[*Official Report*, 30 January 2003; Vol. 398, c. 1026.]

Whereas in August, in a response to a question from me about the size of the aircraft carriers and the rumours that they were to be much reduced, the Minister said in a written reply:

"In the strategic defence review published in 1998, it was envisaged that the two new future aircraft carriers would be in the order of 30,000 to 40,000 tonnes."—[*Official Report*, 16 September 2003; Vol. 410, c. 703W.]

That is not the press making things up; those are two different messages from two different Ministers in the same Department.

Mr. Ingram: I should like to reflect on that, and obviously I shall read *Hansard* to see the context in which those questions were raised and the responses given.

Mr. Gerald Howarth (Aldershot): Will the Minister give way?

Mr. Ingram: Let me deal with the intervention of the hon. Member for New Forest, East (Dr. Lewis) first.

The relationship between cost and capability forms a normal part of any assessment phase, and formal cost and performance parameters will not be set until the main gate decision. The hon. Member for New Forest, East said that I made my point in a general way, but it was also a specific way. As we define capability needs, in which nothing is static and everything is evolving, against certain fairly firm criteria—although they may be subject to change—the cost implication must come into play. We have to marry up those two important elements to deliver what has rightly been described as a decision that must be flexible and adaptable over the lifetime of these vessels, which will be in the region of 50 years. While it is right for the hon. Gentleman to continue to probe and to tie us down to specifics, that contradicts what he was asking for, which was to ensure that we had a procurement process that took account of his earlier concerns.

Mr. Howarth: I am grateful to the Minister for giving way, because this is an extremely serious issue. As my hon. Friend the Member for New Forest, East (Dr. Lewis) has pointed out, the Secretary of State made great play of this issue in January, having seen two specific proposals from two major contractors for large vessels of the order of 60,000 tonnes. In August, the Minister suggested that the figure had been retrenched to between 30,000 and 40,000 tonnes. That is a substantial difference, and the House deserves a more specific answer than he has been able to give us. Has there been a huge change in the configuration of the aircraft carrier that warrants such a dramatic change, or is the truth that the cost implications that he has just mentioned are the driving factor?

Mr. Ingram: It is not the truth in the way in which the hon. Gentleman puts it, but there must be an element of truth in it. Cost is a part of any consideration about the capability that we seek. I heard the First Sea Lord say recently that it did not matter how long, how tall and how fat ships were; what mattered was what they delivered in naval terms—the punch that they afforded the Royal Navy.

It would be wrong to say that the consideration was driven primarily by cost. We hear a lot about that when industry makes announcements about capability, or about the concept of a particular procurement, but when the concept is examined in detail, the need to ensure flexibility over the likely—in this instance, the known—lifetime of a carrier must come into play. Smart acquisition is all about that process of refinement.

Dr. Julian Lewis: Will the Minister give way?

Mr. Ingram: I must proceed, although I am not running away from the issue, and I am sure that Conservative Members will return to it.

Mr. Davidson: The Minister tells us that any changes are driven by capacity rather than cost. Can he assure us that the original plans for two aircraft carriers carrying approximately 48 planes have been retained, and that the number of planes that a carrier will be able to bear

has not been cut? Can he also confirm that the Ministry is still working on the basis of the estimated dates of 2012 and 2015 in terms of capacity and delivery?

Mr. Ingram: As I said earlier, delivery on time is critical, and we are continuing to work according to that timetable, although it will depend on the capacity and ability of industry to deliver. We are dependent on its expertise. We cannot necessarily drive developments from the top. Sometimes there is a shift in the timetable because of changed requirements related to the evolving nature of our understanding of the threat or of the capabilities available.

It is best to wait for the main gate decision. This is one of the things that we must get right according to the criteria that I have established. As I have said, the situation is evolving. I repeat that we are not building these ships for industry, or for shipbuilding areas; we are building them to meet the needs of the Royal Navy, and to supply part of its contribution to the expeditionary force and the punch that it must deliver along with the RAF and the Army.

Mr. John Wilkinson (Ruislip-Northwood): Will the Minister give way?

Mr. Ingram: No, I must make progress.

These vessels will meet the requirements set out in the strategic defence review. Operating the short take-off/vertical landing variant of the joint strike fighter and a range of helicopters, they will constitute the most capable carrier force outside the United States.

Last December, considerable interest was generated by the Astute class attack submarines and the Nimrod MRA4 maritime patrol aircraft programmes. Those are hugely complex systems, which have presented significant challenges to the Ministry of Defence and BAE Systems. February saw the announcement of an agreement on the way ahead for those two important projects, putting the programmes on a much sounder footing for the future through restructured contracts and a reduction in overall risk. Both sides are now working on the basis of the agreement, and my noble Friend Lord Bach was in Barrow-in-Furness only yesterday to attend the keel-laying of the second Astute class boat, HMS Ambush.

Although risks and challenges remain, this represents a major milestone for the Astute programme, and further demonstrates our commitment to deliver these important capabilities to the armed forces as soon as possible, along with the company. Hard lessons have been learned from the challenges by both the MOD and BAE Systems, and we are applying them widely in order to go on making progress with smart acquisition.

Mr. Davidson: Will my hon. Friend give way?

Mr. Ingram: I have already given way generously to my hon. Friend.

One of the largest programmes is the joint strike fighter, a collaborative venture led by the United States but now involving many contributors, the United Kingdom being the main partner. We are very proud of the extensive role won by UK industry, a role that could reap as much as £5 billion worth of work for the UK in the current system development and demonstration phase, safeguarding many thousands of jobs and our leading position in the aerospace industry. A further £24 billion could be in prospect for downstream production activities.

Typhoon, our next-generation high-performance fast jet, will serve as the cornerstone of the RAF's air defence capability in the future. The project achieved a major milestone in June, when type acceptance was completed. The UK remains committed to the Typhoon programme, and discussions with the four nation members and with industry on tranche 2 are continuing.

Mr. Gerald Howarth: Will the Minister give way?

Mr. Ingram: I do not want to have to extend my speech as much as I did when we last debated this subject, and to take every intervention to make up for the fact that hardly any Opposition Members are present. The hon. Gentleman will be responding for the Opposition, and my hon. Friend the Under-Secretary of State will deal with the issues he raises.

Our priority is to ensure that industry's proposals for the programme are soundly planned and are based on mature designs. Austria's decision to place an order for 18 Typhoon aircraft clearly supports the export potential that the aircraft offers, and Singapore has also shortlisted Typhoon to meet its future fast-jet requirement. It was partly to meet the new demands of training pilots for front-line service in the Typhoon and the joint strike fighter that my right hon. Friend the Secretary of State selected BAE Systems' Hawk 128 as the next advanced jet trainer for our armed forces.

Subject to the successful completion of contractual negotiations, we intend to make an initial purchase of 20 of the new training aircraft, with options to buy up to a further 24. The value of a full order for 44 aircraft is expected to be worth some £800 million. They will enter service in 2008.

The choice of Hawk offers the best aircraft for the training of pilots of our future advanced fighter jets. Importantly, it will also sustain a number of jobs at the BAE Systems factory in Brough, and numerous others in the UK supply chain. More than 800 Hawk 128 aircraft are currently in service with some 19 customers, and future sales prospects for Hawk are extremely bright. The recent decision by the Indian Government to select Hawk as their new advanced jet trainer clearly supports that.

On 5 March 2002 the hon. Member for Twickenham (Dr. Cable), now the Liberal Democrat treasury spokesperson—I hope that he did not get his promotion on the basis of what he said then—observed

> "The system whereby British officials and ambassadors and the Ministers who direct them are running round the world, as the Foreign Secretary did with BAE Systems last week, selling Hawk jets to India, is not the sort of thing in which the British Government should be engaged."—[*Official Report*, 5 March 2002; Vol. 381, c. 189.]

It is precisely that, which is why I have spoken about the scale and the scope of the project and its importance to British industry.

[Mr. Ingram]

On the land side, there is a need to modernise elements of the armoured vehicle fleet. That gives us an opportunity to develop medium-weight forces in the Army, and to deliver a solution exploiting network-enabled capability. The programme is known as future rapid effects system, or FRES. To assist its progress, work is already in hand to investigate a number of new technologies.

Although it has taken longer than anticipated to launch the project on its assessment phase, the Ministry believes that additional time invested now is essential to ensure that it has a good prospect of meeting requirements. We hope to have a decision on the way ahead for FRES later this year.

Peter Bradley: I understand that the Government have a commitment to royal naval vessels being built in British dockyards. If that is the case, why cannot that privileged relationship be extended to British industry when it has the capacity to provide for our needs? FRES is a case in point.

Mr. Ingram: I understand where my hon. Friend is coming from with regard to the figures. I cannot address special pleading for individual industries from the Dispatch Box, because all the decisions are based on the capability and capacity of British industry to deliver. As for my hon. Friend's point about the shipbuilding industry, if we did not have a shipbuilding programme for building naval ships in British shipyards, we would not by and large have a shipbuilding industry. That does not necessarily apply elsewhere, but the defence industrial policy, which I shall touch on later, aims to make sure that we seek to get the best from the best of British industry. However, it is up to British industry to be the best. I pay tribute to the companies that I have mentioned for delivering at an extremely high level, which gives us a great deal of assurance and comfort for the future.

I mentioned the new FRES project, an exciting and important project for the Army. However, that is not to detract from the battle-winning qualities of our heavy armour. Operation Telic served to underline the crucial role that main battle tanks still possess, but that punch comes at a price in terms of deployability. We regard medium-weight forces combining ease of deployment with more firepower as an important force element for the future.

All decisions on individual equipment projects are viewed against the backdrop of our defence industrial policy. Government and industry have worked together for many years on defence industrial issues, but the publication of the policy last year galvanised both to adopt new ways of working together, which has resulted in a joint approach to implementation and the development of a joint action plan. I praise industry for its hard work in making that a success which, coupled with the support from the trade unions and the work force, gives us a strong base for the future.

We are determined to reduce the barriers to co-operation with our allies and partners, and have made good progress on doing so with our European partners through the letter of intent. We are working closely with the US Administration to secure a waiver for UK companies from the US international traffic in arms regulations. We are concerned about moves by the US Congress to restrict procurement for US armed forces to American companies. We and the US Administration regard that as a retrogressive and impractical step that would ultimately harm US interests as much as our own. We are taking every opportunity to explain our thinking to our US counterparts, and I shall do so again next week when I visit Washington.

We are constantly making our US counterparts aware of the importance of not saying "Buy US, for the US." However, in today's debate, there is an element of "Buy Britain only." We cannot live in that world. If we are trying to open up markets to the quality of our goods, we have to expect competition. If we examine what is happening in defence procurement—I have spoken about partnership between companies and takeover—we can see that the industry is changing rapidly. It is important to make sure that we have good access to other markets.

Mr. Michael Jack (Fylde): Can the right hon. Gentleman give me an assurance that in his discussions next week in the United States he will raise with our American colleagues the question of having full access to all the technologies that underpin the joint strike fighter?

Mr. Ingram: I will make every point that I can on behalf of UK interests. I am sure that that will be in my briefing pack and, if it is not, I shall certainly ask why. It is important that this country punches at its highest and best weight, and the right hon. Gentleman has raised an important aspect of our doing so.

Our procurement strategy continues to be delivered through our smart acquisition policy. The ethos behind smart acquisition has always been to acquire defence capability faster, cheaper and better while deepening and broadening the key principles of the original smart procurement initiative. We are currently looking in great detail at other areas to identify where improvements to our processes can be extended. We recognise that that is a continuing challenge—still more needs to be done, particularly regarding project slippage. We need to look at ways in which we can become much quicker and more agile in our procurement processes. As part of that ongoing work, we are discussing measures with industry that could be introduced to improve project management on major programmes.

Equipment procurement can sometimes appear to be for the benefit of industry, constrained by budget considerations. The reality is that we must all remember what that equipment is for. Ultimately, it helps our people to win on the battlefield—it increases their chances of doing so and coming home safely, which is why we must get it right. That means not only making bold and well-considered decisions about new kit but making honest assessments regarding old kit. We know what works, what is no longer effective and what we need to work in future. Everything that we are now doing is aimed at that goal. Changes must be made, and they will be made. We ask a lot of the men and women of our armed forces, which is why we are determined to do what needs to be done to equip them to be as outstanding in the 21st century as they were in the last.

2.5 pm

Mr. Gerald Howarth (Aldershot): On a slightly sad note, may I send condolences from Conservative Members and, I am sure, the whole House, to the Minister's predecessor, the right hon. Member for Warley (Mr. Spellar), who has just suffered a bereavement? I extend our sympathies to him and his family on the loss of his wife. He was an assiduous debater on defence matters in the House before he moved to the Department for Transport and beyond.

The Minister drew the short straw in having to open today's today. The Secretary of State obviously decided that it was warmer in Iraq than here, to escape having to answer for the debacle of the CVF—carrier vessel future—programme. The responses that the Minister gave his hon. Friend the Members for North Durham (Mr. Jones) and for Glasgow, Pollok (Mr. Davidson) will have given them no more reassurance about the project than it did us. I remind him that we supported completely the Government's decisions to order two substantial aircraft carriers and on their configuration. We welcomed the fact that they chose the STOVL—short take-off and vertical landing—version of the joint strike fighter to equip those aircraft carriers, and even issued a statement congratulating them on their decision. Needless to say, that did not get printed, because it is only the adversarial aspects of Parliament that strike a chord with the media. We welcomed the fact that the design of the aircraft carriers could incorporate retro-fitting of a catapult system in the event of the joint strike fighter not incorporating a STOVL variant. That is entirely dependent on the US marine corps deciding to choose that version—if it does not, there will be no STOVL version for the United Kingdom to acquire.

I take strong issue with the Minister's assertion that the question of the length and diameter of hulls and so on is not material. It is important that the dimensions of those aircraft carriers are sufficient for them to deploy 48 fighter aircraft—the hon. Member for Glasgow, Pollok sought reassurance on that—because that is the basis on which the project was put together in the first place. I hope that when the Under-Secretary winds up, he will be able to reassure the House that it is still planned that the sortie generation rate will involve 48 aircraft operating from those hulls. If not, the prospect that we face is very different from the one we welcomed in January, when the Government made their decision. Clearly, however, the speculation in the press is entirely right and proper—it is well focused and spot on. I am afraid that the Minister of State has failed to reassure anyone in the House, and many companies and constituencies around the country will be alarmed by what they have heard today.

This debate takes place in the context of a nation that has five times embarked on serious military operations in the six years of this Government's life, and in the context of widespread rumours that next month's White Paper will bring a further round of swingeing cuts to the defence budget, not limited to the carriers. Industry claims that the procurement budget is already underfunded, and now informed defence commentators are speaking of cuts well in excess of £1,000 million. We read that Lieutenant General Rob Fulton, Deputy Chief of the Defence Staff, has instructed his capability managers to find £1,000 million of savings across each of the military's 12 "capability areas" over the next 10 years.

Reports suggest that the order for the Type 45 destroyers is likely to be cut from 12 to eight. As we have heard, the order for two new aircraft carriers is becoming ever more precarious and, as we have discussed, they are shrinking in size.

Mark Tami (Alyn and Deeside): Will the hon. Gentleman perhaps tell us what the cuts were over the last 10 years of the last Tory Government?

Mr. Howarth: I remind the hon. Gentleman that the Labour party conference voted for defence cuts of one third and that Labour was for ever pressing us from the Dispatch Box, when we were looking to refocus Britain's defence interests after the fall of the Berlin wall, to go further and further than we did. His accusation is a boomerang that has come back to hit him. In fact, many of the success stories to which the Minister of State referred were projects that were started by the Conservative Government and of which this Government are fortunate enough to be reaping the benefits. The AS 90 is one of them. The Minister of State mentioned that.

The Minister of State also mentioned the Typhoon, another project that is looking vulnerable, with reports that the number is to be cut from 232 to 130. Little wonder, then, that the Chief of the Defence Staff, General Sir Mike Walker, was reported in *The Observer* last Sunday as saying privately that he found the proposed plans to be "incomprehensible." What a way to pay tribute to our armed forces for the fantastic job they have done in Iraq!

This is the third of the annual defence policy debates that we have held since the summer recess, yet publication of the White Paper has been conveniently delayed until after the debates are over. It is extremely unfortunate that the timing could not have been better ordered to enable the House to have the benefit of the Government's latest thinking on the safeguarding of our national security. This question arises: how can a Government who are so keen to project British power and influence around the world and who have committed Her Majesty's armed forces to a major and continuing operation in Iraq justify a reduction in investment in those forces? I remind the hon. Member for Alyn and Deeside (Mark Tami) that defence expenditure under this Government has fallen to 2.3 per cent. of gross domestic product, by comparison with 2.9 per cent. of GDP when the Conservatives left office in 1997.

Peter Bradley: Will the hon. Gentleman confirm that, after the excellent performance of British and other troops in the Gulf in 1992, the then Government cut defence expenditure by a third in the following years?

Mr. Howarth: It was not cut by a third. I think that the hon. Gentleman was in the House at the time and I was not. Whatever cuts were made, they were far less than his party was demanding of the Government of the day, at a time when I think he was in the House and I was not, so he is no position to make that accusation—certainly

[Mr. Howarth]

not when he is seeking to bat for Alvis Vickers, which has an important facility in his constituency that he knows I have had the pleasure of visiting.

Mr. Jack: Would my hon. Friend care to reflect on the fact that the previous Conservative Government looked at their spending in the light of the changed threat at the time, which if anything was reducing, whereas at the present time threats seem to be increasing?

Mr. Howarth: That is the typically perceptive point that I would expect a colleague of mine who held a responsible position in Her Majesty's Treasury to make. The House is better informed as a result. My right hon. Friend is absolutely right.

The Government know that they are caught between a rock and a hard place, and in the past few months have been engaged in a desperate softening-up operation in advance of the White Paper. Even this afternoon, the Minister of State has told us that some capabilities will have to go. Unfortunately, he cannot tell us now what those will be, but we have been warned that some capabilities will have to go. That is part of the operation. As Lord Bach told *The Economist* and the Jane's conference on Tuesday, platforms are not the key; it is capabilities that count. In a sense, he is absolutely correct but surely the one thing that the Iraq operation told us is that numbers do count. We were hard pressed to field enough aircraft; we relied heavily on reserve forces; and the provision of £500 million-worth of urgent operational requirements illustrated how bare the resupply shelves had become. Indeed, the Government's determination to apply industrial "just in time" practices to the defence of the realm is potentially a recipe for disaster. As my hon. Friend the Member for North Essex (Mr. Jenkin) reminded the House last week, General Sir John Reith acknowledged to the Defence Committee earlier this year that we had come "perilously close" to being unprepared for the start of the Iraq war.

I do not want to imply that there is no common ground between us and the Government, because there is. I should think the public are rather fed up with incessant yah-boo politics. There are things we disagree about, but also things we agree about. We accept that, in the post-cold-war world, new challenges arose. My right hon. Friend the Member for Fylde (Mr. Jack) made that point. The defence posture required to confront a threat from across the north German plains was very different from the one required to move swiftly to a trouble spot anywhere in the world. Indeed, we fully support the concept of expeditionary forces. Furthermore, I personally believe that our default setting should now change from operations in a temperate climate to the expectation that operations will take place in a hot climate.

Let me run through some of the particular projects. We have covered the carriers, on which I hope the Minister will be able to enlighten the House further at the end of the debate. I turn to the Eurofighter Typhoon. That is unquestionably a superb aircraft, probably the finest air superiority fighter in production today. However, thanks in part to the drag effect of European collaboration, it is late entering service and over budget.

The Italians have already signalled that the project will be cut by a third. Alessandro Pansa, chief financial officer of Finmeccanica, our Italian partner, was reported in the *Financial Times* as saying:

"Tranche three of Eurofighter is something that is doubtful."

The second tranche is also running into difficulties. The Germans were reported in the *Financial Times* on Monday to have become frustrated with what has been described as foot dragging by the British Government. Can the Minister say when he will approve the order for tranche 2, scheduled for delivery in 2006?

At oral questions last month, the Secretary of State told my hon. Friend the Member for Vale of York (Miss McIntosh) that

"there will be no changes in the Government's plans for procuring Eurofighter Typhoon",

but he went on:

"We anticipate changes to the way in which those aircraft are configured, but those matters will be set out more clearly in the forthcoming White Paper."—[*Official Report*, 8 September 2003; Vol. 410, c. 2.]

What does that mean for the project? It is unsatisfactory that this important procurement debate should be held without the Government revealing what changes in configuration they have in mind. For our part, we believe that the Government should now bring forward development of the ground-attack variant of the Typhoon. It should be capable of 24-hour all-weather operations; be equipped with global positioning system and laser designators; be able to deploy ALARM—air-launched anti-radiation missiles—and other air-to-ground precision munitions; and have electronic scan radar, enhanced sensor suite and open architecture to accommodate later upgrades. If we were able to do all that, the UK would be provided with a potentially formidable aircraft to complement the carrier-borne joint strike fighter. It would also enhance the aircraft's attraction to allies and be available before the JSF enters service.

On that note, may I invite the Minister when he winds up to be a little more specific about the export opportunities for the Typhoon? I understand that Singapore and Greece are interested. If we could get ahead of the game in converting tranche 3, perhaps, into the ground-attack variant, we would have a formidable aeroplane that would not only enhance our own squadrons but be available in an export market—something which, as the Minister himself said, is extremely important. I agree with every word that he said about the Liberal Democrats. They parade around the country pretending to be in favour of defence, only for their spokesman on Treasury matters then to say that we should withdraw all financial support for our export efforts. To do so would of course kill those efforts, so the Minister was absolutely right.

I hope that the Minister will look at my suggestions, because decisions have to be taken now. If our partners in the Typhoon programme are reluctant, the UK should proceed alone, with the others continuing to develop the core programme. Whether or not the Government proceed now with development of the

ground-attack variant, they must sign this contract off by the end of the year, or risk a costly production gap. A Ministry of Defence spokesman was quoted in Monday's *Financial Times* as saying that

"we have not ruled out a full order by the end of this year, but given the obvious importance of the contract our priority is to ensure that industry's proposals for the programme are soundly planned and established on adequate design maturity"—

whatever that means. Are the Government committed to the full order and to signing up to tranche 2 by the end of the year?

On the future rapid effects system, the Chief of the General Staff, General Sir Mike Jackson, told the Royal United Services Institute in June that it was clear to him that

"the concept of the Future Rapid Effects System is critical to the British Army's future capability."

If we accept FRES's importance to the British Army's future capabilities, the difficulties that the MOD has run into become more acute. We expected progress to be made on this project in the summer. We were then told that it would be made in the autumn, but autumn is upon us and there is still no tangible progress. The Minister said that we should expect some form of decision later this year, but there is not much of this year left. Indeed, I understand that the Government recently and somewhat peremptorily rejected a joint proposal from BAE Systems, Alvis Vickers and Thales for a three-way alliance to supply FRES, not least because

"the procurement strategy for this programme is under review."

Given the importance of this project to the British Army's future capabilities, as indicated by the Chief of the General Staff, why are the Government still only at the stage of reviewing the procurement strategy? How on earth can they hope to meet their projected in-service date of 2009 if they are still fiddling about working out what the strike procurement strategy will be? That is not a very fine example of smart procurement, if I may say so. Given the importance of this issue, the Government have to give us more information during today's debate about exactly what is proposed. As the hon. Member for The Wrekin (Peter Bradley) rightly pointed out, the continuation of British manufacturing capability is critical.

If, by some chance, the FRES project were to meet its projected in-service date of 2009, how would it be affected by our limited strategic lift capability? The in-service date for the A400M is 2011, two years after that for FRES, leaving FRES without adequate strategic lift for its first two years in service. I can only conclude that the delay is designed to coincide with the introduction of the A400M, but that has already itself been beset by serious delays. We are a decade into this project and still no nearer to cutting metal. As I am fond of saying to BAE, "When are we expecting to cut the first cardboard?" This project has not had a happy history to date. The requirement for a strategic lift capability, which the A400M is designed to fulfil, could have been provided by an off-the-shelf solution such as the C-17. Again, we salute the Government's decision to take on four C-17s, although I am not sure that the decision to lease them actually provided the best value for money in the circumstances. As the Minister knows, those aircraft played a key role in the recent Iraq deployment. The decision to opt for the collaborative A400M seems to have been as much about European politics as the need to develop a strategic lift capability for Britain's armed forces.

Examination of these individual programmes leads to the wider issue of defence industrial policy, and in that regard I want first to consider research and technology. Today's front-line military equipment is the product of yesterday's investment in that technology, most of which, I remind the Minister, came from the previous Conservative Government. Without the continuation of such investment, we shall be left with two options: to offer our armed forces second-best kit, or to buy off the shelf from abroad. In effect, that means buying from the United States, a point to which I shall return in a moment.

In 1990, the Conservative Government were spending about £1 billion on defence research—equivalent to 14 per cent. of the amount spent by the US Defence Department. Last year, this Government spent about £450 million—less than half the 1990 figure, and equivalent to just 6 per cent. of US expenditure. Indeed, US expenditure is planned to rise from $27 billion in 2001 to no less than $37 billion by next year.

I want to mention a particular aspect of recent defence research that the Minister has himself referred to. Modern communications have brought high-intensity war fighting into the nation's sitting rooms. There is an understandable and growing revulsion at the loss of civilian life involved in conflict. We all saw on our TV screens the opening shock and awe attacks on Baghdad, which were apparently so violent and extensive that they must have flattened the city. However, having flown over Baghdad at low level in July with my Defence Committee colleagues, I was surprised at how little damage had been inflicted on the city. That civilian casualties were minimised was due in no small part to the use of precision-guided weapons, which have been developed at considerable cost since the previous Gulf war.

There is a message here. The truth is that it would be very difficult for a British Government—and perhaps others as well—to prosecute high-intensity war fighting if the public believed that widespread civilian casualties would follow. The public are reluctant to accept any casualties, but we should note that precision-guided weapons have played a major role in minimising them. We should also pay tribute to Britain's scientists, who were responsible for developing the technology that has enabled us to limit casualties.

Mr. Breed *rose—*

Mr. Howarth: Is this Liberal policy coming up?

Mr. Breed: I concur with all that the hon. Gentleman said about the development of precision-guided weapons. Has he read a recent press report about the potential for manufacturing low-intensity nuclear weapons, which might even enhance such developments? Would he like such technology to be pursued?

Mr. Howarth: I am not aware—

Dr. Julian Lewis: That sounds like, "Liberals for the neutron bomb."

Mr. Howarth: Indeed. However, I am not aware of that report and cannot ask "my staff" to look it up

[Mr. Howarth]

because they are not yet my staff. In due course, after the next election, things might be different. I shall certainly do the hon. Member for South-East Cornwall (Mr. Breed) the courtesy of reading the article, if he has it to hand, perhaps he could let me have a look at it.

Unless we as a nation are prepared to invest more in defence-related research, our technology lead—in those areas in which we do lead—will disappear. The Government have placed all their faith in the privatisation of the Defence Evaluation and Research Agency, which is now known as Qinetiq and controlled by the US Carlyle Group. However, as Qinetiq has pointed out to me, it cannot raise funds here and has to tap the US market. What will the consequence of that be? If US taxpayers or US investors provide the funds, they will own the resulting technology and the United States will control the release of that technology to us. Very serious consequences will flow from that Government decision, which was not popular on either side of the House. The Government owe it to us to develop their strategy more clearly to ensure the maintenance of our technology base, so much of which has been derived from Government expenditure.

Conveniently, that point brings me to our relationship with the United States, which is dragging its feet on approving the technical access agreements on the joint strike fighter—a point to which my right hon. Friend the Member for Fylde alluded. The UK does not have design and support authority for the UK-produced joint strike fighters. We failed to secure that with the Apache attack helicopter. We failed to secure it on the Hercules C-130J, although on the much older C-130K, we do have design authority, which has proved by comparison more beneficial to us, especially to the hon. Member for Cambridge (Mrs. Campbell)—who is not in her place—and to Marshall Aerospace in her constituency, which does a marvellous job. That is not an acceptable state of affairs. Will the Minister advise the House on the actions that the Government are taking to secure agreement on those issues? Can he confirm that, without having design and support authority on our own joint strike fighters, we could end up being dependent on the US, which could then exercise a power of veto over our operation of that aircraft?

Mark Tami: The hon. Gentleman mentioned the dangers of handing over such matters to the US. He also mentioned not taking the A400M and choosing the C-17 instead. Does he accept that that would hand over another matter to the US?

Mr. Howarth: No, because I seek to strike a balance. The Minister pointed out the danger of being xenophobic and saying, "Buy British on every occasion", because we are attacking elements in the US for advancing a "Buy American" policy. I believe in a two-way street, as I shall demonstrate shortly.

I hope that the Minister will tell the House how well the joint strike fighter project is progressing, because it is currently overweight and somewhat over-budget. What assessment have the Government made of the project proceeding to the next phase of its development?

Our difficulties with the US do not end with the joint strike fighter. The Government have made representations to the US Administration about securing a waiver for the UK from the effects of the international traffic in arms regulations, and I pay tribute to Lord Bach for the vigour with which he is pursuing that matter in Washington. I wish the Minister of State every good fortune when he goes to beat the drum over there next week.

I understand that one of the issues standing in the way of progress on the ITAR waiver is the failure of the Department of Trade and Industry to lay the necessary orders under export control legislation to make it an offence for a British subject or UK businesses to trade on, disclose abroad or export information that they may receive under the waiver. Can the Minister tell us the score on that? Will the DTI move those orders and would that be of assistance in unlocking the impasse with the US?

Reference has been made to the "Buy American" proposal of Congressman Duncan Hunter, which, if successful, would be extremely damaging to British industry. The good news is that it is supported neither by leading US defence contractors nor by the Administration. I emphasise that there is a unanimous view on those matters across the Floor of the House. The Minister will know that the Defence Committee, on its visit to Washington last month, made very strong representations both to the Senate armed services committee and to members of the Administration, including Defence Secretary Donald Rumsfeld and his deputy Paul Wolfowitz. It would be nice if the Minister could acknowledge that it is not only the Government who are batting on this, but that we have formed a united front. We cannot afford to relent on the campaign.

Mr. Kevan Jones: I hear what the hon. Gentleman says about the change in position of the US Administration, but is he aware that as early as last week Paul Wolfowitz was trying to negotiate with Mr. Hunter about his Bill, not to veto it—as we were told in Washington—but to water it down? It would still have grave implications for the UK defence industry.

Mr. Howarth: The hon. Gentleman, who is a distinguished member of the Defence Committee, is right. Whatever protestations the US Administration may make about sharing our view, the fact is that the Hunter Bill is an amendment to a wider appropriations Bill, and it would require the President to veto it. A huge amount is at stake and it is not only the Minister's efforts that need to be harnessed in support of the campaign. The Prime Minister himself needs to be involved.

Mr. Ingram: He has been.

Mr. Howarth: I am sure that he has, but we need to fight those guys hard. When the Americans defend their commercial interests, they fight tooth and nail: let us fight tooth and nail as well. UK-US defence trade is running 2:1 in favour of the US. If those repeated standing ovations in Washington in July, and the repeated and undoubtedly heartfelt tributes to our Prime Minister for Britain's support for the US over

Iraq mean anything, the US has to give the UK a fairer deal than is currently on the table. Compromises that result in the UK paying the price are not acceptable.

The defence industry is at a crossroads. If the US does not accord the UK the treatment that we deserve, with access to its market and shared technology, it will risk leaving us with little option other than to throw in our lot with our continental partners. But that would not resolve our problems.

I do not wish to sound unduly negative about European procurement collaboration, but it has proved costly and inefficient, driven more by political than by military considerations. Collaboration with our allies is probably essential in developing our capabilities, but however we select our collaboration partners—whether we choose to go it alone or choose an off-the-shelf solution—our decision must be based on what will best fulfil the requirements of our armed forces in the best possible time and at an acceptable price.

The House of Lords European Union Committee warned that the proposed European armaments and capabilities agency could become

"a tool of protectionism or constraining the ability of member states to order armaments independently".

The Government's response to the ninth report of the Defence Committee said that the Government were opposed

"to the creation of a closed European market".

That may very well be the Government's intention, but that is not what is happening in Brussels. The European capabilities and acquisition agency set out in the Convention on the Future of Europe is part of a plan to create a single European army with a single European procurement process. In their response to the Defence Committee's report, the Government denied that it would act as a tool of protectionism, but failed to address whether it would constrain the independence of member states in their procurement decisions.

What effects will the proposals in the Commission's paper entitled "European Defence—Industrial and Market Issues—Towards an EU Defence Equipment Policy", which was agreed by the General Affairs and External Relations Council in May this year, have on the existing Organisation for Joint Armament Co-operation arrangements? That is another example of unnecessary duplication of existing processes by the EU that the Government are blindly going along with.

How does the NATO Prague capabilities commitment differ from the European capabilities action plan? This is riveting stuff. What progress has been made in achieving our commitments required by the PCC and the ECAP? How do the processes to achieve the requirement of those commitments differ? It is yet another example of unnecessary duplication by the EU in European defence. We support increasing European capabilities and much more needs to be done to close the capabilities gap with the United States, but those aims are best achieved through NATO and with European countries pulling their weight in defence expenditure.

The harmonisation of European research and development is seen as a quick fix to make up for the shortfalls in the UK research budget. Rather than assessing the risks posed to our procurement process and research agenda by such harmonisation at a European level, the Government see it as an easy way to make up for the cuts that they have inflicted upon our research budget. The harmonisation of European rules on procurement and the development of an EU armaments agency would force the UK into a political straitjacket, reducing our ability to make procurement decisions based on British interests. It represents the intention of some in Europe to create a fortress Europe in defence markets and plays into the hands of those in the US who wish to create a fortress US, with the "Buy American" proposals that are making their way through the US Congress. That stand-off in defence markets will result in increased costs and a reduction in competition on both sides of the Atlantic. The biggest loser in any such stand-off will be the United Kingdom, which at the moment enjoys good relations with both the United States and our European partners.

All our experience on collaborative European projects such as the Eurofighter, Horizon frigates, the multi-role armoured vehicle—MRAV—and the A400M demonstrates the difficulties in harmonising different requirements that all too often result in a compromise system that fails to meet the full specification that we need. There is a real risk that the EU armaments agency would lock us into projects that might not meet our requirements. The Government pulled out of both the Horizon frigate and MRAV projects in favour of a UK national solution. The hon. Member for The Wrekin (Peter Bradley) knows that only too well. Would that have been possible if we had been locked into such a project through a common European armaments agency?

The defence industrial policy enunciated a year ago by the Secretary of State has been welcomed by many, although it seems to me little more than a statement of what has effectively been the practice for many years—competition, but with exceptions. The Government are under fire from BAE Systems and others who believe that at least the lion's share of taxpayer-funded defence procurement expenditure should come their way. The chaotic saga of the Hawk advanced jet trainer was a poor reflection of the much-vaunted defence industrial policy. Making the decision just hours before 500 people were to be served with redundancy notices hardly reflected a considered judgment, right though the decision was in the end. The highly publicised uncertainty on the part of the British Government nearly scuppered the aircraft's prospects in export markets; the Minister of State mentioned India.

The Government must develop a clearer sense of purpose in dealing with British industry. Of course, there must be competition, but only from those who open up their markets to us. I shall quote from the excellent Defence Committee report what Sir Richard Evans told us on behalf of the Defence Industries Council. He said:

"I am not saying that we should necessarily change the policy that we have but we should be doing a hell of a lot more to force the others to actually come in line with us . . ." I do not think protectionism is the answer to this . . . The answer to this is not to shut the door, it is to exercise quite cautiously the degree to which we allow the door to be opened whilst at the same time exerting the maximum amount of political and industrial pressure on those other markets that are benefiting from entry to the UK to do the same for us."

[Mr. Howarth]

I am sure that the Minister of State agrees with every word. It is common ground, but we have to put that into practice.

In conclusion, this debate comes at a crucial time with a number of procurement projects falling behind. Of the 20 projects in the 2002 major projects report that had reached main gate or the equivalent point, eight have slipped and overrun their time of approval. The Defence Committee's ninth report found that there remains a question about the agility of the Ministry's procurement systems. The Government failed adequately to address that in their response to the report published earlier this week. Evidence of the lack of agility in the smart acquisition process comes from the number of times that that process has been refined and, indeed, renamed. The claim of the chief of defence procurement, Sir Peter Spencer, about the need to "periodically refresh smart procurement" causes one to speculate about the agility of the process.

There is much to be done on procurement. We welcome concepts such as the capabilities-based approach, but as my hon. Friend the Member for North Essex told the House last Thursday, those concepts, such as effects-based warfare and talk of flexibility, must not merely become smart euphemisms for cuts as is increasingly the case in what we hear from Ministers.

I do not underestimate the scale of the task. The Government face difficult decisions in configuring our armed forces into the shape, size and capabilities needed for the post-11 September strategic environment. My hon. Friend the Member for New Forest, East (Dr. Lewis) will refer in more detail to some of those key capabilities, but it is a challenge to provide a continuing ultimate deterrent, develop a modern network-centric capability, maintain conventional forces and provide highly professional and motivated infantry to hold ground and engage in peacekeeping operations.

The Government's own chosen programme entails a great deal of expenditure. I hope that Ministers can convince the Chancellor to pay for the equipment that our armed forces deserve and need if they are to fulfil the tasks that we ask of them. They are the best and they deserve the best.

I said at the outset that this Government have sent Britain's armed forces into battle on at least five occasions since they took office in 1997. Only the United States has been involved in comparable operations. Put bluntly, we buy weapons systems that are used in anger. Too often, compromises on systems have been made for political, and not strategic, military reasons. We therefore need to ensure that our forces have the best and most effective equipment and that our procurement policy breathes life into Britain's domestic defence industry, which employs so many of our constituents.

2.44 pm

Peter Bradley (The Wrekin): I welcome the opportunity to contribute to this debate and raise issues that are of pressing importance to my constituents. Notwithstanding what the Conservative spokesman, the hon. Member for Aldershot (Mr. Howarth) said, the timing of this debate is appropriate given that decisions will be taken in the coming weeks about the future rapid effects system in particular.

First, I must emphasise how important defence industries are to my constituency. We have in it RAF Cosford, a major RAF training station, and DSDC Donnington, the defence storage and distribution centre. The Army Base Repair Organisation is on the same site at Donnington and Alvis Vickers is at Hadley. I shall focus principally on procurement—on Alvis and the work force there—but will first say a few words about the other defence establishments and their recent past.

We are extremely proud of RAF Cosford and the aerospace museum alongside it. We are proud of its contribution to the community, the local economy and the armed forces. It is worth bearing in mind that about 50 per cent. of ground support crews in the RAF have trained at one time or another there. Indeed, although it is a training establishment, it has sent a considerable number of personnel to the Gulf in recent months.

Cosford has grown in recent years and I am glad of that, but its growth has been at the expense of other establishments, notably RAF Locking at Weston-super-Mare. There have been substantial changes at Donnington too, but more in the nature of contraction than expansion. Within living memory about 8,000 men and women worked at Donnington. Six years ago, that figure was down to 3,000. It is now about 1,800, with 1,000 employed at ABRO and about 800 at DSDC. Every one of the seemingly endless programme of reviews and rationalisations not only reduces the work force at Donnington—it has certainly done so in the past—but creates massive uncertainty and anxiety among men and women who, frankly, devote their working lives to service and who have never failed our front-line troops when their support has been needed.

I am sure that the whole House will join me in paying tribute to the sustained effort that the staff there made not only from the onset of the military campaign in Iraq but long in advance—from the Christmas of last year. When I visited Donnington in March with my hon. Friends the Members for Telford (David Wright) and for Stafford (Mr. Kidney), they had already moved about 500,000 pieces of kit, from small batteries to tank engines and aircraft wings, out to the Gulf, and they were working around the clock, without the public recognition that they deserved, in an unsung but heroic effort. They now face yet another review. Having survived the strategic defence review and the depot rationalisation study as well as at least two major overseas military campaigns, they now face the future defence supply chain initiative. Their fear—it is a common fear—is privatisation, the loss of jobs and in particular the loss of the civil service ethos to which they attach great importance and which is the backbone of their commitment and achievement over many years.

I appeal to the Minister, in so far as it is within his power, to preside over a period of calm and consolidation and to take the opportunity to acknowledge the record of both the DSDC and ABRO at Donnington and to assure the security of their jobs and livelihoods in the future. That is important in my local community and the local economy because The Wrekin is traditionally an area of low unemployment but the price that we pay for that is low wages. The reason for those low wages is the low skill levels in Telford and The Wrekin. The Government rightly attach a great deal of importance to building on our

skills base. I suggest that it is important not only to build on that base, but to preserve what we already have. Alvis Vickers makes 90 per cent. of the British Army's vehicles, including Warrior and Challenger 2, so I was glad to hear my right hon. Friend the Minister's tribute to the performance of those vehicles during the recent campaign. Donnington and Alvis Vickers at Hadley are beacons in our local economy in my constituency, because they offer relatively decent rates of pay for high levels of skill. That is why it is essential that they should be protected at all costs.

The recent history of the Hadley plant mirrors a trend in British defence manufacturing. I may seem like an old lag to Opposition Members, but, contrary to what the hon. Member for Aldershot suggested, I was not a Member of this place in 1992, and when I was elected in 1997—although it seems as though I have been here since 1982—the plant was GKN Defence. It was then taken over by Alvis, which was good news for the Hadley work force, but not for the work force at Coventry where Alvis closed its plant and transferred the work to Hadley. As my hon. Friend the Member for North Durham (Mr. Jones) rightly pointed out, the company is now Alvis Vickers. It is crucial that there should be no further contraction in our capacity to manufacture armoured vehicles. If there is, the pips will have been squeezed for the last time: Alvis Vickers is the last company that remains capable of building high quality vehicles for the British Army and for export.

In 1997, there were four factories in the UK: GKN Defence at Hadley, Alvis Vehicles at Coventry and Vickers Defence Systems at Leeds and Newcastle. Just six years later, only two factories are left: Alvis Vickers at Hadley and at Newcastle. During the same period, the number of people employed has been reduced from about 3,000 to just over 1,000, 470 of whom work at Hadley. The work force and unions at Hadley fear that if they do not win significant business in the near future, probably by the end of this year, compulsory redundancies will follow by next spring, as surely as night follows day. We cannot afford to let that happen. The local economy and the local work force and local community whom I represent cannot afford it; nor can our defence industry and the MOD, and it would certainly not be in the national interest. Unless we take a big-picture, strategic view of defence procurement we could lose not only jobs at Hadley and elsewhere, but an entire defence manufacturing sector with all the industrial and security implications that would involve.

Earlier, in response to my intervention, my right hon. Friend the Minister said that the Government had made a commitment to procuring its naval vessels from British shipyards because without those procurement contracts those shipyards would close. The same principle applies in my constituency. If the Government make a commitment to protect jobs on the British coastline, they should also be looking to the protection of jobs inland.

I understand the MOD's difficulties in matching the needs of the armed services to British industry's capacity to fulfil them. I understand that the MOD cannot commission what is not needed and that it must constantly reinterpret the needs of our armed forces in the light of global politics, technological advances, battleground experience and, not least, costs. No one is suggesting that we must procure British kit and equipment irrespective of cost, but the needs of industry must also be recognised, taken into account and addressed. The defence industrial policy that was published a year ago explicitly recognises the need to retain industrial capacity in this country, to preserve security of supply and to maintain our export potential.

I am sure that British business is happy to compete. I take the point that the hon. Member for Aldershot made about the fairness of competition. It is important that if overseas companies are to compete or to enter into partnership with British companies we must have the same privilege in their markets. I am sure that British companies, including Alvis Vickers, are prepared to compete, but they cannot survive simply on hopes and expectations. They cannot keep production lines running and skilled men and women employed without copper-bottomed contracts.

In his opening remarks, my right hon. Friend the Minister said that he is keen to see that the British Army, the Royal Navy and the RAF get the best kit to do the best job. That is important. He said that in ensuring that our procurement policy follows that principle he cannot have regard only for the interests of industry. I agree, but there is no point in the MOD trying to place contracts with British suppliers when those suppliers have been obliged to make their skilled work forces redundant for lack of contracts. Those skills will walk away; they will not come back and we shall no longer have the industrial capacity to respond to demand.

I am saying not that we must buy only British—I am certainly not saying that we should buy British at any cost—but that we should buy British where we can, and that where there is the capacity to produce tested, high quality equipment, such as Warrior, Challenger and other kit, we should seek to procure it. I mentioned earlier the importance of security of supply. If we lose that important sector of our defence industry, who will carry out the kind of emergency work to which I referred in my intervention and which Alvis Vickers personnel undertook in upgrading Challenger 2 in the Gulf and in Kuwait during the weeks and months leading up to the hostilities in Iraq and during those hostilities? Who can we look to if we no longer have the defence capacity to meet that need? On which foreign powers will we have to depend to meet our defence needs? Furthermore, how will we compensate for the loss of export earnings from Alvis and others—companies that research and develop their equipment in this country for the MOD?

I was pleased to receive the Minister's reply to my recent question about the future rapid effects system, which is due to produce the medium-weight armoured vehicle by 2009. He said:

> "The Department is considering procurement options and will have regard to all relevant factors, including industrial issues, in determining the way forward."—[*Official Report*, 6 October 2003; Vol. 410, c. 1160W.]

I very much welcome that and hope that the outcome of the decision-making process will be favourable to my constituents.

I hope, too, that not only MOD Ministers but, crucially, Treasury Ministers adopt the same approach to FRES as they did in making their decision—albeit a belated one—about the Hawk jet trainer. I remind the

[Peter Bradley]

House that, when making her announcement about the Hawk jet trainer, my right hon. Friend the Secretary of State for Trade and Industry said that the decision

"underlines our commitment as Government to the new defence industrial policy and manufacturing strategy".

My right hon. Friend referred to

"major economic benefits to Humberside and wider to the UK through key suppliers".

If that same—I am struggling not to use the word "holistic"—

Mr. Kevan Jones: Will my hon. Friend give way?

Peter Bradley: I hope my hon. Friend can offer a substitute.

Mr. Jones: I will try to help my hon. Friend. Does he agree that the strange thing about the FRES programme is the fact that after spending several million pounds, through Alvis Vickers and other companies, on the development phase, the Government have suddenly pulled the plug on the programme? Has not that sent a message to UK suppliers that they may not be in the loop for the next procurement of the project?

Peter Bradley: I agree with my hon. Friend; it is not a good portent. In the summer, a team of about 100 people from Alvis Vickers, BAE, General Dynamics and Thales were working on technical studies. They were pulled off the job and the MOD is now considering commissioning an independent systems house. That is not a good portent, not least in the light of the fact that we thought that the medium to long-term future for Alvis Vickers was assured due to the multi-role armoured vehicle contract, which, as the hon. Member for Aldershot reminded us, evaporated earlier this year. It is not a good portent. Mixed messages are coming from the MOD and the Treasury. I hope that, if not the Minister of State, then the Minister who replies to the debate will take the opportunity to clarify some of them.

I repeat the point that I was making when I was trying to think of another way of describing an holistic—perhaps I should say comprehensive, co-ordinated—approach to procurement. If the Government can commit to procuring ships from British shipyards, it surely must be possible to commit to procuring, where possible, armoured vehicles when we have such a respectable track record in that production. Let me spell out why that is crucial to the future of this important defence sector and particularly to my constituents.

FRES is likely to be the only new programme of its kind for the next 20 years. It will provide for contracts of up to £6 billion in value. It has a huge export potential. It is vital to maintain this country's capacity to design and manufacture such vehicles. It could lead to the protection, and indeed the generation, of some 3,000 jobs in my constituency, in Newcastle and in west Yorkshire. It is a 10 to 15-year programme. It is plain to see the huge potential for British industry that arises from this contract and, by the same token, the scale of the disaster if it is not awarded to British, or in main part British, manufacturers.

Earlier this year, as my hon. Friend the Member for North Durham (Mr. Jones) just reminded me, the MOD withdrew funding from the joint team working on the technical studies. I hope that, when he replies, the Minister will explain why that decision was taken and reassure us that it does not mean what those pessimists among us might assume it means.

If Alvis Vickers does not get a lion's share of this contract, there is no prospect of a major domestic order until after 2025. It will have no product to export. That would not only be bad news for my work force and for Alvis but also for the British balance of payments. Alvis's current product range for export will be obsolescent within five years. It will lose the design and development capacity that it has and it will lose the skilled labour that it currently employs, and that will lead inevitably to the closure of factories and the loss of jobs. If the decisions that we expect within weeks on the assessment phase are favourable, it will underpin employment at Hadley and create, I understand, some 50 jobs in the short term in Leeds. If the decision goes against us, we shall be looking at job losses.

I press on Ministers the need for that comprehensive view of our procurement needs, which looks to the interests of our industry and our capacity to support the armed forces in future. I recognise there are no blank cheques, particularly not those signed by the Treasury, but I cannot believe that a Government who have the commitment that they have to British industry and especially to manufacturing, who are aware of the importance of security of supply, particularly in light of recent experiences in the Gulf, and who recognise the British defence industry's contribution to our economy, to our exports and to our armed forces, both historically and in the recent past, will take a short-term decision that will in any way prejudice the future of an industrial sector so vital to our defence interests, and above all so vital to the interests of my constituents. Therefore I hope the Minister will take the opportunity, later this afternoon, to give us the assurances that we seek, that the work force and management at Alvis expect, and that we all would hope for from him.

3.4 pm

Mr. Colin Breed (South-East Cornwall): I congratulate the Defence Committee on a very thorough report, which I found extremely helpful and readable. The Committee has dealt with defence industrial policy, the defence market and individual programmes, but perhaps, rather than focusing on the individual programmes, I might make a few brief comments about how procurement policy might be further improved.

The Committee's report welcomed the defence industrial policy that it had examined. However, even it acknowledges that the proof of this policy will be in its practice. It is fairly early days but the policy has some shortcomings that can be identified now. The idea that procurement decisions should be influenced by export potential, or even the maintenance of capability to export defence equipment, is wrong. A consideration of security of supply may be legitimate, but export potential should be treated separately. The Liberal Democrats believe that the Defence Export Services Organisation should be moved to the private sector. It was in that context, I believe, that my hon. Friend the

Member for Twickenham (Dr. Cable) made the comments to which the Minister of State, and I think the hon. Member for Aldershot (Mr. Howarth), referred.

Mr. Gerald Howarth: The hon. Gentleman has made a very serious point. In suggesting that DESO should be moved to the private sector, he clearly betrays his lack of understanding of how defence exports are organised. Foreign Governments like to deal with the British Government. That is what DESO is for. If it ceases to be a Government organisation, that will undermine the very purpose for which it was set up.

Mr. Breed: I am grateful to the hon. Gentleman and I know there are arguments around that case. I am not saying that the Government would not support a privatised organisation but that we should certainly consider dividing DESO from the MOD, so that export potential does not influence the procurement of any equipment. There is, however, no harm in the Government supporting, as they do, a considerable number of other private enterprises to benefit the UK.

Mr. Wilkinson: The hon. Gentleman's suggestion is naive. Does he not comprehend the importance of defence diplomacy in the overall context of providing armaments to countries that require them, quite properly, for their own defence under the United Nations, maintaining a good relationship with them and mutual trust and understanding between the officials of the Ministries of Defence of the two countries concerned—the United Kingdom and the procuring nation overseas?

Mr. Breed: Yes, I certainly understand that, but I still believe that it is not totally impossible to maintain those very important links purely by moving DESO from the MOD's principal command, so to speak. Obviously there must be good relationships between countries that export and import defence equipment between them, but to separate that function would make for a clearer responsibility for the defence industrial policy.

Whatever factors are considered in procurement policy, as the Minister of State has said on a number of occasions, value for money should be paramount, but when Lord Bach, on 25 June, told the Defence Committee that

"secondly, we have to maximise the economic benefit to the UK",

the Government must ensure that that does not become a smokescreen for inefficiency and undue influence. In many cases, the UK will be one of the most expensive countries in which to build things. Therefore, where the cheaper option is one that does not contribute to the economy of the UK, the extra factors at play will have to be significant in order to outweigh the value-for-money considerations. I am sure that that was part of the process relating to the Hawk advanced jet trainer, which I was very proud to support. I was proud to be in Brough on Monday for a good launch and to celebrate not only the UK's purchase, which was entirely correct, but the Indian Government's welcome decision to buy the trainers after the UK indicated its support for them. The right decision was made, because it was the right aircraft.

Mr. Kevan Jones: I too was at that event. I understand that Brough falls within a constituency that the Liberal Democrats will be targeting at the next election. Will we now be seeing *Focus* leaflets going out, supporting the defence industry and also supporting the decision to buy Hawk, which was not the Liberal Democrat view a few months back?

Mr. Breed: I have no idea what my colleagues might be doing. What I would say is that in my constituency of South-East Cornwall, which is very close to Devonport dockyard, we are extremely supportive of anything to do with the defence industry in Plymouth, and although that is not in my constituency a considerable number of my constituents work there, so I have a direct interest in what happens in defence industries in that part of the world.

The Select Committee report rightly praises the UK's record on opening up its defence market, which is, indeed, a notable achievement that can only benefit overall the British taxpayer and contribute to global stability in the future. The report also acknowledges, along with the chairman of BAE, that other countries must be encouraged to follow suit. Closing off the British market and procuring only nationally made equipment is not the way to do that. Progressive opening up of the UK market should go hand in hand with political pressure on other countries to liberalise as well.

The framework agreement with France, Germany, Italy, Spain and Sweden on defence liberalisation and co-operation is very welcome, but the key to a fully open and competitive defence market in Europe is to move away from the exemption on defence in the single market. The European Commission's suggestion for a European defence equipment framework represents an attempt to navigate a way round that difficult issue.

I welcome the Government's efforts to support the proposals for enhanced co-operation on defence in the draft EU constitution, but I urge them not to lose sight of the importance of tackling the exemption to establish that Europe-wide defence market. Even without a wider European defence market, there is certainly scope for more European co-operation on defence procurement.

According to some rumours ahead of the White Paper, the British defence budget may be in some peril. It would be helpful if the Minister could confirm in his winding-up speech whether there are plans to purchase more C-17 transport aircraft. Indeed, would it not have been better to purchase those aircraft outright in the first place?

There is a bubble in the procurement budget, which will be felt in about five or six years' time, when many of the big-ticket items currently on the order book come into production. I find it difficult to imagine that the MOD has not done any strategic planning on how it expects those costs to mount up over the coming years. If any such studies exist, will the Government place them in the Library to allow better scrutiny of their decisions? It would be extremely helpful if they did so.

Clearly, if the current Treasury attitude towards the defence budget persists, some radical rethinking of the procurement programme will be required. I urge the Government to consider the consequences earlier, rather than later, so I should like therefore to make some

[Mr. Breed]

suggestions that I hope the Government will find constructive. If radical rethinks are needed, better and further co-operation with our European partners is something that the Government must consider in more detail.

The European armaments agency—the proposed successor to OCCAR, the four-nation joint procurement agency—is a useful idea in the new draft constitution. The more that we can procure and manage capabilities jointly, the more possible savings will arise for the UK. That is possible in any sector in which the private sector is involved. Indeed, private finance initiative projects are perhaps ideally suited to multinational co-operation. If we are willing to outsource capabilities to private companies, we should have few qualms about pooling those capabilities and sharing the costs with our European allies. No doubt, such ideas will assume more prominence if the international traffic in arms regulations waiver on exports from the USA is not agreed soon.

Mr. Wilkinson: I am sorry to intervene yet again, but could the hon. Gentleman explain a little more clearly how he imagines that defence PFI contracts can be internationalised? They are, of their essence, already extremely complex financially. To organise them nationally is hard enough, so how will that be achieved multinationally? Can the Liberal spokesman enlighten me?

Mr. Breed: I am certainly not saying that that will be easy. The experience of the initial stages of the PFI in this country is one of enormous complication, and a good deal of money was expended for no purpose whatsoever. However, the maturity of those schemes nationally has enabled us to move forward. Greater trust has been shown by both sides in such contracts. In fact, the arrangements have meant that contracts have been more possible, and there has been a proliferation of PFI projects. I do not believe that that excludes the opportunity to conclude international PFI projects. Such projects will be more difficult to establish, but unless we can begin to crack the practical difficulties, we will not obtain the sort of savings that many of us want to achieve, so ensuring that our defence expenditure remains high and that we get real value for money.

In conclusion, of course procurement policy could be improved, and the budget available will reach its limits at some point. I do not know what are those limits and we do not know what value for money calculations are undertaken for each project, but it is right to call on the Government to examine in detail radical ways to find cheaper options, and they should do so soon. That is important not only for the sake of value for money—that is obvious—and maintaining capability, but to forestall future battles that will, no doubt, ensue over priorities for the defence budget. Currently, the tasks undertaken by our armed forces are principally those of nation-building and peacekeeping. Keeping enough troops under arms and keeping them well trained, supplied and well looked after is a priority in that effort, but that priority should not suffer in the future because the MOD refused to think innovatively about its procurement programme now.

3.16 pm

Laura Moffatt (Crawley): It is incredibility important that we are talking about the resources and the equipment that our armed forces need and deserve. This subject is of particular interest to me, as I was a member of the Defence Committee in the 1997–2001 Parliament, when the whole idea of smart procurement was first mooted in the strategic defence review. Of course, we now know it as smart acquisition. It has been incredibly interesting to see that process not only from the House's perspective but in relation to the way in which companies in my constituency have risen to the challenge of smart acquisition. There is no doubt that it is a challenge to them, but it is a challenge which, for the most part, they relish. They enjoy better relationships with others in the industry and with the Government. That has to be the way forward for the British defence industry, and those companies completely understand that and know that that must be part of their thinking in ensuring that their products are of the highest quality.

I want to say a little about the enormous strides that have been made in the defence industry. Hon. Members on both sides of the House take defence seriously. We may argue about defence budgets, but Labour Members know that the defence procurement budget has served us extremely well and will continue to do so, although we have to consider extremely carefully what sort of equipment we will need in future, and to be very much aware that this is a changing scene.

We know, too, that our most precious defence commodity and asset is the people in the armed forces themselves. When we talk about the equipment that they need to do their job properly, it is important that we recognise their commitment. That was brought home to me just last week, when Lieutenant Colonel Paul Mitchell, the commanding officer of 103 Royal Electrical and Mechanical Engineers, Territorial Army centre in Crawley gave me a briefing on the more than 60 members of that TA centre who are or have been in Iraq in the past few months, and described how those people—both men and women—are responding to the enormous challenge. In fact, they do their procurement themselves, since the REME are, of course, involved in recovery and engineering. They have been working closely with the Iraqi people and the Iraqi forces that are able to work with the allied forces. They are recovering an enormous amount of the equipment and vehicles that have been left behind by Saddam's forces, and getting them on to vehicles back to Basra to have them refurbished, made good and made ready for a new Iraqi force. That our forces are assisting in that process in Iraq today is an incredibly powerful thought, and it was a privilege to hear of their work. Having gone through testimonials of people who are there and looked at photographs, it struck me that they did not complain about their equipment: they were comfortable and happy, and felt that they were being treated properly. Certainly, from the perspective of my Territorial Army centre, that was important.

I want to say a little about equipment for the TA and reserve forces. We often become understandably obsessed with big procurement issues and vital, major projects involving our regular forces. It is essential, however, that our reserve forces have the equipment that they desperately need to do the job we ask of them. Their role has changed so much over the years—they are

now very much at the forefront, working alongside our regular armed forces, and they need equipment and training. Procurement must refer to them and to making sure that they have all that they need. I hope that the Minister will respond on that issue, because we must recognise the role of our reserve forces, and that procurement of the equipment that they need is as important as it is for our regular forces.

We would not be doing our jobs properly as Members if we did not stress—as the hon. Member for The Wrekin (Peter Bradley) did powerfully—the importance of defence jobs in our constituencies. I want to talk about a couple of programmes that are very important to the well-being and livelihoods of my constituency of Crawley. Thales, a company of which everyone here will be aware, has 2,500 of its 12,000 UK jobs based in Crawley. That company is doing much of the important work of which many Members will be aware—procuring major projects such as the future strategic tanker aircraft, Watchkeeper, and the simulated vehicle training system. It therefore has an enormous interest in ensuring that the Government make the right procurement decisions, and I hope to spend a few minutes putting the case.

Thales is very important in Crawley. People may ask what is the need to try to secure more jobs and to consolidate jobs in communities in towns like mine, which have very low unemployment rates. Members who are in the same position in their constituencies will completely understand. Given that these jobs are related to good apprenticeships or degree entry and provide a wide range of employment opportunities for our young people, I hope that Ministers will appreciate why we fight like alley cats to ensure that they come to our constituencies. In Crawley, which has Gatwick airport within its boundaries, it is easy to see how much the south-east relies on that airport. Those are good jobs, too, but they are related to the retail and service industries industry. If we do not have a wider range of opportunities, our region will inevitably become over-reliant on one area of investment and economic activity, which is huge mistake. That is why it is incredibly important that we support companies in our constituencies that produce what are excellent materials for our armed forces.

One thing that I would say without hesitation is that our armed forces want the very best they can get. The Minister was correct to reiterate that it would not be right for us to do favours to companies in the UK. The reality, however, is that the British defence industry is now one of the best, and there is no question but that it can rise to the occasion. I firmly believe that the smart acquisition process has made that happen and has pressed it to the challenge, and it is important that we reward it for the work that it has done. It is easy not to appreciate exactly what the industry has gone through. It has gone through enormous change, in terms of accepting the risk, and is now able to say that it is truly partnering Government. As I mentioned that members of the reserve forces from the south-east region are in Iraq, it is also important to say that people from Thales are in Iraq and have been there since day one of the offensive. At the beginning, there was huge nervousness about having such a partnership deal to supply our armed forces. The Defence Committee was nervous that it would not work, and that the people concerned would not have the military ethos to rise to the occasion. I am told from all quarters, however, that the partnership has been extremely successful. We need to thank those people who are not members of our armed forces but who are doing such a good job for us in those scenarios.

We must respect and understand the fact that the industry has responded. We desperately need an active and lively defence industry in the UK for our economy as a whole, and particularly the south-east. We need to support the companies that produce top-of-the-range equipment for the armed forces whom both sides of the House support, and for whom we need to ensure that the very best equipment is available.

This is an incredibly important debate. It is right and proper to make our stand for our constituencies, but we must understand that today's procurement process is leading to a much better system of making sure that we get the best equipment for our UK forces, which must be right.

3.28 pm

Mr. Michael Jack (Fylde): I acknowledge the important points about partnership under the defence industrial policy and the smart acquisition procedures to which the hon. Member for Crawley (Laura Moffatt) referred. She, like me, has a particular interest in her constituency and her constituents' employment in the defence industry, and I shall talk about that later.

It may be one year since we debated procurement issues but for a constituency such as Fylde, which is dominated by BAE Systems and, thus, aviation defence, it is significant that today's debate is being held during the centenary year of aviation itself. When the Wright brothers first flew, I can hardly imagine that they knew where the use of air power would lead: the embryonic use of air power in the first world war; the importance of it in the second world war; its growing strategic importance in subsequent conflicts, as we have heard; and now the precision use of aerospace weapons as demonstrated in the most recent conflict in Iraq. No one can doubt that we should ensure that our defence forces have the best equipment because the best in the air matters a great deal.

It is also interesting to reflect that articles are being written about whether the B-52 bomber will serve as a weapons system for 100 years. That shows that, if the quality of a system is right in the first instance, and if it is updated and modified, a platform can continue to deliver high-quality 21st-century defence solutions at a reasonable cost because things last longer. That theme underpinned the views expressed by my hon. Friend the Member for Aldershot (Mr. Howarth) when he talked about Eurofighter Typhoon. I shall mention that and other programmes later.

People are at the heart of our approach to defence procurement because it is the intellectual capability of teams in UK companies and agencies that gives us a leading edge. In this day and age, it is relatively easy to make high-quality components almost anywhere in the world, but it is not easy to develop the groundbreaking ideas that keep our defence equipment at the margins of excellence. Hon. Members who have spoken agree with that.

[Mr. Michael Jack]

I reflect on the fact that some 17 years ago in 1986, when I became the prospective parliamentary candidate for Fylde, the experimental aircraft programme flew. I expect that most hon. Members have forgotten that the EAP was effectively the prototype for the Eurofighter Typhoon. I reflect further that the definition stage must have been completed five years before it flew, so more than 20 years have passed before the aircraft has been received into service. It is therefore important that we spend a few moments reflecting, as I shall, on factors that will shape the systems that we buy in the future because it takes a long time to get from the concept to the delivery of such systems.

We are very pleased with what is going on at the BAE plant at Warton, and I put on record my praise for and appreciation of its aerospace workers—design engineers, systems engineers and those who assemble aircraft—and their talents and skills because we would have no industry without them. They look to the future and say, "Yes, we can see that the order book is full for the time being with tranche 1 of the Eurofighter, and we hope that the Government will confirm tranche 2, but there is a question mark after that." There is a big question mark because if the Government want to achieve their objective of sustaining a top-quality British aerospace defence industry, we must start to fill in answers to questions about what comes next. We must discuss what is embodied in the present state of the future offensive air system programme and other air-based programmes that relate to such issues as the lack of unmanned air vehicle capability of UK origin so that we can answer questions about what comes next.

I put on record my appreciation of the way in which Lord Bach, the Minister for Defence Procurement, has courteously and assiduously kept me informed of issues that are relevant to my constituency. I would be grateful if the Under-Secretary would convey my thanks to Lord Bach because I appreciate his willingness to answer letters quickly and give relevant information.

I want to compare and contrast the observations and challenges laid down in the report "A Vision for the Future of Aerospace" by the aerospace innovation and growth team, which was jointly established by the Government and the industry to examine aerospace and the aerospace defence industry, with the Secretary of State's remarks on 14 October 2002 to find out how the Government are setting out their stall to meet the team's challenges. In the team's report, under the heading, "But faces a challenging future", it explains:

"Despite the forecast size of the market, the report shows that the"—

aerospace—

"sector faces a set of significant challenges which will affect the UK-based industry."

The report says:

"There are fewer new programmes for both the civil and military sectors. UK productivity lags behind that of its US and some European competitors. Availability of, and competition for, highly skilled people could limit the UK's ambition."

It points tellingly to the observation:

"U.S. technology leadership could lead to the foreclosure of UK, European and related export markets."

Remarks have been made about the imbalance between the roughly $10 billion a year that Europe puts into European aerospace and the $40 billion that the US puts in, which underscores the saying, "What you put in is what you get out."

When the report discusses the defence aerospace sector, it says:

"There is a danger that the USA will become the monopoly supplier of defence equipment; at the expense of European industry. Changing defence requirements are driving priorities towards systems integration and complex subsystems, rather than individual platforms. US supremacy in technology and defence investment is encouraging companies to direct new investment there. The window to maintain a European capability in post-Eurofighter European combat aircraft or Unmanned Aerial Vehicles is closing fast".

Those are big, high-level challenges to which the Government's defence procurement and investment policy in research and development has to respond.

On the vision for the aerospace industry in the UK in 2022, the report says:

"Aerospace will be at the heart of the UK's knowledge-driven economy . . . It will be the country of choice for integrating and managing complex global programmes. It will be a leading designer, developer and manufacturer of high-level subsystems. UK engineers will be highly sought-after and valued internationally."

In its summary, under the heading, "The consequences of failure", it concludes by saying:

"Ultimately, the UK aerospace industry declines until it is merely a supplier of subsystems and opportunistic services."

That is what will happen if we do not address the issues to which I referred.

One point in the report is especially telling: the implication that we have lost the confidence, or perhaps the vision and ability, to say that we and our European partners will be involved in air system development that produces the complete product instead of acting as the source of intelligent subsystem work. I am aware that we do not always agree with our American partners, so it is vital in the field of procurement and R and D that we invest in a capability that gives us a degree of independence.

On the future of the industry, in his speech on 14 October 2002, the Secretary of State said:

"But there is a wide range of defence industrial capabilities which we would like to retain in the UK industrial base for economic reasons. These bring valuable employment opportunities to particular regions of the country; they add high economic value; and they can contribute to defence exports to civil applications and in particular to our ability to collaborate on defence projects within Europe. We want UK industry to retain and exploit these capabilities. We take this into account when determining the best way forward for a procurement project."

No one would disagree with that, but we should juxtapose those comments with the report's contents. It is important to marry those two strands of thinking together, perhaps in the White Paper, so that we can see with ever-greater clarity how that vision is going to be achieved against the prospect of European or UK programmes of our own origination becoming thin on the ground.

In the same speech, the Secretary of State said:

"From the Government's perspective, the UK industry is less about ownership than about where the economic value is generated: where the technology is created, where the intellectual property resides, where the skilled jobs are created and sustained and where the investment is made."

Again, there are some challenging ideas. It shows that the Secretary of State does not see wholly UK solutions to UK defence procurement requirements. I accept that. In a world where we seek to export, we will have to buy from others if they are to buy from us. That means that we must have products to sell. I am concerned that the cupboard looks somewhat bare. In 10 or 15 years' time, particularly in the aerospace sector, what will we have to sell that is of our own invention and making?

Most tellingly of all, the Secretary of State went on to say:

"there are a very small number of these capabilities which we must retain in the UK for national security reasons".

I have ferreted away, trying to find the capabilities that must be retained for national security reasons. My research tells me that those are nuclear matters, nuclear propulsion and encryption. I was disappointed not to find that aerospace or any aspect of aerospace figured on that list. If aerospace is not such a capability, I should be grateful if the Minister, in his winding-up speech or in correspondence later, could explain why not. Already in the debate we have heard of the importance of aerospace in our military strategy. If that is not the type of capability that we must retain for national security reasons, I do not know what is.

I shall deal with a number of issues relating to particular programmes. I put on record my appreciation for the efforts of the Government, building on the success of the previous Conservative Government, in finally securing the order for Hawk aircraft. I am grateful for the efforts that were made, but the way in which the matter was debated in the public prints, where the to-ing and fro-ing about whether we would or would not buy the aircraft, nearly put paid to all that work with India. George Fernandes, the Indian Defence Secretary, made it clear that if we did not have confidence in the advanced jet trainer, neither would the Indian Government. A great debate was conducted in the public prints, with all the damage that that does, when quiet diplomacy and reassuring words might well have helped to secure that order earlier than was the case. None the less, I am grateful for the efforts that were made.

On Eurofighter Typhoon, reference has been made to tranche 2. The Minister will understand that some 6,000 aerospace workers who are involved in BAE at Warton are extremely worried about the fact that there appears to be no clear date for a decision on tranche 2. We are coming under pressure from our partners on the project, who seem to have made up their minds that they know sufficient about the aircraft, its capabilities and its performance to sign up, yet the United Kingdom Government who, in fairness, were in the lead at the beginning of the project, seem to be holding back for some reason. I should be pleased to know when we can expect a decision.

Will the Government sign up to the 88 aircraft? Have they concluded their discussions with the manufacturer about the workflow phasing? Do they fully understand the implications of reaching a decision on the matter, so that the skilled work force can be sustained between tranches 1 and 2, in the interests of the overall size of the project? I should be grateful if the Minister could comment on whether the Royal Air Force will receive the Eurofighter tranche 1 weapons system at the end of 2005, as contractually agreed.

Finally, there are press reports that the Ministry of Defence has commissioned some form of study group into Eurofighter—that an independent consulting firm has been engaged. Can the Minister tell us what that is about, and can he reassure me that if such an exercise is conducted, it will not be to the long-term detriment of the project?

On the joint strike fighter, I commend the MOD for producing the best paperback book I had during the summer, entitled, "Assembling and Supporting the Joint Strike Fighter in the UK—Issues and Costs". It was extremely good reading and I recommend it to all colleagues who want a thrilling tale of how excellence in the UK aerospace industry can be exploited to our advantage. It took an awful lot of prising out of the MOD. After two weeks of correspondence, in which I was told that it contained factual and printing errors, it eventually arrived via the Library. When I turned eagerly, as we all do, to the executive summary and the conclusions, I was thrilled to find that the UK's manufacturing capability presented no barrier to our carrying out final assembly and checkout—I had thought that that was what one did when getting one's coat from the cloakroom attendant—[HON. MEMBERS: "Or at Tesco."] Yes, there are checkouts at Tesco, as well. I had not heard that it was an aerospace supplier, but it is getting into all kinds of things—who knows?

To be serious, given that we are to buy 150 of these aircraft, I was delighted that the MOD decided to commission Rand Europe to assess the feasibility and capability of the British aerospace industry putting them together. I was pleased when Warton emerged as one of the most-preferred sites at which it could be done, and even more delighted to learn that, if the Government decide to spend the money on a repair and operational facility for the aircraft, for only £12.9 million more we can secure the final assembly and checkout facility. Crucially for the future, that would give us the opportunity to secure the update work on the aircraft, bearing it in mind that it is likely to have an in-service life of 20 to 25 years.

Will the Minister explain what will happen in the light of that report and address the comments on page 108 about the US Government's policy in respect of classified military information? I shall not read out a long extract. Suffice it to say that I twice wrote to Donald Rumsfeld about that when we were in the sign-up process—that caused something of a flurry on Capitol hill, because people are not used to MPs writing about such matters. If the United States wants its most loyal ally to have interoperability to fight alongside it, it must entrust us with the full technical capability of the joint strike fighter and agree to provide the information to enable us to have the final assembly plant and, most importantly, to carry out update work in the fullness of time. Otherwise, all the talk of partnership in the United States will be as nothing. I return to the Secretary of State's speech, in which he warned against falling into

[Mr. Michael Jack]

the trap of considering the industry along outdated nationalistic lines, and observed that both Government and industry have a role in promoting the multinational reality of the defence industry today.

In the past 24 hours, there has been speculation that BAE Systems and General Dynamics are in discussions. There have been similar rumours about BAE and Boeing and Lockheed Martin. I would not expect, nor want, the Minister to fuel those rumours. But in terms of our future defence procurement and the programmes that we have in the UK, if BAE does form some commercial relationship, either by takeover or marriage, with a north American prime, it will raise serious doubts about whether we will be in a position to originate projects of a British or a European nature off our own bat. Joint strike fighter assembly is very important because it gives us experience of a 21st-century aircraft, but the Government must clarify the implications for the future of our defence security if a company such as BAE were to marry with a north American prime.

Can the Minister enlighten us as to precisely what has happened to the future offensive air system—FOAS—programme? It appeared to be up and running, devising unmanned air vehicles for the future, then it disappeared into a Europeanised version of a similar technology development programme, then it started to pop up when people asked about the ground attack capability of the Eurofighter. What is FOAS supposed to be doing, and what will it deliver? It has a vital role in providing projects that will sustain our aerospace industry.

Beyond considering Watchkeeper, what is the United Kingdom doing about having its own unmanned air vehicles? An article in the August edition of *Aerospace International* reviewed capabilities throughout the world. On the United Kingdom, it concluded:

"the UK has expertise—but we could benefit a bit by doing the rough'n'ready ourselves with a technology demonstrator—because then you are ready when the call comes."

Unmanned air vehicles will play an increasingly important role in any future conflicts and it is a great sadness that we are not involved. We do not appear to say much about the use of nanotechnology in aerospace and we have said nothing about materials development, which is clearly vital to developing stealth capabilities.

There are some extremely challenging issues, whether considered programme by programme or in the context of the future or our aerospace industry and its relationships with other companies in the world. I hope that the Under-Secretary and the Ministry can respond to them.

3.51 pm

Mr. Kevan Jones (North Durham): The debate is important not only because we are considering the procurement of equipment to defend our nation but because the industry provides highly skilled jobs in many constituencies.

The defence industry welcomed the Government's defence industrial policy, which they announced in the House last year. The document was long overdue, but for the first time it transparently linked providing first-class weapons systems and armaments for our armed forces and the need to support a vibrant and important industrial sector in the United Kingdom.

The document also bravely opened up the UK defence procurement budget to a

"healthy and globally competitive defence industry".

Many criticised that at the time and we have heard some critics again today. However, it was the right decision because it acknowledges that defence procurement is a global business.

United Kingdom defence firms have gained greatly through international collaboration, not only in competitiveness but in research, investment and technology. The UK taxpayer has also gained because we have developed defence systems for our armed forces that we could not have achieved alone, without the international co-operation of the past few years.

We gain from an open international market. However, UK firms should not be hampered by the protectionism that our closest ally, the United States, has recently demonstrated. The transfer of investment, contracts and technology has to be a genuine two-way transatlantic street. The UK defence industry warmly welcomed the Clinton Administration's proposals for UK exemption from the US international traffic in arms regulations, thereby allowing free exchange of technology between the two countries. The general commitment to co-operate on projects such as the joint strike fighter and other examples of close co-operation between UK and US prime contractors was a good development.

However, the current climate is not so positive. The failure of the US Congress to ratify the ITAR waiver and the protectionist proposals in Congressman Duncan Hunter's Buy American Bill are totally at odds with our open market policy and do nothing to generate co-operation between the US and our defence industries. I would argue that that damages not only our defence industry but that of the US.

Reference has already been made to the Select Committee's recent visit to Washington, where we raised our concerns on both those issues on Capitol Hill, in the Pentagon and in the State Department. My right hon. Friend the Member for Walsall, South (Mr. George), the Chairman of the Committee, also raised them at a brief, impromptu meeting that we had with Donald Rumsfeld. We also raised them very forcefully with members of the Senate Armed Forces Committee. I must give credit to the Chairman of that Committee, Senator John Warner, who recognises the damage that the Buy American Bill could do to our co-operation. I would like to put on record the thanks of our Committee for the way in which he received our representation and in which, since then, he has lobbied hard to get the Bill changed.

Alas, our breakfast meeting with Congressman Hunter was less successful. Credit is due to the hon. Member for Aldershot (Mr. Howarth), who delivered a forceful tirade against the Bill. Unfortunately, Congressman Hunter's steak and eggs appeared to be more challenging than the debate that we got from him. The line that we got from everyone in the Administration was, "Don't worry, the ITAR waiver will go through, and the President will, if necessary, veto

the Buy American Bill." That view was also reiterated to us when we met the Deputy Defence Secretary, Paul Wolfowitz. It is therefore of great concern to me that, in the last few weeks, the news from the United States is not as positive as we had been led to believe.

Far from vetoing the Bill, the Administration are now entering into detailed negotiations with Congressman Hunter, and I understand that the latest proposals would mean that the Pentagon would have to draw up a list of components that would have to be bought exclusively from the United States. The so-called compromise element of the proposals is that the US Defence Secretary could authorise a waiver to enable buying from abroad. However, the proposals as outlined at the moment would be hugely complex, and would force defence officials to obtain approval to buy components from overseas on a product-by-product basis.

When we returned from Washington, the ears of the members of the Defence Committee were ringing with grateful thanks from US politicians for our Government's support for US action in Iraq. I would argue that that praise will be rather cheap if blatantly protectionist measures such as the Buy American Bill become law.

Mark Tami: Does my hon. Friend agree that we have seen similar action in relation to our already hard-pressed steel industry, when the US decided to impose tariffs to protect its own industry? There has been very little progress towards getting those tariffs removed. I echo the concern that we should find ourselves in this situation when we have been so supportive of the United States.

Mr. Jones: Alas, I have to agree with my hon. Friend. Unfortunately, the climate in the United States at the moment is all about protecting the Americans' interests. I do not think that they realise the damage that that will do to the defence industry not only in the United States but in this country, and also to other sectors such as the steel industry.

If the Buy American Bill goes through, it will sound the death knell of future projects such as the joint strike fighter. It will also drive up the cost of the programme for UK and US taxpayers. The failure to agree the ITAR waiver is already having an effect on the joint strike fighter project. I understand that one third of the project's technology is restricted, which is creating real problems for BAE Systems. My noble Friend Lord Bach and I were in Brough this week to celebrate the order for the Hawk, and a senior executive from BAE Systems there went to great lengths to articulate the problems that the company is already having with the joint strike fighter project. These are not problems that might happen; they are happening now, and we need to recognise that.

Greater co-operation between the two nations will benefit not only the UK taxpayer but the industry in the US. I urge the Minister of State to make those points forcefully when he visits Washington next week. I agree with the hon. Member for Aldershot that the Prime Minister should raise them at the highest level when President Bush visits this country in a few weeks' time.

I have already mentioned the importance of the UK defence industry to our economy. The industry has undergone major rationalisations over the past two decades, owing largely to the general decline of defence budgets not just here but internationally—although that has led to good co-operation and joint ventures on the part of UK, US and European companies. It has also made the industry more diverse, and has brought about sophisticated supply chains involving small and medium-sized companies.

My region, the north-east, was once the armer of the world, dominated by shipyards on the Tyne and famous names such as Vickers-Armstrong. It still sees the defence industry as an important part of the region's economy. The main suppliers are now small and medium-sized enterprises. I pay tribute to the work of Northern Defence Industries Ltd., spearheaded by its chief executive David Bowles, who has brought together small and medium-sized enterprises in the north-east to secure procurement projects not just from the UK, but overseas. NDI now has 170 members, and has benefited from recent UK Government procurement decisions. It would not have been given those opportunities without the work I have described. The companies involved are not just old-fashioned metal-bashing outfits; some are leading practitioners of engineering and electronics technology, and they are important to regions such as the north-east.

I also congratulate the Government on their shipbuilding orders, which have given a great boost to the north-east. The decision to place orders for the fleet auxiliaries Largs Bay and Lyme Bay with Swan Hunter was of symbolic importance to the region, returning shipbuilding to the Tyne and reviving a proud tradition that was ended by the last Conservative Government. The present Government should be given full credit for that.

The Tyne looks forward to working on the CVF contracts, about which I want to ask the Minister a number of questions. According to two headline articles marked "exclusive" in the *Newcastle Journal*, those projects have been delayed for up to two years, with a potential risk to jobs at Swan Hunter. I accept that yards such as Swan Hunter cannot rely entirely on MOD work, and I think I see the hand of the company in some of the dramatic headlines; but I should like an update on the CVF programme from the Minister and, in particular, a clarification of the procurement process and the issue of size, which will be of major importance to such yards.

My hon. Friend the Member for The Wrekin (Peter Bradley), who is not here at the moment, raised the issue of the future rapid effects system. That development too has been followed closely in the north-east. The MOD's recent decision to halt the project has caused great concern to Alvis Vickers. I know that the Newcastle and Telford plants have looked forward to its securing the long-term future of both sites.

FRES was a key component of the new SDR chapter, and I should be interested to know when a decision will be made on that procurement option. I should also like to know why, following the spending of £7 million or £8 million with Alvis Vickers and other contractors, the project was pulled over the summer, and what the competition will be.

The UK defence industry awaits with interest and trepidation the White Paper that will be published before Christmas. The Government are right to look at

[Mr. Jones]

defence requirements both post-Iraq and in a world that is now, unfortunately, changing very quickly. There are, however, tough decisions to be taken that will have a great impact on the country's defence industry. Lengthy lead times are a problem for the industry, and I hope that the White Paper deals with that.

Listening to my noble Friend Lord Bach on Tuesday at Jane's defence industrial conference, the clear message was that the future was network-enabled capability. The new chapter of the SDR focused on technology and the need for sensors, decision makers and weapons system to connect on the battlefield, and the White Paper will spell that out in more detail. The emerging technology has benefits, but I would like to sound a note of caution—the lesson of Iraq and Afghanistan is that, no matter how much technology we have, it is still vital to have men on the ground in large numbers, particularly if we ask our armed forces not just to fight a war but police the peace afterwards. Wholesale reductions in troop numbers and reliance instead on technology would be a great mistake. Armed forces personnel cannot, without proper support or logistics, do the jobs that increasingly we ask them to do. No matter how much technology they are given, it is difficult for them to perform in harsh environments, such as the conditions that members of the Defence Committee experienced in Iraq. We need to recognise that the threat has changed. The asymmetric low-tech threat in Iraq and Afghanistan may point towards the nature of future threats. The White Paper therefore needs to look at the way in which our technology deals with the simplistic, low-tech threat to our armed forces when deployed in the world's hot spots.

Any review of the White Paper has to ask some fundamental questions, as any expectation that defence budgets will increase greatly will not be realised. It is important that we review all areas, but we must look at our commitment to the UK's independent nuclear deterrent. The arguments about such a commitment are easier for some colleagues to follow than others, such as myself, who were never members of the Campaign for Nuclear Disarmament. However, it is the right time to ask questions. The Trident project will come to end of its life in 2024, and decisions will have to be made in the next few years on a replacement. No Government, not even the present one with a commendable record of defence expenditure, will increase defence spending dramatically. It is vital, if our armed forces are to be large enough to do the job that we ask them to do with the technology that they need, that every penny of the defence budget is spent to provide support and equipment. It should not just be used to support legacy projects that served us well in the cold war but, unfortunately, are of little relevance to the security threat that faces us today and in future. In conclusion, I again commend the Government on their defence industrial policy, and look forward to the White Paper to provide the best support and equipment for our armed forces for the vital job that we all ask them to do.

4.9 pm

Mr. John Wilkinson (Ruislip-Northwood): It is a pleasure that the right hon. Member for Walsall, South (Mr. George), the president of the parliamentary assembly of the Organisation for Security and Co-operation in Europe, has attended our debate. He always takes a benign interest in our debates as Chairman of the Defence Committee, and he will have been pleased, as I was, by the admirable speeches of his protégés, the hon. Members for Crawley (Laura Moffatt) and for North Durham (Mr. Jones). I know that the hon. Member for North Durham takes a serious and well-informed interest in defence from our common participation in the parliamentary armed forces scheme. He is an enthusiast as well as an expert, as is my right hon. Friend the Member for Fylde (Mr. Jack). The workers at Warton are very lucky to have my right hon. Friend to represent them, because he is exceedingly forward looking. I thought that his exposition of the challenges facing the British aerospace industry and the importance of the defence equipment programme for his constituents at Warton was a model of its kind.

The factory at Warton, where I worked some 24 years ago on the prototype Jaguar, has produced many remarkable aeroplanes. In those days, Canberras were still being refurbished. The Canberra first flew in 1949 and it is still in front-line service with the Royal Air Force today. It was pleasant to behold demonstrations of the aircraft by the late Roly Beaumont. One could recognise his demonstrations: one had to take only one look at the aircraft to know who was at the controls, the aeroplane was so elegantly manoeuvred into the appropriate aerobatic position. The Jaguar is going strong and looks as if it will continue at least until the middle of this decade.

I am not a particular fan, not instinctively a fan, of the European Union's high representative for common foreign and security policy, Mr. Javier Solana. I wish him well. He is always on the move, a very energetic gentleman, and is the Secretary-General of the Western European Union, on which I serve as well. At least his paper on European strategy, which was produced for the European Council at Thessaloniki in the spring, merits reading, because it stated the four basic security challenges that we face: rogue states, terrorism, weapons of mass destruction and organised international crime.

It is in that strategic context that we need to view our defence programme. It is because we are not given the overall strategic and budgetary context that this debate is somewhat deficient, although hon. Members have spoken well, as I mentioned earlier. I ask the House to consider whether we ought not to discuss defence programmes in the context of a two-day debate on the defence estimates and revert to the single service days. That way, we would get multiple opportunities to discuss strategy and equipment programmes and air systems, land systems and naval systems in the context of the respective services that operate them. I am sure that, as in so many things in parliamentary life, my view is a minority one. However, I do not think that it is a minority one when it comes to the importance of making the broad judgments of the Government's strategic defence review effective, and that is becoming harder and harder for Her Majesty's Government as the money begins to run out.

I say at the outset that in this era of expeditionary warfare, when we seek to meet the challenges to our security as far from our shores as possible, as soon as they arrive or even in pre-emption in the context of the United States Administration's defence strategy, one of the areas of defence spending that merits examination now is whether we ought not to bring the British Army back from Germany. I regard it as a throwback to the old British Army of the Rhine, the old Brussels treaty commitment, which followed the division of Germany and was perpetuated through the cold war. I do not think that it makes sense now for us to be employing German gardeners and cleaners, providing funding for their economy, when, to put it bluntly, there is not always strategic support from the federal German Administration on key issues such as Iraq and others. So that issue merits examination. There are savings to be made, which could then be put into weapons programmes to give our highly mobile, flexible armed forces the equipment that they need.

Before commenting on European co-operation and ballistic missile defence, I hope that it will not weary the House too much if I offer some thoughts on domestic equipment programmes. The Minister of State claimed that the new carrier programme would provide the most capable carriers in the world, outside of the United States. If carriers are to be reduced in displacement from 55,000 or 60,000 tonnes to some 30,000 tonnes, they will not be so different in size from the Invincible class, the Principe de Asturias, which is in service with the Spanish navy, or the Italian navy's Garibaldi. And I doubt whether they will be comparable with the Charles de Gaulle or a successor carrier of that class, which is in service with the French navy.

Of course, if the Government are conducting a fundamental reappraisal of their planned procurement of aircraft carriers, we should ask—I have put this question to the House before—whether it might not be preferable to have three relatively small carriers, rather than two very big ones. One can be certain that when they are needed, one of those two big carriers will be in refit, and the other will be in the wrong part of the world. We certainly could not have won the Falklands war without being able to deploy two carriers on station. One recalls in naval history what happens when major capital ships—the Prince of Wales at Singapore, and the Hood in the north Atlantic—are destroyed. In this age of terrorism and weapons of mass destruction, three smaller carriers might be better than two big ones, particularly if Her Majesty's Government have, in essence, already forsworn, by opting for vessels of smaller displacement, the option of operating aircraft off the deck conventionally by launching them with a steam catapult and recovering them on the wire. It will be interesting to discover what the Government decide.

Of course, Commando Brigade will need new helicopters to replace the HC4 Sea Kings. It is important that the Merlin be produced at the earliest possible date, so that we have commonality with Royal Air Force Merlin support helicopters. It is also important—this is the lesson of combat over the Balkans and Iraq—that we have combat rescue capability. We should therefore consider using the Merlin, a three-engined aeroplane, in that role, and replacing Sea Kings for air-sea rescue use around our coasts.

I wonder whether the Commando Brigade ought to retain its own organic anti-tank helicopters. I doubt whether the Apaches will be fully marinised, and we can be certain that when our amphibious forces want their own integral anti-tank helicopters, the chances are that the Army generals will want them somewhere else. Although I welcome the joint helicopter structure that now exists within our armed forces, I should like that particular decision to be revisited.

I am surprised that the Minister made so little mention of the tankers for the Royal Air Force. Perhaps he feels that the decision-making stage has been reached, and that he cannot therefore share his thoughts with the House. However, I will share mine. I hope that the industrial imperative of supporting the Airbus consortium with the A330-200 aircraft is taken. It will of course be the more expensive option—much more expensive than buying hand-me-down 767s from British Airways. Nevertheless, the tanker will be an aircraft common with other European air forces, perhaps operated in a common tanker pool. The export potential of such an aircraft would be considerable.

Unmanned air vehicle systems and the future offensive air system were well dealt with by my right hon. Friend the Member for Fylde.

I suggest that we need to consider the organisation of procurement. The Petersberg task has set an ambitious headline goal of an Army corps to be deployed up to 4,000 km from Brussels and maintained in theatre for up to a year, with supporting air and naval elements. The capabilities to make good that commitment should have been fully operational by June, but they are not. They require massive investment, especially in mobile systems. Decisions have been made on the capabilities that are deficient, and project groups have been set up to try to meet them. However, the European members of the alliance recognise that for the foreseeable future there will always be some areas of capability that the Europeans cannot meet, including heavy lift, space-based systems, intelligence and several others. Therefore, the European members of the alliance will have to obtain the Berlin plus category of armaments from NATO, with US support, if the European members are to be able to operate independently and autonomously as they aspire to do.

I urge the continental countries to think carefully about their conscious policy of diverging from the US—I mean the French and the Germans, with the Belgians in their slipstream, who are all flirting to some degree with Putin's Russia—and whether they can, in the present political circumstances, depend on the automatic acquiescence of the US Administration in providing the mobile equipment and capabilities that the Europeans themselves cannot provide. I urge our continental friends either to come up with bigger procurement and research budgets to make up those deficiencies or to modify their political postures to try to assuage the anxieties of the US.

We need the US, not least on the question of ballistic missile defence. An extended-air defence system is being evolved by the US, with the support of the Italians and the Germans, which will have a theatre capability and beyond. If the threat of weapons of mass destruction is perpetuated in the world, we will need just such a ballistic missile defence capability of our own. I am surprised that the Minister made no mention of ballistic

[Mr. John Wilkinson]

missile defence in his speech. As I said, the Italians and Germans have been working with the US Administration for eight years and will provide 45 per cent. of the funding for the programme. Why have the Government ignored that threat? They will not even share with the House what preparations they are making to meet it, but it is an important issue that cannot be ducked.

We all want operational requirements to be harmonised within the alliance and for alliance member countries to work better together. The hon. Member for North Durham rightly pointed out the dangers of the Buy American legislation before Congress and the risk of defence equipment protectionism that could ensue on the part of the US, at a time when the European and American components of the alliance are beginning to diverge anyway.

An armaments agency is not a constitutional matter. It has nothing to do with the governance of Europe. We want effective armaments co-operation, based on sound commercial principles. We want operational requirements to be not concocted by some bureaucratic agency but clearly defined by the operational requirement staffs of the respective armed forces working together. In other words, it would be a mistake for the operational requirement aspect of an agency to be blended with the normal executive function of the agency in the procurement of equipment.

I hope that the Government will argue hard for the exclusion of operational requirements in the formulation of the agency. There is a risk, however, because the draft constitutional treaty states that the format of the agency shall be decided by qualified majority voting. That is no way for British defence procurement to be worked out.

Mr. Davidson: Does the hon. Gentleman therefore agree that it would be right to have a referendum on that new European constitution?

Mr. Wilkinson: The hon. Gentleman has taken the words from my mouth and on that happy note I conclude my remarks.

4.26 pm

Mark Tami (Alyn and Deeside): May I begin by reminding hon. Members of the changing strategic context that confronts our armed forces? In his remarks last week, my right hon. Friend the Secretary of State pointed out how the United Kingdom is increasingly involved in ensuring global stability. As he pointed out, to meet that challenge, we need armed forces that are structured and equipped to deploy globally and at short notice.

Obviously, at present, much of the defence effort is focused on supporting operations in Iraq, but let us never forget our commitments to peace support operations in other parts of the world, in particular sub-Saharan Africa. Although there are differences of opinion about British policy towards Iraq, there is considerable consensus, at least on the Labour Benches, in favour of humanitarian interventions in west and central Africa. In addition, as my right hon. Friend also pointed out last week, we need to recognise that the UK is ever more dependent on broad stability in Asia. I am not suggesting that the UK should police the world, but we have to accept that we will be deploying our forces further afield more frequently and more rapidly.

Our focus in the past was rightly to prepare for a threat based on the assumption of a perhaps large-scale Soviet invasion across the plains of Germany. Thankfully, that does not seem a likely scenario today and our strategic priorities have rightly changed. That means that our procurement programmes, in particular those that directly enhance the UK's ability to deploy forces globally, should reflect those new strategic requirements.

The Ministry of Defence has made considerable progress in strengthening our ability rapidly to deploy ground and maritime forces. Similar improvements in the capacity to deploy aircraft are now needed. The MOD's future strategic tanker aircraft programme is designed to meet that gap. The competition is due to be decided by the end of the year, and I urge the Secretary of State to select the AirTanker bid, which has been mentioned. That will benefit my constituents who produce the wings for the Airbus A330 aircraft at Broughton, as AirTanker is proposing. It will also provide the global capacity that our armed forces really need.

Airbus at Broughton will soon become Britain's largest manufacturing facility. It will produce the A330 aircraft, and will account for 1 per cent. of western Europe's gross domestic product—a startling statistic. That is a great success story, especially at a time when manufacturing industry throughout the world is under pressure. As my hon. Friend the Member for Crawley (Laura Moffatt) pointed out, such jobs offer good-quality employment with a large number of apprenticeships, and we all want such jobs and skills for the UK. Opting for the AirTanker programme will build on that success and help secure Britain's place as a leading defence supplier.

Why choose the Airbus option over the Boeing competition? The A330 can carry 50 per cent. more fuel than alternative aircraft, without the need for auxiliary fuel tanks. That means that it can deploy more aircraft further, to frequent destinations such as Bahrain and Canada. Twice as many fighters can be carried by one A330 aircraft. Equally important, it can remain on station longer and refuel more aircraft in operation. The 330 can carry passengers and cargo without the aircraft having to be reconfigured, as the Boeing would have to be. Those are all major advantages in taking the AirTanker option.

The recent Iraq war demonstrated the uncertainty in securing overflight permissions. Turkey's decision to deny coalition aircraft overflight rights has made us rethink the way in which we tackle such operations. The greater capability of the A330 will provide the flexibility to work around such problems. We cannot predict what will happen in future, but there is a distinct possibility that we could experience similar situations in other operations.

The A330-200 offered by AirTanker for the FSTA programme provides the best and most flexible capability for the job. AirTanker is offering the RAF a modern aircraft for a long-term, 27-year, FSTA commitment. Typically, however, the natural life of the aircraft will be about 40 years.

Aircraft provided as part of the FSTA programme will refuel combat aircraft such as the Eurofighter and the new joint strike fighter, which will enter service during the next 20 years. It is planned that they are to remain in service until 2040 and beyond. It is less costly and less risky to convert a modern A330 for air refuelling than older second-hand aircraft. Unlike the alternatives, the A330 requires no major structural changes to its wing to accommodate the refuelling pods.

Airbus is the only aircraft manufacturer with current experience of refuelling pod integration, and Cobham's Flight Refuelling Ltd., which works exclusively with AirTanker and Airbus, is the only company in the world with experience of providing refuelling pods and fuselage refuelling units. Airbus is currently converting A310s into tanker aircraft for the German and Canadian Governments, using the Cobham pods. As a modern aircraft, the A330 will cost less to operate over the 27-year life of the contract than the Boeing alternative.

Importantly, after that 27-year period, we can still expect an additional 13 years of operational life from the Airbus option. That is a considerable benefit to the UK taxpayer, as I am sure that pressures on the defence budget will continue and probably grow in future years. If Boeing won the order, its alternative would be even older at the end of the 27-year contract than the aircraft that it would replace. That is hardly a step forward for our defence forces.

What are the other benefits to the UK economy? A larger amount of high-tech work will be open to British industry under the AirTanker bid, which is based, as I said, on a new, modern aircraft, unlike the alternative bids based on old, second-hand aircraft. Furthermore, we shall have the intellectual property.

There is more than 50 per cent. UK work content in the "green" aircraft. Only AirTanker will carry out 100 per cent. of tanker conversions in the UK—undertaken by Cobham's FR Aviation. The company will install British mission equipment and conduct the aircraft certification programme in this country. AirTanker's bids for the FSTA programme will sustain 7,500 quality jobs directly and indirectly in companies such as Airbus, Rolls-Royce and Cobham, which are all critical to the UK's aerospace industrial base.

Although Boeing promises to create jobs in the UK they will be far from secure, and unlikely to stay in the long term. For without the intellectual property, which will remain in the US, we can expect the production jobs with this programme to follow future export orders that Boeing may receive.

Success in the FSTA programme will provide Airbus with a platform to secure a significant share of the global market for air-refuelling aircraft—potentially 500 aircraft—and, very important, to prevent Boeing maintaining its last global monopoly. Airbus does have prospects of selling aircraft to France, Australia, other NATO countries and even the United States. The A330 is particularly well suited to replace the United States Air Force's 50 KC-10 strategic tankers, for which Boeing does not have a replacement aircraft of suitable size.

Mr. Wilkinson: The hon. Gentleman is making a most important speech and I can concur with all the judgments he has wisely put before the House, but is it not the case that the United States Air Force had the greatest difficulty in putting together a 767 tanker lease programme that could be acceptable to Congress and be proved to work?

Mark Tami: The hon. Gentleman makes a very good point. We have also seen, after the terrible events of 9/11, the lengths to which the American Government went in ordering a large number of Boeing aircraft for the Government's fleet. They would clearly want to follow that road but, as I have said, no available aircraft would really match the needs that the American air force has for its larger tanker aircraft.

Marvin Sambur, Assistant Secretary for Acquisition for the United States Air Force, has said:

> "We've been encouraging EADS to develop a tanker. One of the things that we are concerned about is [avoiding] a homogeneous fleet of tankers, so that if there's an issue, we don't have to ground the whole fleet".

If Airbus were to win a conservative 150 export orders, that would sustain 1,000 jobs at Airbus for 20 years and a further 500 among suppliers, on top of the jobs that would already be safeguarded by our opting for the aircraft for ourselves. The UK invented and is a world leader in air-refuelling technology and integration, and this procurement decision is vital for the future of the British aerospace industry.

The choice is a stark one: either we opt for a modern aircraft, suited to its task, with a long-term operational life and good export potential, namely the A330, or we opt for a second-hand, ageing Boeing 767, needing major conversion work, with far less capability and operational range. The latter will not meet our global requirements and would almost certainly be more costly in the long run. I believe our forces and our country deserve the best, and I urge the Minister to ensure that we get the best—the Airbus A330.

In the short time I have left I should like to mention the need for replacement accommodation at our Army bases. I applaud the Government for taking the decision—a decision that should have been taken by Governments many years ago—to replace the very substandard accommodation. The shadow Secretary of State, who was with us earlier—I note he is not in his place now—said in a previous defence Adjournment debate, on 11 September 2003 at column 505, that Army accommodation was "not fit for students", which probably says more about the Conservative party's attitude to education than it does about our armed forces, but I think I understand the point he was trying to get across. Hon. Members on both sides of the House acknowledge that something has to be done and that high-quality accommodation is needed, but it needs to be built quickly and effectively. Building Solutions—part of Corus based a Shotton—offers just such buildings and has the capacity to deal with large-scale orders. Our armed forces have had to make do with

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substandard accommodation for far too long, and we can hardly expect to improve recruitment figures if we fail to provide liveable accommodation. I urge my hon. Friend the Minister to examine the Building Solutions proposals, which I am confident will deliver quality quarters for our armed forces.

4.40 pm

Mr. Peter Luff (Mid-Worcestershire): I apologise to the House and the Minister of State—perhaps the Under-Secretary will pass this on—for missing the larger part of his opening remarks. I was lunching with the Prime Minister of Mongolia at the time, and I promised him that I would put on record the appreciation of the House and the Government of Mongolia's significant contribution to the peacekeeping operations in Iraq. I had not been aware that armed forces from Mongolia were serving there. That just shows how wide the coalition in Iraq is.

I speak primarily for two reasons: first, a constituency interest in rocket propulsion systems—this is one speech that really will be rocket science—and, secondly, a two-year attachment to the armed forces parliamentary scheme in the Royal Navy.

First, I wish to make a relatively less strategic point about the procurement process, which has obviously begun to get a great deal better since the establishment of the Defence Procurement Agency. We can have much confidence that the systems now used are a great improvement on what went before. One of the education reforms that the Conservative party introduced was the local management of schools, which devolved to schools some procurement decisions to which they previously did not have access. Large budgets went directly to them to spend as they thought best, rather than being handed down through some remote procurement organisation. Having spent some time with the Royal Navy, I think that the local management of ships might offer a similar advantage to the Royal Navy. Many procurement decisions might be better made at local chandlers shops where large quantities of cheaper kit could be found, rather than by using the more cumbersome procedures that are still forced on the Navy, even for small items.

No doubt the DPA is doing a good job; it needs to, because it is Britain's single biggest purchaser of manufactured goods, which sets the debate in a clear context. The DPA freely admits on its website that it has made mistakes, and it thinks that it has learned from them. It thinks that it has

"begun to deliver equipment to the Armed Forces 'faster, cheaper and better.'"

What worries me about that website is that the commitments to the DPA's procurement methodology do not seem fully to reflect the new defence industrial policy published by the Government. We hear a lot about excellence, meeting promises to customers, valuing people and integrity, and the DPA says:

"The aim of defence procurement is to buy equipment for the Armed Forces that meets their requirements and timescales, while achieving the best value for money for taxpayers."

All that is commendable, but I do not hear in all that mission statement stuff the strong regard for a defence industrial base that seems to exist in the Government's fine words in their defence industrial policy. Perhaps that is a question of willing the ends, but not the means.

I note that, in the evidence to the Defence Committee, on page 114, the Defence Manufacturers Association, in referring to the impact of the policy on small and medium-sized enterprises, said:

"Prime contractors are put under great budgetary pressures by the MOD, operate globally and will seek systems and sub-systems from wherever in the world they can be procured most cheaply for the benefit of the project in hand."

That is the tension that exists in UK defence procurement policy at present, and I hope that the Minister will be able to reassure me that I am worrying unnecessarily and that, in fact, the defence industrial policy is being rigorously implemented and considered by the DPA as it does its work.

When I went to Abbey Wood to see the work of the DPA as part of the armed forces parliamentary scheme, I was given a particularly detailed brief on the procurement of the new Type 45 destroyer—an extremely important procurement for the Royal Navy that, in concert with the planned future aircraft carrier, to which I shall address some remarks later, will form the backbone of the Royal Navy's air defences for the foreseeable future. Six ships are currently on contract with BAE Systems. Of course, construction of those ships has begun. They are expensive bits of kit. The contract roughly averages out at about £1 billion per ship, so they are hardly inconsequential items. There is no doubt that they are a great advance on anything that the Royal Navy has at present and that their procurement is greatly to be welcomed. Incidentally, on residential requirements for our armed services, which was mentioned by the hon. Member for Alyn and Deeside (Mark Tami), those ships certainly represent a quantum leap in the conditions for all the officers and ratings on board. The cabins and messes are modelled on those designed for cross-channel ferries, which is a stark contrast with the conditions that I have seen on Type 23 frigates, for example. That is to be welcomed.

There is a nagging doubt, however. The Government have not made clear what their final commitment to the Type 45 is. A class of up to 12 ships is always talked about—"up to" is the magic phrase. Can the Minister further clarify whether that is an aspiration or a firm target? The commitment is to six, but I believe that the Royal Navy needs all 12. I hope that the Minister will reassure us that the pressures on the defence budget will not lead to a reduction in that aspiration for a class of up to 12 ships.

I share the concerns expressed by my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) that there are only two carriers in the future programme. It seems to me that three is the absolute minimum to provide an effective defence platform, as he explained in his fine speech. I appreciate that there is tension in relation to the size, cost and availability of the proposed carrier. I share his view that three would be preferable, but I am reluctant to advocate a downsizing of the ship itself. I would therefore be interested to hear the Minister's comments about the adequacy of that procurement.

The carriers will use the short take-off and vertical landing version of the joint strike fighter. A variant of that fighter with conventional take-off exists, and as my hon. Friend said, we could consider using catapults and wires to retain those aircraft on board. There is concern that the joint strike fighter is overweight, late and over-budget, which could have serious implications for the carrier programme, too. Does the Minister share those concerns?

A lot of doubt surrounded the alliance approach that has been established to procure the carriers. Is the Minister confident that the Ministry can manage the project? Concern has been expressed, as is often the case in public procurement projects in which the private sector is involved, that the Ministry wants to control the project but not to bear a share in the risk that flows from that control. If it wants to control and own, it must share risk, too. There is real concern that that is not happening at present.

I have an interest in the Eurofighter Typhoon procurement, too, not least because Roxel in my constituency will make the motors for the ejection seats, which we always hope will never be used but are a crucial part of the aircraft. I echo all the questions asked by my right hon. Friend the Member for Fylde (Mr. Jack) during his excellent speech. Can the Minister confirm that deliveries will be completed as planned? I think that 50 per cent. of tranche 1 should have been delivered by now. Has that happened? Will the weapons system for tranche 1 be available at the end of 2005? In particular—this is the crucial question—can the Minister say anything clear about tranche 2? We saw the reports in the *Financial Times* on Monday that called into doubt our commitment to tranche 2, making the clear point that

"Orders for tranche two must be placed by the year end to avoid a costly production gap."

Those are important questions for a crucial part of our defence procurement programme.

Generally, British Governments have not been as good at protecting our defence industrial base as those of other countries—our competitors. When I used to advise a number of defence companies in my happy days in the private sector, the complaint was always how much better the French were at looking after their manufacturers than the British. They would pick winners—which company could bid for which international project—while British companies fought each other to the death, letting someone else through.

I accept that there is a need to reconcile competition in the industry with the strategic interests of protecting certain skills and abilities within the United Kingdom. That is not helped when we have dramatic swings in procurement expenditure, which is a matter of great concern at present. I saw an article in the *Bristol Evening Post* in September—who are we to argue with the *Bristol Evening Post*?—quoting Paul Beaver, a former spokesman for *Jane's Defence Weekly*. He made the observation, towards which I am very sympathetic, that the Ministry of Defence was being forced to make savings to offset its commitments elsewhere and in engagements around the world on the current budget. I fear that that unplanned escalation of British military commitments is adversely affecting the need to plan a properly costed and consistent defence procurement policy. That is a matter of much concern. What worried me greatly was Mr. Beaver's hypothesis that the Royal Navy was likely to bear the brunt of costs with a reduction in the number of Type 45s and nuclear-powered submarines. I have to say that that was compounded by a spokesman for the Defence Procurement Agency who said in response:

"However, we do recognise that even though funding for defence has increased year on year since the last spending review, future funding remains taut given the range of operational tasks our armed forces have been involved in."

That brings us back to the same point, which seems to be confirmed by the Government's own procurement agency.

Virtually every hon. Member who has spoken has rightly paid a lot of attention to US policy. That cannot be reiterated too often because although America is our ally and we are proud to have a strong and continuing alliance with it, there is sometimes a bit of a one-way street. It is important to get movement on the waiver on the international traffic in arms regulations. The provision represents closet protectionism because it means that British defence contractors do not get the necessary information to allow them to bid in good time for Pentagon projects. We need the waiver so that the bidding process becomes fairer and more open. I think that the Government share that view.

The Government are also worried about the "Buy America" provision in the new American defence Bill. I shall not labour this point because other hon. Members have made it, but it is crucial that the provision is resisted. I am confident—I hope that my confidence is not misplaced—that the President would veto such a proposal, and I think that the two Houses of Congress have a difference of opinion anyhow, so perhaps we should not worry unduly about the specific proposal. However, the situation highlights our continuing worry that, although America often preaches free enterprise to the world, it does not always practice it with the same enthusiasm in its practical day-to-day decision making.

That leads me on to a point about offset, which is hugely important given the dominance of American manufacturing in the defence world these days. In a written answer on 14 March, the Minister of State said that the total value of industrial participation obligations

"is £5.4 billion of which £2.3 billion remains to be completed".—[*Official Report*, 14 March 2003; Vol. 401, c. 432W.]

That is a lot of money. The problem is that we know little about the detail because the information in the public domain gives no indication of geographical spread or the regional value of individual offset arrangements.

That situation contrasts greatly with the US Department of Commerce's attempt to keep its population informed by publishing its report to Congress on offsets in defence trade. The British Government do not publish a comparable report. Perhaps they will consider doing that because we need confidence that offset arrangements are negotiated toughly and properly enforced.

Such confidence is important for Roxel in my constituency, which is a manufacturer, designer and developer of rocket motors and rocket propulsion systems. It was once part of Royal Ordnance but is now

[Mr. Peter Luff]

jointly owned by a bewildering array of European shareholders. It is the third largest producer of rocket propulsion in the world and it employs some 350 people in my constituency and that of the hon. Member for Wyre Forest (Dr. Taylor).

I am grateful for a helpful letter that I received from Lord Bach—it has been a theme of the debate to pay compliments to him, which I do happily. There has been a great deal of pain in Summerfield and Roxel during recent years and the industry has been in a steady state of consolidation due to domestic and international pressures. Overseas procurement by the Ministry of Defence has not helped. Hellfire missiles for the UK attack helicopter used the US rocket motor, as did the Meteor programmes for Eurofighter Typhoon. Guided multiple launch rocket system procurement has no UK propulsion offset. A further great worry is the fact that investment in rocket propulsion is running at less than 10 per cent. of historical levels, which puts real, dramatic pressures on the industry. Other nations, especially the US, are giving much more support than the UK to their rocket propulsion contractors.

Roxel has an order backlog for a few years, which is encouraging, but a lot of cliff edges will appear by 2007–08. The Government need to take a serious view of that because rocket propulsion is a crucial aspect of many of our defence projects. There has been good news because a three-year propulsion research contract has been awarded for 2003 and a technical demonstrator programme for large diameter insensitive munitions, which is exciting technology, has been awarded. There has also been an award for an extended range guided multiple launch rocket system—ER-GMLRS—which includes a propulsion element.

Although good news exists, the historical levels of research have been slashed considerably and there are many cliff edges in procurement. If the Government are serious about protecting specific key skills—working on such technology is a highly skilled job—they must think what more they can do to safeguard the industry. The company recognises that there is a general need to review and realign defence spending because the world has changed, but hopes that that will lead to a greater focus on ensuring that there is support for the UK defence industry, and especially propulsion, with offset arrangements and research funding.

UK missile propulsion technology must be sustained. We have lost the last indigenous manufacturer of gun propellants. Missile propulsion technology is one of the essential skills and assets in this country. We need to protect it carefully.

4.55 pm

Mr. Bruce George (Walsall, South): It is a pleasure to contribute to the debate. As Chairman of the Defence Committee, I have the luxury—if it is a luxury—of having hardly any defence manufacturers in my constituency. That allows me to analyse events and what different companies offer from the perspective of what is in the best interests of the country and the Ministry of Defence, not of one's constituency. If I had a large defence contractor in my constituency, I would espouse its cause, but it detracts from the debate if we largely hear "Buy me" advertisements. Frankly, such contributions minimise the importance of the Chamber. We should be considering what is available nationally and internationally.

My hon. Friend the Member for Crawley (Laura Moffatt), who is a good friend of mine, made an impassioned speech for Thales in her constituency. She does a good job in arguing the case for that "British" company. I hope that when she gets to Crawley, she will jump on an aircraft, head for Charles de Gaulle, get a cab to Thales or, better still, the French Ministry of Defence and its procurement agency, and argue as strenuously there for other people's constituents as she did here. Hopefully, the French Government's procurement policy will be as open as ours. If people support the products of foreign companies in this country, perhaps the French, Germans and, indeed, the Americans will follow us down the route of open competition. Protectionism might be good for their constituents, but it is not good for other people's constituents. If our colleagues represent German, French or American companies, I hope that they will argue the case as strenuously as we have heard it argued here.

The Defence Committee, which I am proud to chair, has taken a deep interest in procurement since 1979 when it was established. We have looked carefully at endless defence equipment programmes and have produced endless critical reports on the way in which the Ministry of Defence procures weapons and other defence systems. Our Committee's interest reflects the concern that British forces have the best equipment available, that the British taxpayer gets value for money, and that the British defence industry remains competitive and world class.

The Committee is fortunate. We have excellent advisers and access to good people who bring their expertise to us. We get information from the Ministry of Defence, the specialist media and defence contractors, who are pleased to talk to us because it allows them to argue the case for their system over anyone else's system. They do not trash their opponents. Instead, they give us a few hints about how their system is infinitely preferable to any other system. We have a good relationship with the people who act on behalf of those companies, be they advisers or specialists in Government relations. They have been hard at work in the House of Commons over the past few days. No doubt if I read *Hansard*, it will confirm my analysis of that.

One member of that despised profession—I am not talking about journalists or Members of Parliament—

Mr. Davidson: And lawyers.

Mr. George: Who would argue with that? Lawyers are uppermost in our minds when we talk of such professions. A very good friend of mine who was an adviser—a person espousing a variety of causes—died last week. I refer to Roger Harding, whom some hon. Members may have known. I deeply lament his death, because he was able and I admired him for the fact that he could give me sound advice, but did not necessarily reflect the interests of those who were paying his salary.

I send my deepest regrets to his family and employees. It is ironic that poor Roger, who was a devotee of Portsmouth FC, died during the season of the club's return to the highest echelons of British football. I deeply miss Roger and his advice.

I am pleased that our report, "Defence Procurement", has figured prominently in the debate this afternoon. We have just received a very supportive response from the Ministry of Defence, which causes me some concern. I am not used to the MOD agreeing with almost everything we say. Perhaps we should write a more critical report. I get rather nervous when my views exactly parallel those of the Ministry of Defence. Since the introduction of the annual defence procurement debates, our Committee and its predecessors have undertaken annual inquiries to inform these debates.

I am glad to see that my hon. Friend the Member for Crawley has returned to the Chamber. I shall send her a copy of *Hansard*, so that she can read how wonderful I said she was, that she was one of my protégés, and that my views on defence are exactly opposite to hers.

The Committee has produced reports to inform these debates. Our latest defence procurement report, the eighth, for the Session 2002–03 was published last July. We examined in depth the Government's defence industrial policy, the opening up of defence markets, the management of risk and the smart acquisition initiative. In our report we consider a series of at-risk projects, which we formally call tracker projects. We ask the Ministry of Defence for a detailed analysis of the status of each of these programmes and we comment on them.

I have heard a little this afternoon about the future aircraft carrier and the debate in the media. Those media comments are slightly alarming to me. When the Government announced in the strategic defence review that they would acquire two real, proper aircraft carriers and have sophisticated state-of-the-art, or rather, state-of-science aircraft on them, I was delighted.

Knowing the MOD from having served on the Defence Committee since 1979, I thought that the Committee would closely monitor the progress of the aircraft carriers. As I know the Ministry of Defence of old, regardless of who the Ministers are, I feared that by 2006 or 2007, some Chancellor might say, "Enough of this. We can't afford it. Let's spin it out even further", so it might be 2015 before the first and 2017 before the second aircraft carrier was delivered. I am a little nervous that we are hardly through 2003, and already people are arguing that we do not need 50,000 tonne aircraft carriers. If we do not want two 50,00 tonne aircraft carriers, we do not want 150 joint strike fighters.

I hope the Secretary of State, if he pops into the Chamber, will tell us whether the aircraft carrier programme is secure, and I hope that he will reassure us that they will be real aircraft carriers, not slightly extended versions of the excellent non-aircraft carriers that we currently have, which have served as aircraft carriers. If there is to be any prevarication, I must express surprise that it has happened so early in the programme. I hope that the two carriers will proceed as they should and that we purchase the aircraft to go on them. We should remember that our whole military strategy is based on expeditionary warfare—in other words, we need the carriers to get our aircraft to where the action is to take place. The last Gulf war showed that very few countries can be relied upon to provide the necessary territory for the deployment of our troops and aircraft. If one has 150 aircraft, a minimum of two large aircraft carriers is essential. I therefore hope that the anxieties will turn out to be merely media-inspired.

Our Committee has produced several reports on procurement. In our forthcoming report on the lessons of Iraq, there is bound to be a strong section on how our weapons systems worked. In Kosovo, the RAF, despite its best endeavours, lacked smart bombs that could land anywhere near the target. It is now in possession of infinitely more proficient and accurate weaponry. My own view, in advance of our report, is that our equipment worked pretty well, and that the failures that occurred were not in war-winning equipment. I am not saying that desert boots are not war-winning—they might be for an infantryman who had been wearing the old-fashioned boots, which were no good anywhere, let alone in the desert.

We are interested in opening up other people's markets to our products in the same way as our markets are open to other countries. As the defence industry continues to rationalise, the number of defence companies continues to decrease. The UK will not be able to rely on open competition if that gives foreign defence companies a level of access to our open defence market that is not reciprocated by other countries. In case our brilliant *Hansard* writers are not able to see me looking my hon. Friend the Member for Crawley straight in the eye, I hope that she is taking note of my point. I am not opposed to the French defence industry—I just want it to be open to ours. If a British company wants to buy a company in France, it should not be for the French Government to say, "Non." If, say, a French company is going to build another aircraft carrier, but did not do spectacularly well in the building of the last one, perhaps a British company could engage in the kind of competition that French companies—whatever their nomenclature—are able to enjoy in this country. I am not being anti-French, but pro-British. I want British companies to produce quality products that other countries want to buy and to be able to compete on a reasonably level playing field.

Industry witnesses to the Committee told us that the UK is the only major procurer of defence equipment in the world to have opened up its markets. The chairman of BAE Systems, Sir Richard Evans, told the Committee that the Government should not necessarily change their policy, but we should do much more to force other countries to come in line with us.

I detect a subtle change of policy in BAE Systems. If it believes that too many foreign companies are winning contracts in the United Kingdom, it may gain more access to the British market by becoming a foreign company. That leads me to the press speculation, which contains some truth, that BAE Systems has been hawking its wares around the United States and probably Europe, perhaps looking for a suitor to take it over. I shall say more about that later.

Ministers and their officials must maintain the pressure for reciprocal treatment from other defence manufacturing countries. If they do not permit reasonable access to their markets, I would tell them, "We shall look elsewhere. There are other opportunities and if you try to do our manufacturers down, until you change your policies, we will seek partners and

[Mr. George]

purchases from countries other than yours." Ministers must maintain pressure on European and US partners to conclude existing international agreements aimed at opening up defence markets. It is a question not of getting them to change their policies but of their honestly sticking to legislation under which they supposedly operate.

Several colleagues mentioned the United States and the international traffic in arms regulations. I believe—I hope that the Under-Secretary will confirm my view—that our anxieties are more about the role of the US Congress and Congressmen who espouse the causes of their constituents to the exclusion of the national interest and of US allies, which do not include countries that are fervently seeking to penetrate our market. The UK and US authorities had largely secured agreement on the ITAR waiver in 2002, but its progress has been delayed in the US Congress. As other colleagues said, the waiver's importance extends beyond its immediate procedural and legal scope because it is a touchstone of our relations with our closest ally.

I wrote a letter at Defence Committee members' behest to key Senators and Representatives, making our concerns plain. That letter is reproduced in our report on defence procurement. As my hon. Friend the Member for North Durham (Mr. Jones) said, we raised the matter on Capitol Hill with the Administration and the State Department in September.

I shall give hon. Members a preview of my next letter to the Liaison Committee, which comprises a wonderful group of people: "Gentlemen and Ladies, the money you spent on our trip to Washington was 50 per cent. wasted because the meteorological conditions rendered our visit to Norfolk, Virginia hazardous." The entire US navy disappeared into the north Atlantic. I always believed that it was safer to remain in port during a hurricane but I was disabused of that simplistic approach from the Napoleonic warfare era. Perhaps someday we can complete the visit that mother nature rendered almost useless after the second day.

Most people consider the US to be the biggest advocate of free trade in the world. However, the recent "Buy American" policy is no example of that. The proposed defence authorisation Act 2004 would require the US military to procure equipment including specific critical items that are produced entirely in the US. I cannot disagree with the concept of looking after one's strategic assets, but that definition of what is essential is so broad as to include almost everything, and defence manufacturers will hide behind those provisions to make it very difficult—indeed, even more difficult—for European, Australasian and especially British companies to sell into the United States. It is already very difficult to do so.

This policy would have very damaging implications. Only last week, the Netherlands Secretary of State for Defence Procurement warned that international participation in the system and demonstration phase of the joint strike fighter—the F35—could become impossible if the US Congress passed the controversial Buy American Bill. We raised our concerns about the ITAR waiver when we visited Washington in September.

Frankly, I believe that the US Administration will deliver the goods. We said to them, "Who was with you in Iraq? The British and virtually nobody else. Is this the way to treat your allies? If you treat your allies like this, God knows what you would do to those who were not behind you in a conflict." I strongly believe that the arguments put forward by our embassy, by the British Government and, of course, by the Ministry of Defence and many colleagues here, will deliver the goods.

I mentioned earlier the future of BAE Systems. There has been speculation for some time about the future of our largest defence contractor. Press reports in the summer claimed that BAE Systems had rejected an approach from the French-owned Thales—good on it!—and was looking to merge with one of its US rivals, such as Boeing, Lockheed Martin, Raytheon, Northrop Grumman, General Dynamics or probably anyone else large enough. It was reported that discussions with General Dynamics were the most advanced. However, reports in the *Financial Times* then said that General Dynamics had walked away from this transatlantic merger with BAE Systems.

There would be significant implications if BAE Systems merged with, or was taken over by, a foreign defence contractor. The UK would lose its national defence contractor, there would be serious issues relating to security of supply, and the scope for competition would be further reduced. Jobs in a vital area—particularly high-tech jobs—in the UK would be likely to be lost as a result. A tie-up with a US contractor would also require BAE Systems to dispose of its 20 per cent. stake in Airbus.

I have just received a gesture from a colleague to suggest that the sections of my speech on managing risk and smart acquisition might better be dealt with on another occasion. In conclusion, therefore—this is quite a short speech, for me—I should like to say that the defence industrial policy noted that

> "a manpower-intensive, platform-heavy and predictable doctrine of the Cold War has been replaced by the requirement for sophisticated, rapid and precise military solutions".

However, in the Select Committee's report on the strategic defence review new chapter, we concluded that we had seen little evidence of the urgency that the MOD claimed to be devoting to acquiring new capabilities. The way in which new requirements, such as those for the Watchkeeper unmanned aerial vehicle and the FRES armoured vehicle, are managed, and the processes of acquisition involved, will be a test of the MOD's ability to increase its procurement agility and bring important new capabilities into service more quickly. The Defence Committee will, as always, be watching closely to see how the MOD meets those tests.

5.18 pm

Mr. Alan Reid (Argyll and Bute): I wish to assure the right hon. Member for Walsall, South (Mr. George) that I am not going to make a "Buy me" speech. Indeed, it will soon become apparent that it is a "Don't buy me" speech.

There is an old saying, "Where there's muck, there's brass", and that is as true in the defence industry as in any other. It is important to remember, however, that

defence procurement involves paying companies to dispose of old equipment as well as buying new equipment. In days gone by, decommissioning old equipment was often done very simply. It was often a case of simply going out to sea and tossing the old ammunition over the side. Certainly, when Holy Loch was dredged after it had been used by the American and British navies, there was plenty of evidence of the "out of sight, out of mind" policy. Fortunately we take much better care of the environment nowadays.

Some of the most dangerous material that we must decommission is in our decommissioned nuclear submarines, and I want to talk about the options for disposal of that material. The MOD currently has 27 nuclear submarines, 16 still in service and 11 out of service. The 11 are currently lying afloat, some at Devonport and some at Rosyth. Although they are safe in their current state, by 2012 more submarines will have been decommissioned and the current storage space will be inadequate. There is a possibility of more berthing space at Devonport that would allow the current storage afloat to continue until 2037, but it would nevertheless be sensible to try to find safe methods of breaking up the submarines and storing the radioactive and toxic waste inside the reactor components.

When the submarines were originally conceived, the Government of the day planned to dispose of them on the "out of sight, out of mind" principle—to sail them out into the Atlantic and scuttle them. Luckily, international environmental conventions prevent that from happening now.

Mr. Bruce George: And the Defence Committee!

Mr. Reid: I am sure that, even without the international conventions, the House would not approve of such methods nowadays.

Before the first nuclear submarines were decommissioned, the MOD had adopted the policy of temporary storage at Devonport and Rosyth, anticipating final disposal of the radioactive waste in an underground deep waste repository. That, however, is now expected not to become available until 2050.

The prospect of running out of berths at Devonport and Rosyth has led to the ISOLUS project. The acronym stands for "intermediate storage of laid-up submarines". Lancaster university is currently conducting a consultation exercise. Like others, I congratulate Lord Bach on the way in which he is fulfilling his brief. He has certainly kept me informed of the progress of the project as it affects my constituency.

There are two main disposal options. The first stage of either would involve removing the reactor components from the submarines intact, because that is where the dangerous material is stored. The rest of the submarine would obviously be safe, as the crew would have been living there. Once the reactor components had been removed, the first option would be to store them intact for about 60 years, until the radioactive waste inside had decayed. The advantage of that would be the absence of any risk in the opening of the reactor components; the disadvantage would be the fact that each component is about the size of two double-decker buses, and would therefore take up a good deal of space. The other option would involve opening the component, removing the radioactive waste inside and packaging it in a secure container.

Four companies have advanced proposals for the consultation, but two of them, Devonport Management Limited and Babcock, clearly have their own commercial interests in mind. They want to get rid of the old submarines in the yards at Devonport and Rosyth. They were happy to take them, with their nuclear material, while there was money to be made from refitting, but as soon as no more was to be made and the submarines had become an embarrassment, they wanted to be rid of them. Babcock made clear in its submission that although it would be possible to store the reactor components or the packaged waste at Rosyth, it does not want that to be done because of public concern locally, and because it wants to develop the yard commercially. It has therefore come up with two proposed sites for storing the packaged radioactive waste—Sellafield and Coulport, which is on the east side of Loch Long. This is where the "Don't buy me" part of my argument comes in, as the people in villages on the west side of Loch Long in my constituency—Ardentinny, Strone, Blairmore and Lochgoilhead at the head of Loch Goil—are extremely concerned about the proposal. I do not understand why Coulport has been identified as a location. A small amount of radioactive waste may already be stored there, as it is a naval armaments base, but the proposal to store the radioactive waste from 27 nuclear submarines is far in excess of that quantity. We should not be storing bulk radioactive waste at new sites. Sellafield already stores large amounts of radioactive waste, including most of the defence industry's radioactive waste, so it would be a much better option.

There are three sensible solutions. First, we could continue with afloat storage at Rosyth or Devonport. Secondly, we could break up the submarines, but store their nuclear components intact on-site and, thirdly, we could break up the reactor components and transport the packaged intermediate-level radioactive waste to Sellafield, where the majority of similar waste generated in the UK is managed. That approach would also have the benefit of consolidating all the MOD radioactive waste in one location, rather than two locations at Coulport and the original Sellafield site. To adapt an old metaphor, let us put all our rotten apples in one barrel. Those are the options that should be considered, and the option of a new storage facility at Coulport should be rejected.

5.26 pm

Mr. Ian Davidson (Glasgow, Pollok): It gives me great pleasure to rise again this week in support of the Government. I fully intend to vote with them on any vote that is called tonight and, indeed, shall do so for the rest of the week.

As secretary of the all-party group on shipbuilding and ship repair, I draw the attention of the House to the fact that the future of the British shipbuilding industry has been safeguarded as a result of orders placed by the Labour Government, giving workers in the shipyards the security of employment that they did not have for a long time. That achievement should not go unnoticed. However, I want to raise a number of issues, and if the Under-Secretary cannot respond today, I hope that he can write to me.

[Mr. Ian Davidson]

First, on the aircraft carrier, I should like further reassurance that any changes will be capability rather than cost-driven. I accept completely the point about a possible downsizing of the carrier weight, but I want reassurance that any downsizing would maintain capability and that 48 planes, and not any fewer, will be flown from the carrier. The Minister of State said that delivery for 2012 and 2015 is still the aim, which I greatly welcome. I hope that the Under-Secretary can give me similar reassurance on the Type 45 order, because it has been suggested that the planned order for 12 ships may well be reduced to 10. I hope that the Government can give me a clear assurance that that is not the case and that the intention remains to order 12 destroyers.

I would also like clarification of the MARS—mobile adjustment ramp system—contract. There is an option to specify a civil order, rather than a military one, so that the system can be built overseas, but I hope that the Government ignore that option. Many Members have expressed their views on the issue of foreign defence procurement, the opportunities to buy from other countries and their unwillingness to buy from us. If a Member has spoken on a subject, I do not necessarily refrain from speaking about it myself but time pressures do not allow that today. I hope that the Minister accepts that if the MARS order were placed with British yards, there would be spill-over economies in the aircraft carrier contract. I hope that there would be sensible procurement policy that looked at the loading of work in the yards on the Type 45s, the aircraft carriers and the MARS contract, in order to allow throughputs of work and sharing of overheads, which would lead to economies being made on all those orders.

On shipbuilders' relief, the Ministry of Defence does not have direct responsibility for that, but it is connected with naval exports. I want to clarify whether the MOD has been speaking to Customs and Excise and the Treasury in support of maintaining shipbuilders' relief for military export orders. It seems that most of our international competitors provide considerable subsidies to their shipyards to supply third markets. If not matching them, we should at least be offering some support and assistance. There is a danger that we will disadvantage our yards. If they can win defence export orders, they will once again be able to share the overheads on the contracts with the MOD, thereby possibly reducing the expense to the taxpayer.

In the circumstances, the final point I wish to make arises from a note that I received from the *Hansard* writers, who said that the microphone was not on when I intervened on Mr. Wilkinson earlier. For the avoidance of doubt, I was—

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman must refer to other hon. Members in the correct parliamentary language.

Mr. Davidson: I used the hon. Gentleman's name because I could not remember his constituency.

Mr. Wilkinson: Ruislip-Northwood.

Mr. Davidson: Ruislip-Northwood. For the avoidance of doubt, I was indicating that I was in favour of a referendum on the European constitution as soon as possible.

5.31 pm

Dr. Julian Lewis (New Forest, East): The mentioning of the MARS vessels by the hon. Member for Glasgow, Pollok (Mr. Davidson) almost succeeded in frustrating what remains my aim, which is to be the first to mention at least one new topic in a debate when making a winding-up speech. However, I still have a card or two up my sleeve.

As was pointed out by my hon. Friend the Member for Aldershot (Mr. Howarth), this is the right debate but at the wrong time. It almost seems as if the Government are intent on trying to cram as many defence debates as possible into the period before what is bound to be a very controversial White Paper appears, so that, after that White Paper appears and we demand answers to very challenging questions in the light of the cuts that it is clearly being forewarned will take place in that White Paper, the Government can say, "But you had all these debates this year." We are used to such tactics, as are the public after so many years of this new Labour Government. I do not think they will be fooled by it any more than we are.

I strongly disagree with the uncharacteristically harsh remarks of the Chairman of the Defence Committee, who, having missed the start of the debate, is showing consistency by not being present at the end of it. He chides hon. Members for representing the constituents and firms in their constituencies who work in and constitute the defence manufacturing industry. I personally think that such contributions show the merit of the single Member constituency system. I do not think that those constituents or firms would be spoken up for half as strongly if we had the sort of list systems that certain minor parties prefer.

That is why I commend the speeches of the hon. Members for The Wrekin (Peter Bradley), for Crawley (Laura Moffatt) and for Alyn and Deeside (Mark Tami), who all persuasively argued the case for UK defence manufacturing work to be undertaken by companies and work forces in their constituencies. Even my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) covered an important local defence industry, but as well as that he ranged over many wider topics, as did the hon. Member for Glasgow, Pollok.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) raised several more very important topics. For example, he was the first to mention the difficulty in maintaining the cycle of carriers permanently on patrol when there are only two rather than three, and the first to mention ballistic missile defence.

My right hon. Friend the Member for Fylde (Mr. Jack) showed his absolute mastery of equipment issues, and stressed the importance of an independent UK defence manufacturing base. The Liberal Democrat spokesman put on the record his party's wish to privatise the Defence Export Services Organisation, and his colleague, the hon. Member for Argyll and Bute (Mr. Reid), highlighted the problem of nuclear submarine hulk disposal. My hon. Friend the Member for

Aldershot stressed the vital role of our military technology base, and the problems set to affect procurement projects in all three armed services. He also made a strong plea for greater equity in US-UK collaboration in defence projects—a point echoed and reinforced by the hon. Member for North Durham (Mr. Jones).

I am pleased to see that despite his arduous journey, the Secretary of State has joined us for the end of the debate, and I should let him know that the Minister of State rightly referred to some of the remarks that he made during last week's debate on defence policy. Without a conception of the threats that one is likely to face—as well as those that one currently faces—it is neither prudent nor sensible to determine a procurement policy at all. Procurement has to be tailored to meet the threats currently faced, and it has to be designed to meet future threats, which may be wholly unpredictable.

The longer the lead time and in-service time of a weapons system, the more versatile it must be. It should not be necessary for me to remind Ministers that where naval doctrine—maritime doctrine—in particular is concerned, versatility is valued above all. I shall take a moment of the House's time to point out that on Monday, I had the privilege of sponsoring the last reunion dinner of the crew of a wartime aircraft carrier of which some Members may not have heard. It was called HMS Speaker, hence its connection with this House; indeed, I was delighted that Mr. Speaker was able to meet and greet its splendid veterans. You and others may not have heard of it, Mr. Deputy Speaker, because it was an escort carrier—a ship not originally designed as an aircraft carrier, but which was speedily converted into a pocket-size carrier to fill a capability gap that was discovered once the war was already under way.

However, with modern systems we cannot adopt the "adjustable in wartime" measures that served us so well in the past. Indeed, the Secretary of State recognised that fact when he spoke in this House a week ago. He said:

"Historically, there are periods when major and rapid changes are necessary. That reflects the emergence of new threats and requirements and the passing of former threats against which the armed forces have previously been configured."

However, in talking about weapons systems that were retained from the cold war period but adapted to the post-cold war era, he said that such equipment was "not always optimised" for the role that it had to take on. What was top of his list? It was our existing aircraft carriers, which, in his own words,

"were smaller than needed for significant operations against targets ashore".—[*Official Report*, 16 October 2003; Vol. 411, c. 273–74.]

Let me remind the House about a little of the history of those aircraft carriers, which very nearly did not exist at all. I am old enough to remember a previous Labour Government, who had a well-thought-of Defence Secretary—Lord Healey, as he now is—who attached his considerable intellectual weight to a reassessment of Britain's strategic requirements, and decided that we no longer needed to be east of Suez. Applying logical principles, he said that if we no longer needed to project power east of Suez, we no longer needed aircraft carriers. If it had been left to that Government, there would have been no aircraft carriers, adequate, adaptable or otherwise. The only reason we have the present three aircraft carriers is that the Navy chiefs had the foresight and ingenuity to commission three special cruisers, which they called "through-deck cruisers." If new Labour thinks that it invented the concept of spin, it should look back to the Admiralty of those days, to which we all owe a debt of gratitude.

The aircraft carriers of the future must be capable of meeting unpredictable threats. The House will recall the comments I made earlier when I mentioned the assurance that the Secretary of State gave us early this year that the carriers would be 60,000-tonne ships, and would

"rank alongside the most formidable and complex weapons systems deployed by any country anywhere in the world."—[*Official Report*, 30 January 2003; Vol. 398, c. 1026.]

I contrast that with the written answer I received from the Minister of State in August, in which he harked back to the SDR in 1998, saying that

"it was envisaged that the two new Future Aircraft Carriers would be in the order of 30,000–40,000 tonnes and be capable of carrying up to 50 fixed-wing aircraft and helicopters."—[*Official Report*, 1 September 2003; Vol. 409, c. 893W.]

One question that we can expect to be answered today is this: if the aircraft carriers are reduced to 30,000 to 40,000 tonnes, does the Minister guarantee that vessels of that size will still be capable of carrying up to 50 fixed-wing aircraft and helicopters? I hope that the answer is not simply a yes, because "up to 50" could mean only 20, 25 or 30. I am sure the Government would not shelter behind such sophistry—or perhaps I am not so sure.

The Minister even seemed to suggest that if the aircraft carriers were smaller, it would somehow increase their versatility. That is not the view of Mr. Simon Knight of BMT Defence Services, the naval architect in charge of the project—as he was described in a Press Association press release on 12 October. He was reported as stating in an interview with *The Engineer* magazine:

"What we had before was a ship that could be a frigate in terms of its self-defence capabilities, and that could be a command and control ship in terms of its communications.

It was the Holy Grail in terms of a ship that had everything, and we are now trying to pare it back to just the aircraft carrier role."

I also wish to ask about joint strike fighter numbers—an issue that has been raised before. I was told in a written answer from the Minister of State:

"While no final decisions have yet been taken, our planning assumption is based on 150 of the Short Take Off and Vertical Landing... variant of JSF being acquired to meet the... requirement."—[*Official Report*, 16 May 2003; Vol. 405, c. 453W.]

Does that pledge still stand or has it been thrown into the melting pot together with the great promises that were made about the carriers? We have so often heard from this Government bold commitments that are made at the beginning, only to suffer quiet, incremental retractions as we go along.

I could cover many issues, but I promised to raise one that has not so far been mentioned in the debate, and that is the present threat from terrorism in this context. More attention should be paid than it has been so far to

[Dr. Julian Lewis]

an article in the *Financial Times* on 20 October by Mansoor Ijaz, entitled "The maritime threat from al-Qaeda". He points out the following facts:

"According to United Nations estimates, up to 80 per cent. of the approximately 6bn metric tons of cargo traded each year is moved by ship. Of that, almost 75 per cent. passes at some point through one of the five main choke points in the seafaring economy—the Panama Canal, the Suez Canal, the Straits of Gibraltar, the Straits of Hormuz and the Straits of Malacca. A terrorist attack against one or more of those transit areas that disabled it for weeks or—in the case of a radiological 'dirty bomb', for far longer—could seriously disrupt global trade. The economic calculus of moving cargo by sea would be rendered useless."

The Royal Navy is clearly aware of that threat. I was interested to see an article in the current edition of *Navy News* entitled, "Sea containers may carry next big terror threat." It is a worrying fact that only a minuscule proportion of containers are checked in any meaningful way before they enter this country. Of the 12 questions that I would have liked to put to the Minister, I shall confine myself to one to allow him his full time to answer as much of the debate as he feels able or inclined to do: will the Government seriously consider initiating a screening system at our ports, and if necessary offshore, to improve the prospects of preventing sealed containers from being used to cause terror in the heart of this country?

5.46 pm

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I thank the hon. Member for Aldershot (Mr. Howarth) for his condolences and good wishes to the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Warley (Mr. Spellar). I will ensure that the best wishes of the House are passed on to him.

The House last had the opportunity to discuss these important matters on 17 July 2002. It is clear from today's debate that much has been happening in the intervening 15 months, affecting the constituencies of many hon. Members on both sides of the House. It is essential that the equipment that we provide ensures that our armed forces remain highly capable and effective and ready to meet the challenges that they face today and in the future.

In opening the debate, my right hon. Friend the Minister of State covered much important ground. There were 10 Back-Bench speeches, made up of contributions from my hon. Friends the Members for The Wrekin (Peter Bradley), for Crawley (Laura Moffatt), for North Durham (Mr. Jones), for Alyn and Deeside (Mark Tami) and for Glasgow, Pollok (Mr. Davidson) as well as from my right hon. Friend the Member for Walsall, South (Mr. George), who is Chairman of the Defence Committee. There were only three contributions from the Conservative party—whose members obviously have issues to discuss elsewhere—from the right hon. Member for Fylde (Mr. Jack) and the hon. Members for Ruislip-Northwood (Mr. Wilkinson) and for Mid-Worcestershire (Mr. Luff), as well as a short contribution from the hon. Member for Argyll and Bute (Mr. Reid).

I congratulate the Defence Committee on its eighth report of this Session, which deals with defence procurement. I commend the Government's response to it. I am sorry that the Chairman of the Select Committee was worried about the Ministry of Defence agreeing with many of the points made in it.

I shall highlight a couple of areas that have been mentioned in the debate, in particular, the question of opening up markets, which is dealt with on page 3 of the Government's response and in paragraph 33 of the Select Committee's recommendations. We are very much aware of the issues that the Committee has raised. Indeed, when the Prime Minister was in Washington in July and the subject was raised during the debate, he secured an important agreement with President Bush radically to improve the sharing of defence information and technology between the United Kingdom and the United States of America.

The hon. Member for New Forest, East (Dr. Lewis) intervened earlier to suggest that the answer that he had received from my right hon. Friend the Minister of State was different from statements that had previously been made.

He has just said that my right hon. Friend the Minister was harking back to the strategic defence review, so I shall set out the answer to his question:

"In the Strategic Defence Review, published in 1998, it was envisaged that the two new Future Aircraft Carriers would be in the order of 30,000–40,000 tonnes and capable of carrying up to 50 fixed-wing aircraft and helicopters. The intention, as with any other new equipment project, has always been to refine the design during the assessment phase in order to best meet our developing capability requirements."—[*Official Report*, 16 September 2003; Vol. 410, c. 703W.]

Dr. Julian Lewis: Of course, the Government said that in 1998; they are saying it again now, but why did the Secretary of State make such a song and dance in January this year about the fact that the carriers would actually be 60,000 tonnes? That is what everybody heard and believed at the time.

Mr. Caplin: The two statements are not contradictory.

My hon. Friend the Member for Glasgow, Pollok, in discussing the role of shipbuilding, welcomed what the Government had been able to do with their ordering processes. I take his point, and welcome the start last month of the third stage of the assessment phase, which was excellent news for the project. It continues to provide further impetus to ongoing operations and confirms the Government's commitment to the programme for the future aircraft carrier.

Mr. Kevan Jones: Does my hon. Friend agree that, whether the tonnage is 40,000 or 60,000, the commitment to the two CVFs will lead to large amounts of work for shipbuilding communities throughout this country, many of which went through lean years when the Conservatives were in power?

Mr. Caplin: Things were certainly different when the Conservatives were in power.

In his statement of 30 January, my right hon. Friend the Secretary of State made it clear that various yards—Vosper Thornycroft, Swan Hunter, Babcock at Rosyth and BAE Systems at Govan—would be involved in the projects.

The stage 3 assessment will increase the maturity of the design and optimise its capability and value for money. That progress will pave the way for Ministers to place contracts for the demonstration and manufacture of the ships in spring 2004. The Opposition seem to be obsessed with size, but it is actually capability and assessment that we need to consider.

The right hon. Member for Fylde asked me to thank Lord Bach for the way in which he fulfils his portfolio. I shall certainly do so. Other Members also made that point. I was concerned about the right hon. Gentleman's summer reading choice. May I suggest that John Grisham might be more appropriate? I shall certainly write to the right hon. Gentleman about the aerospace issue that he raised.

Several hon. Members referred to Eurofighter Typhoon, including the hon. Member for Mid-Worcestershire, who asked about tranche 1. The contract was signed in September 1998 and it is a secure contract. We aim to place the tranche 2 contract in the coming months. Commitment to tranche 3 is not expected before 2007. The reason is that discussions with the four nation members and with industry are ongoing.

Mr. Gerald Howarth: The Minister knows that there is concern among our European partners about the British Government's commitment. Can he be more specific about the "coming months"? Is it the Government's intention to sign up for tranche 2 by the end of the year or not?

Mr. Caplin: We are holding discussions and when an announcement is due it will be made in the right and proper place.

The hon. Member for South-East Cornwall (Mr. Breed) added to the varying list of commitments made by his party and its leader recently by announcing that he wanted to privatise the Defence Export Services Organisation. The Government wholly and fundamentally disagree; we have no plans to do that. He also raised the issue of the C-17 aircraft. We have been reviewing future strategic airlift needs and are considering the options for the permanent retention of a small C-17 fleet. However, any fleet of C-17s would complement our C-130J and future A400M fleets.

My hon. Friend the Member for Crawley spoke about the work that the Territorial Army unit from her constituency is doing in Iraq. I know some of those soldiers as they live in my constituency; many Thales employees also work in Crawley but live in Hove. I know that the work that they do is very good indeed.

Like many other hon. Members, including the Chairman of the Select Committee, the right hon. Member for Fylde raised the issue of the "Buy American" provisions. I have to tell the House that the British Government have made clear to the United States our serious concern regarding that so-called provision. Introduction of those provisions would have a significant detrimental effect on the programme and we very much welcome the cross-party support that the House is giving to maintain the pressure on the United States. My right hon. Friends the Prime Minister and the Secretary of State for Defence take every opportunity to raise that issue with their counterparts.

My hon. Friend the Member for Alyn and Deeside mentioned the air tanker programme. Bids are in the process of being assessed and, unfortunately, it would not be appropriate for me to give him further details this afternoon.

Several hon. Members asked about the affordability of our forward plans and speculated on projects that might face cuts or cancellation. I emphasise to the House that that is pure speculation. As my right hon. Friend the Secretary of State said in last week's debate, like any big spending Department, the Ministry of Defence has pressures on its budget, but, as a matter of routine, the Department undertakes what amounts to a capabilities stocktake every year against our future plans. We examine the systems that we currently have in place, those that we have chosen to purchase and those that we may need in future. The strategic environment changes rapidly, and we must ensure that our planning evolves with those changes. Like all Government Departments, the Ministry of Defence has only so much money to spend, and it must be spent effectively.

The increase in the defence budget announced after the last spending review reflects the importance that the Government attach to ensuring that our armed forces have the capabilities that they need to deal with the rising threat of international terrorism, as well as the challenges that we faced before 11 September. What it does not do is stop us continuing our efforts to seek cost-effective solutions to our military requirements. It will not stop us pursuing value for money, through competition and other means, in our defence orders, and it does not mean that we no longer need to prioritise our activities so as to deliver those capabilities we most need while spending our budget wisely.

In Iraq, it is clear that our equipment performed well in the demanding and testing environment of war-fighting operations. Challenger 2, SA80, new precision weapons and many equipment capabilities made an important contribution to the success of those operations. But it is vital to remember that, in modern operations, capabilities should not primarily be measured in terms of platform numbers. A far greater focus has shifted to the decisive effects that we can achieve through those platforms and the weapons that they carry. Ensuring that those are as accurate and effective as possible—and can be deployed and sustained promptly in the field—will enable us to maximise the impact our armed forces can achieve.

Dr. Julian Lewis: Will the Minister give way?

Mr. Caplin: I am sorry; I cannot.

On Tuesday, the Minister for Defence Procurement, Lord Bach, addressed the annual defence industry conference, the first since the successful launch of the Government's defence industrial policy. Reactions to the policy have been highly favourable, as my hon. Friend the Member for North Durham said, and since its launch, Government and industry have worked together closely on putting it into practice. At the launch, my right hon. Friends the Secretary of State for Defence and the Secretary of State for Trade and

[Mr. Caplin]

Industry committed the Government to a formal review. I can tell the House that the review has now been completed and will be published soon.

Peter Bradley: Will the Minister give way?

Mr. Caplin: No.

We are particularly pleased with the way the dialogue between Government and industry has deepened, and we remain committed to high-level engagement with industry through the National Defence Industries Council, and to developing the dialogue that we have established on industrial policy implementation. As more new programmes are conceived and progress through the acquisition cycle, we shall be able to assess the impact of the policy with greater clarity.

I stress that competition is at the heart of the policy, delivering value for money to the British taxpayer and real innovation in the capabilities available to our armed forces. Those are powerful and persuasive benefits, but we are flexible enough to follow other routes—such as partnering, where industry and Government can benefit from stable, long-term relationships—when those alternatives make most sense.

I have two concluding points. First, I was disappointed that the hon. Member for South-East Cornwall did not criticise the hon. Member for Twickenham (Dr. Cable), because I can assure him that we intend to fly the flag for Britain in our defence exports. Taken together—

Its being Six o'clock, the motion for the Adjournment of the House lapsed, without Question put.

WELSH AFFAIRS

Ordered,

That Mr Bill Wiggin be discharged from the Welsh Affairs Committee and Mr Nigel Evans be added.—*[Jim Fitzpatrick.]*

WORK AND PENSIONS

Ordered,

That James Purnell and Mr David Stewart be discharged from the Work and Pensions Committee and Vera Baird and David Hamilton be added.—*[Jim Fitzpatrick.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 29th October, Private Business set down for Four o'clock by the Chairman of Ways and Means shall be entered upon at the conclusion of Government business (whether before, at or after Four o'clock) and may then be proceeded with, though opposed, until any hour.—*[Jim Fitzpatrick.]*

Occupational Pensions

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

6 pm

Kevin Brennan (Cardiff, West): I make no apology for returning to a topic that I and other hon. Members have been raising in the House for the last year and a half and will go on raising for as long as it takes to find a just solution for our constituents. It is a story of hard-working, honest citizens making the fateful and unforgivable error of trusting their employers and trusting the state. They trusted employers and Governments by putting their money into final salary occupational pension schemes on the basis that those schemes were "guaranteed"—a word that was legally used by employers and Governments in their literature. People were told that the schemes were guaranteed to pay them a pension related to their final salary.

My hon. Friend the Minister will be aware of the case of Allied Steel and Wire in my constituency, and I will not detain the House by repeating the personal stories of my constituents who worked for decades and were on the cusp of retirement only to find their hopes of a comfortable and secure retirement snatched away from them by a piece of flawed legislation that was introduced by the last Conservative Government in 1995. It is wrong to blame those people for committing the fatal sin of trusting their employers and the state because, in many cases, they had no choice but to trust them, as Governments of both colours allowed employers by law to compel workers to join those schemes.

How can this situation have come about? How could probably 20,000 people—we cannot be sure because the Government do not count them—have been left with a pension with a so-called guarantee that is not worth the paper it is written on? I profess that, like many people, I was ignorant of the issue until my constituents came to speak to me, to explain how they had lost their pensions. Frankly, at first, I thought that they must be mistaken. I thought that it could not be possible in the 21st century to be left unprotected in that way, but I was wrong. So I went back to look at some of the debates in the House and in the Standing Committee that considered the then Pensions Bill in 1995. After all, the Pensions Act 1995 was passed to put right the scandal of the Maxwell pensioners.

I could not believe that, in dealing with that scandal, hon. Members of whichever party would have wanted to allow workers to be effectively robbed of their pensions. As far as I can ascertain, no one fully envisaged the perilous position that they were creating for today's occupational scheme members. They thought that they were protecting pensioners and putting measures in place that would prevent pension funds from being seriously under-financed.

It is true that, at the time, the TUC lobbied for a pension protection fund and that the then Labour Opposition tabled amendments to that effect, and I am glad that such provisions will be a feature of new legislation in the near future. However, I have read the reports of the 1995 proceedings and spoken to the TUC's adviser at the time, Bryn Davies, and as far as I can see, no one envisaged the possibility of losses on the scale being faced by workers today.

When the possibility of schemes winding up without being able to meet their liabilities was discussed, it was generally assumed that that would be rare, and because of the new minimum funding requirement, that losses would be limited. Indeed, in Committee on 13 June 1995 my right hon. Friend the Member for Southampton, Itchen (Mr. Denham) said:

"There is an important point of principle, with which I am sure all members of the Committee would agree; in the event of a shortfall in a pension fund, when it will be difficult to meet pension obligations, whatever the cause of the shortfall, the members are innocent parties, although it is they who will suffer."—[*Official Report, Standing Committee D*, 13 June 1995; c. 526.]

That is absolutely the point—they are innocent victims of a flawed legislative framework.

Despite those comments, the legislation that was passed made the plight of those innocent victims worse. That clearly was not the then Government's intention, and it certainly was not the intention of the then Opposition, but by devising an inadequate minimum funding requirement and putting the rights of deferred pensioners to the bottom of the order of priority—whether they were 30 years away from retirement or 30 minutes away from retirement—the plight of those innocent victims was made worse. Now the Government are acting to put that right for the future. I welcome this week's announcement on that, but it still leaves thousands of innocent victims who should be compensated.

To illustrate that that outcome was not envisaged, my right hon. Friend the Member for Southampton, Itchen raised the case at the time of Swan Hunter, by saying that although its scheme would have met the minimum funding requirement, members of the scheme faced cuts of up to 40 per cent. in their expected pensions. In response to those observations, however, the right hon. Member for Richmond, Yorks (Mr. Hague), who was then Pensions Minister in the Conservative Government, said that the minimum funding requirement would ensure that

"We are not talking about loss on the scale mentioned by the hon. Member for Itchen."—[*Official Report, Standing Committee D*, 13 June 1995; c. 533.]

If only that were so. The latest figure, I understand, from some Allied Steel and Wire workers in Cardiff, is that they are being given not an estimated loss in their pension of 40 per cent. of its expected value, but a total pension of 14 per cent. of the expected value. That is an 86 per cent. cut in their pension. That is the scale of the catastrophe that has been visited on constituents in my part of Wales and in other parts of the United Kingdom, including those of my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt), whose Allied Steel and Wire workers at Sheerness have suffered a similar fate.

The state has not exercised a proper duty of care on behalf of those people. The state did not insist on a proper health warning on occupational pensions—on the contrary, it encouraged workers to enter those schemes. The result has been a real injustice for a few who understandably feel bitterness, bewilderment and betrayal, and uncertainty for the many who, on hearing of the plight of the few, lose confidence in the whole occupational pensions system, when even the most rock solid "guaranteed" form of pension fund turns out not to be worth the paper on which it is written, for thousands of people.

That is an injustice, not just a misfortune. Those people feel that they have been duped, and they have been.

Mr. Derek Wyatt (Sittingbourne and Sheppey): It is immoral.

Kevin Brennan: My hon. Friend is right. What rational economic agent would bet his or her security in retirement on the ups and downs of the price of steel? All of them would have put their money elsewhere had they been told the truth about the risk. The fact is that successive Governments have inadvertently mis-sold the concept of final salary schemes and have a duty to compensate the innocent victims. The state tends understandably to be complacent, because its own workers' and its own politicians' pensions—I include myself—are ultimately underwritten by the taxpayer. That is not acceptable. The cost of compensation would be minuscule compared with, to take one example, the surplus in the national insurance fund identified by my hon. Friend the Member for Newport, West (Paul Flynn) earlier this week in his Adjournment debate. It would be cheaper than the legal costs that the state is likely to incur if trade unions such as the Iron and Steel Trades Confederation continue with a case under the relevant European directive.

Governments tend to say that they cannot be seen to stand behind private pension arrangements in any way, but that is frankly nonsense. Governments have subsidised private pension arrangements through tax relief. Governments have compelled people to join such arrangements. Governments have taken billions out of the national insurance fund to bribe people into private pensions, and Governments stand behind the entire private banking and financial system as the lender of the last resort. Why do Governments do that? They do it because without such backing, confidence in the entire financial system would collapse. That is not in the public interest, and the same is true for pensions. A promise should be a promise and a guarantee should be a guarantee, especially when the promise and guarantee are about security in retirement.

6 11 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): I thank you, Mr. Deputy Speaker, and the Minister for allowing me to say a few words and, most of all, I commend my hon. Friend the Member for Cardiff, West (Kevin Brennan)—he is indeed an honourable friend. We have worked so hard together to raise the issue of Allied Steel and Wire because the problem affects not only ASW Cardiff and Sheerness—more than 40 companies' pensions have gone into administration since 4 July 2002.

The problem is most serious because many people have tried to commit suicide or have been suicidal. They suffered a double whammy because they lost their occupation pension on the same day that they were made redundant. It is difficult not to sympathise with them because they gave their deferred wages to their occupational pension scheme, but they have now lost everything.

[Mr. Derek Wyatt]

There are moral aspects of the problem and a question of duty. This is a proud Government. Things that we have done since 1997 for which we can be proud include providing money to address our debt to the coal miners—no one can take that away. The people who developed lung disease and the Chatham workers who experienced the effects of asbestos suffered an appalling thing.

The Government have introduced such measures before, so we are not asking for something new. We are not asking for next year's Bill to be retrospective because we understand the moral hazard that that might create. However, we ask the Government to think about the cost of the Iraq war—it probably cost the Exchequer £2 billion. What was cost of foot and mouth—probably between £2 billion and £3 billion? What was cost of Creutzfeldt-Jakob disease—probably £1 billion or more? We are asking for between £100 million and £200 million, at most, to be given to a special fund to compensate workers. Is that possible? It is not a fortune, especially when one considers how much the Chancellor took out of pension funds toward the end of the 1990s.

I urge the Minister to use his best endeavours to ask his fellow Ministers in the Department for Work and Pensions to include a provision to address the matter in the Bill that will be presented after the Queen's Speech. Does he think that the legal advice from inside the Department is sufficiently solid with regard to EU legislation? Will he confirm that the Secretary of State has asked for an independent review from legal experts outside the Department, because it gives us heart if he is thinking again about the legal position? I do not think that Amicus and ISTC really want to go to the High Court to argue the matter under human rights legislation. They would prefer Pensions Ministers to come to the House and accept responsibility, although the problem is not of their making. The people of this country ask for only one thing: fairness in the law.

6.14 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I congratulate my hon. Friend the Member for Cardiff, West (Kevin Brennan) on securing the debate. The whole House will want to pay tribute to the way in which he has consistently pursued his constituents' interests on this matter. He began his speech by saying that he did not plan to apologise for raising the issue again, and nor should he. I pay a similar tribute to my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt), who secured a debate on the subject almost exactly a year ago. Both spoke powerfully and eloquently of the injustice felt by their constituents. The Government and I recognise the sense of injustice felt by ASW workers and others who paid into their employer's pension scheme for years only to lose some or even all of their pension shortly before retirement because the employer went bust and the scheme was underfunded. As we heard from my hon. Friend the Member for Sittingbourne and Sheppey, that tragedy is made all the worse by the fact that on the same day that many of those people learned that they had lost their jobs, they also learned that they had lost their pensions.

It is a tragic blow for people who thought that they were making adequate provision for their retirement to have their hopes and expectations dashed. My hon. Friend the Member for Cardiff, West said that they are victims of a flawed legislative framework. It is precisely to address that problem that my right hon. Friend the Secretary of State for Work and Pensions announced on 11 June that the Government would introduce a pension protection fund as soon as parliamentary time allows. The PPF will, for the first time in the UK, ensure that scheme members whose companies go bust can still count on receiving a meaningful pension and therefore have the secure retirement they were expecting. Once the PPF is in place, we will never again experience the situation faced by ASW workers today.

People involved with the PPF will work closely with the new pensions regulator to reinforce security and confidence even further by monitoring scheme management and protecting against fraud. My right hon. Friend made it clear that, as is normal with legislation, the PPF will apply to the future, not the past. It will not be retrospective. My hon. Friend the Member for Sittingbourne and Sheppey recognised that although that will disappoint many, it is not feasible for us to introduce backward-looking legislation. We are, however, ready and willing to listen to sensible and constructive suggestions about whether, and if so how, assistance could be made available for those who have lost pension rights before the PPF is introduced.

Ministers and officials have met some of the scheme members affected and various representatives, including my hon. Friends, several times to discuss the options. We will continue to approach the subject with an open mind. However, we have also made it clear that we cannot and will not raise false hopes or make promises on which we cannot deliver. To do so would add insult to injury for the people affected. Understandably, many have asked why those who will not benefit from the PPF should not receive compensation for their loss. My hon. Friend the Member for Cardiff, West suggested that such compensation was appropriate because those affected were misled not only by their employers but by the state as well. We do not accept that people were misled in that way. If people were required to be members of a scheme, it was the employer who made the requirement, not the state.

Mr. Wyatt: Does my hon. Friend accept that the literature produced by his Department uses words such as "guarantee" in relation to occupation pensions? That is what ASW staff at Sheerness and Cardiff keep telling us. It was in the literature and it was guaranteed.

Mr. Pond: We have looked carefully at the literature produced by my Department and can find no evidence of wording that would give the impression that we were making a guarantee. I know that the allegation has been made, but we can find no substance to support it.

Kevin Brennan: Does my hon. Friend not accept, however, that the state has at times permitted and made it legal for employers to compel workers to join occupational pension schemes?

Mr. Pond: My hon. Friend is right that the state has permitted employers to require people to join schemes, but it is the employer who makes the requirement, not the state. The fact that the state allows certain activities does not mean that the state becomes responsible for those who carry out that activity, or for the consequences that might follow from it.

I ask my hon. Friends to consider the cost of compensation, which could be substantial, because it would reflect the substantial losses incurred by those who had lost their pensions. The cost could stretch many decades into the future. If the cost were to fall to the taxpayer, many would ask whether it was right and fair that those who would never have access to an occupational pension should pay for those who did.

I know that some have said that the money to pay for compensation could come from other sources, such as unclaimed money in bank accounts. Although that money is unclaimed at a particular moment in time, it does belong to somebody, and it can be claimed and withdrawn at any time in the future. It is not a stable base for compensation.

As I am sure the House will appreciate, there is no easy solution to the problem, but I stress once again that we are listening to all sensible proposals. My right hon. Friend the Secretary of State has made it clear that he wants to find a way through and to help in any feasible way he can, without raising false hopes. Between now and the introduction of the pension protection fund, other measures will come into force to improve member protection. The Government have published and consulted on draft regulations that increase the debt due from solvent employers when their salary-related pension scheme is wound up. This proposal will ensure that members are more likely to receive the pensions they expected, should their employer opt to wind up their scheme.

Draft regulations were published just yesterday on amendments to the statutory priority order, which will ensure that if a scheme is wound up in future, its assets will be shared out more fairly between non-pensioner and pensioner members. The degree of protection offered will reflect the length of time a member has contributed to the scheme. The changes will also give priority to the rights of non-pensioners over the future indexation of pensions in payment.

In a world where people move between jobs more and more often, it is crucial that their pension rights are protected along the way. My hon. Friends have joined me in the past in campaigning for the extension of the Transfer of Undertakings (Protection of Employment) Regulations 1981 to pension rights. That is why we are extending the TUPE protection of pensions to private sector transfers. We will insist that where pension rights have been established, the new employer will need to match employee contributions, up to 6 per cent., to a stakeholder pension, or offer an equivalent alternative.

Overall, the Government are going ahead with vital steps to enhance member protection. We recognise that, as my hon. Friend the Member for Cardiff, West told the House, there is a need to restore confidence in the pensions industry in general, and the series of measures that I outlined aims to do just that. Once again, I congratulate my hon. Friends on ensuring that the issue remains at the top of the agenda. They will recognise that we are doing everything we can to ensure that the heartache felt by ASW workers and others is never felt again.

In relation to the ASW workers, my hon. Friends know that we will do what we can, and that we will be honest about what we cannot do. My hon. Friend the Member for Cardiff, West suggested that Governments are complacent on the issue. I can tell him and the House that we are not complacent. We are doing everything we can to ensure that people are better protected in future. That is a responsibility which we take very seriously.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes past Six o'clock.

Westminster Hall

Tuesday 14 October 2003

[MR. EDWARD O'HARA *in the Chair*]

Smoking (Public Places)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Miss Melanie Johnson.]*

9.30 am

Linda Perham (Ilford, North): I am delighted to have secured the debate on smoking in public places, a subject about which I and many Members in both Houses care passionately.

I pay tribute at the outset to the many parliamentary colleagues who over the years have campaigned, asked questions, introduced Bills and generally badgered the Government on the matter. In particular, the Under-Secretary of State for International Development, my hon. Friend the Member for Harrow, West (Mr. Thomas), introduced the Smoking (Restaurants) Bill on 14 April and my hon. Friend the Member for North-West Leicestershire (David Taylor), who chairs the all-party group on smoking and health, introduced the Protection from Smoking (Employees and Young Persons) Bill on 24 April 2001.

I thank Action on Smoking and Health, the British Heart Foundation, the British Medical Association, the Cancer Campaigning Group, the Consumers Association and Smoke Free London for their help and information on the subject and two taxi organisations, the Joint Radio Taxi Association and the Licensed Taxi Drivers Association, for campaigning to allow licensed taxi drivers to designate their cabs non-smoking. Many taxi drivers—sometimes it appears all of them—live in my constituency, and I am well aware of how strong their feelings are on the issue. Unfortunately, it was not addressed in the Greater London Authority Act 1999, despite the backing of a majority of London Members of Parliament. Since then, the Greater London Assembly has held an inquiry into the subject and recommended that the appropriate legislation is changed, so that London taxi drivers have the right to work without the threat of smoke fumes.

Will the Minister and, perhaps, colleagues from other Departments make a commitment to review the report led by my colleague Jennette Arnold in the Greater London Assembly to see whether taxis can be brought into line with other forms of public transport, on which smoking is banned?

I have personal reasons for feeling strongly about the issue. I was a victim of childhood asthma and grew up in the 1950s, when my parents and almost everyone else, including people who came to the house, smoked. My condition was made worse by the culture that started with 1930s films, which I believe is what made my parents take up the habit at the age of 14. My parents are now well into their 80s—having given up smoking some years ago, they are, I am glad to say, still going strong.

When I was a child, smoking was allowed on public transport, in workplaces, places of entertainment, restaurants and bars. Now, smoking is banned on most public transport, except, as I said, in taxis, and in cinemas and theatres. We are making progress on having smoke-free areas in the workplace and other public places.

Mr. Barry Sheerman (Huddersfield): My hon. Friend makes an important point. She, like me, is a campaigner on the issue. Does she find it frustrating that Great North Eastern Railway is introducing a new train design in the coming months that will keep the smoking facilities? That means that the whole train, which travels at 140 mph, is really a smoking train. Does not she find it odd that smoking can be banned on planes, trains and buses, but railway stations and airports are still full of smoke?

Linda Perham: My hon. Friend makes some good points. I pay tribute to his campaigning on this issue and I will mention a contribution that he has made later. There is a problem with trains. Buses, the underground and aircraft are smoke free. I remember the time before there were designated smoking areas when people could smoke on public transport. As he said, stations are also areas where people can smoke and we should deal with that problem. We are making progress, but not enough and not quickly enough to put an end to the thousands of preventable premature deaths and the contraction and exacerbation of thousands more serious illnesses affected by tobacco smoke.

"Smoking kills". That is what it says on cigarette packets. That is what smoking does to a staggering 120,000 people a year in the UK—one in five of all deaths. That costs the NHS £1.7 billion and is a personal cost not just to those who lose their lives, but to their families and friends. According to "Towards smoke-free public places", an excellent report published by the British Medical Association last November, tobacco smoke is a potent cocktail of more than 4,000 chemicals, more than 50 of which cause cancer. Second-hand smoke is now the only proven human carcinogen that is unregulated in the workplace. About 85 per cent. of second-hand smoke is invisible and odourless and is not filtered by conventional ventilation systems.

Second-hand smoke causes at least 1,000 deaths each year and presents particular difficulties to the 8 million people with lung disease, the 2.1 million with angina, the 1.3 million who have had a heart attack, the 300,000 who have had a stroke, the 750,000 pregnant women and the 5.1 million asthmatics, 1.4 million of whom are children. Returning to my own experiences, I remember a photograph taken when I was about 12. It shows me with my shoulders practically level with my ears as I fought for breath. That is partly why I feel so strongly about this issue.

Second-hand smoke puts children at increased risk not only of asthma but of lower respiratory tract illnesses, middle ear infections, sudden infant death syndrome and lower birth weight. It is also connected to reducing children's lung capacity and exercise tolerance at a time when we need to get children to exercise more because of increasing concerns about the health risks of obesity. Indeed, describing children's vulnerability to second-hand smoke, the chief medical officer's annual report 2002 states:

[Linda Perham]

"Children's lungs are smaller and their immune systems less developed . . . Children are smaller and breathe faster than adults and so take in more harmful chemicals per kg of weight than adults. Small children often have less choice than adults to leave a smoke-filled room."

As for young people taking up smoking, Action on Addiction estimates that around 450 children a day—more than ever before—are embarking on the slippery slope to smoking slavery.

I come now to smoking in the workplace.

Mr. Sheerman: Before my hon. Friend moves on from children, could I pick up on one point? As Chairman of the Education and Skills Committee I have become aware of the psychological damage done to children. They are constantly told at school and on the news media about the dangers of smoking and how it will kill them and give them cancer. They go home to a smoke-filled environment and see their parents smoking. They worry that their parents will die as a result. That is a serious trauma for children.

Linda Perham: I thank my hon. Friend for making that point, which he brings from his experience of chairing the Select Committee.

In the UK, 3 million workers are regularly exposed to second-hand smoke in the workplace. Less than half of workers are employed in smoke-free workplaces. I pay tribute to my hon. Friend the Member for Huddersfield (Mr. Sheerman) for securing a debate on employee health on 11 March—the eve of national no-smoking day. I had hoped to secure the debate on national no-smoking day itself, but he was fortunate to secure it on its eve. He was supported by interventions from my right hon. Friend the Member for Rother Valley (Mr. Barron)—another tireless campaigner on the matter—and my hon. Friend the Member for North-West Leicestershire, and he made a powerful case for more action to protect workers.

The all-party group on smoking and health met in April, on the eve of a conference on passive smoking in the workplace called, "Don't Choke on the Smoke". That conference was supported by ASH, the Trades Union Congress and the Chartered Institute of Environmental Health. We were told that it could be calculated that, in the UK, passive smoking causes the annual deaths of more than 900 office workers, 165 bar workers and 145 manufacturing workers. In the last category, three times as many people are estimated to die from passive smoking than all other work-related deaths. Seventeen per cent. of bar workers are estimated to die from passive smoking at current exposure levels. Deaths caused by second-hand smoke among office workers add an estimated 9 per cent. to the total occupational mortality rate.

A paper published in the *British Medical Journal* in July 2002 entitled, "Effect of smoke-free workplaces on smoking behaviour: systematic review", found:

"Totally smoke-free workplaces are associated with reductions in prevalence of smoking of 3.8 per cent.",

and

"3.1 . . . fewer cigarettes smoked per day".

It continued:

"If all workplaces became smoke-free, consumption per capita in the entire population would drop by . . . 7.6 per cent. in the United Kingdom".

It concluded:

"Smoke-free workplaces not only protect non-smokers from the dangers of passive smoking, they also encourage smokers to quit or to reduce consumption."

Employers bear the costs of workers' smoking, including higher maintenance and cleaning costs, increased risk of fire damage and increased fire insurance premiums. The economic and health costs of passive smoking at work include increased absenteeism due to illness and decreased productivity, and 86 per cent. of the public are in favour of smoking restrictions in the workplace, banks and other public places.

Although the hospitality industry fears that smoking-free workplaces would be expensive, evidence shows that smoking bans do not result in decreased profits. A detailed summary of studies assessing the impact of smoking restrictions on the hospitality industry is regularly updated by the VicHealth Centre for Tobacco Control in Australia. It finds no negative effects on business.

I concede that efforts have been made recently to curb smoking in the workplace, including designating whole buildings or areas as non-smoking. The Department of Health became smoke free only on 1 April 2003 and, unfortunately, the opportunity was lost to introduce a total non-smoking policy in our new building, Portcullis House. I was one of three Labour Members on the Accommodation and Works Committee to vote for that in 2000. Unfortunately we were defeated by the narrowest of margins. That was a great pity. A message could have been sent to the country at large that the new parliamentary building would be smoke free, but we did not take that chance.

Mr. Sheerman: Will my hon. Friend confirm that those of us with offices in Portcullis House were never consulted on that decision? As I understand it—I would like us to nail this one if we can—there was a meeting at which a no-smoking policy was approved, but the meeting was then reorganised, new people attended and the decision was reversed.

Linda Perham: I can speak only from experience on the Committee of which I was a member. It was argued that hon. Members could not be prevented from smoking in their own offices and therefore we could not enforce a total ban. However, there are total bans in other places and I think that, with a brand-new showpiece building, the chance should have been taken to make people aware that we are serious about the message that smoking should not be acceptable in public places.

Mr. Sheerman: We were not consulted.

Linda Perham: I think that that was probably the case. I do not remember my Committee going to every hon. Member on this issue. I can really remember only the discussions that we had in Committee, but the situation is extremely disappointing.

Some restaurants and pubs are introducing smoke-free areas or banning smoking completely. Pizza Hut did so recently. I shall mention some restaurants and pubs in my local area that are taking a lead. An Italian restaurant in Gants Hill called Don Pietro's has a completely separate non-smoking area, which is extremely popular. I spoke to the owner and manager last week to congratulate them on their initiative and to say that I would mention them in the debate. The JD Wetherspoon chain operates a public house in Barkingside called the Fairlop Oak. I do not agree with the views of its chairman, Tim Martin, on the euro, but I applaud his initiative to provide non-smoking areas in his pubs.

Our local health services have done a great deal towards attacking the problem of smoking. There is a smoking cessation service, with which my parliamentary assistant has been involved, with some success. A scheme was set up in May 2002 to help pregnant women to give up smoking. Each year in my London borough of Redbridge, 960 babies are born to women smokers. There are 40 community advisers across the boroughs of Redbridge and Waltham Forest. In April this year, the "Together" initiative was the first of its kind designed to support smokers at key stages in the giving up process.

Two years ago, Smoke Free London's British Market Research Bureau social research led a spokesperson from the then health authority in my area to say:

"Cancer is the 2nd biggest killer in this area. Banning smoking in public buildings would help reduce this figure".

Research shows that three quarters of residents in Redbridge and Waltham Forest want mainly smoke-free pubs. More than 96 per cent. want smoking restrictions in restaurants and cafés. Another figure from this local survey is that 90 per cent. would agree with a move towards a complete ban in hospitals. The figures are 76 per cent. for sports and leisure centres and 68 per cent. for shopping centres. Furthermore, 95 per cent. agreed that taxi and minicab drivers should have the right to a smoke-free environment.

Voluntary measures are not enough. An increasing number of other countries are forging ahead of the UK in their determination to protect the public from the dangers of environmental tobacco smoke. Closest to home, Ireland will ban smoking in all workplaces from 1 January 2004. Legislation for smoke-free places has been successfully introduced, or is about to be introduced, in Australia, Canada, Italy, the Netherlands, Finland, Norway, South Africa, Hong Kong, Romania and Kashmir, and in more than 100 cities in the United States.

Last year, my daughter was in San Francisco as part of her American studies degree, and my husband and I went out to visit her. It was a delight to know that we could go out for the evening in San Francisco and find a restaurant in which no one would be blowing smoke over us during the meal. It made me think how nice it would be if that were the case in the UK.

In July, the European Union Health Commissioner, David Byrne, proposed a ban on workplace smoking, referring to the fact that more than 500,000 EU citizens die of tobacco-related diseases each year. The Welsh Assembly passed a motion on 22 January in favour of the principle of legal restrictions to control exposure to tobacco smoke in indoor public places.

What should the Government do? In one of its calls for action in 2003, the Cancer Campaigning Group, which consists of 20 national cancer charities, calls on the Government to introduce effective legislation to create smoke-free public places. In the UK, no single piece of legislation protects against passive smoking in public places or the workplace. Governments have sought to control exposure to second-hand smoke through a series of voluntary measures. However, current UK health and safety law offers no explicit protection from the health effects of second-hand smoke.

Five long years ago, in the 1998 White Paper entitled "Smoking Kills", the Government recognised that hundreds of people die every year in the UK as a result of high levels of exposure to passive smoke. They also recognised that smoke-free areas offer the best protection and agreed that completely smoke-free places were the ideal.

However, the White Paper did not advocate an outright ban on smoking in public places, but focused on making progress through voluntary measures. Those measures included the tobacco education programme, which was launched in December 1999, and support for helping smokers to quit and to prevent children, in particular, from starting. More recently, funding has been provided for raising awareness of the dangers of second-hand smoke, working with Cancer Research UK and the British Heart Foundation. The British Medical Association proposes a new tax on all tobacco company profits to fund public awareness campaigns on the health risks of passive smoking.

The White Paper proposed two initiatives: the public places charter for clean air, aimed at the hospitality trade, and the introduction of an approved code of practice on smoking in the workplace. The public places charter was introduced in March 2000, and is a voluntary agreement between the Department of Health and the licensed hospitality industry. However, since its introduction, the proportion of smoke-free premises has increased only from 1 to 2 per cent.

The approved code of practice would provide legal guidance to employers on the steps that they should take to comply with their duties under the Health and Safety at Work, etc. Act 1974, which is the principal legislation that covers smoking in the workplace. The code would have a special status under the law—it would not be an offence not to comply with the code, but a code could be introduced as evidence in a prosecution. Compliance with the code would offer some legal protection to employers against claims that they had failed to protect employees from passive smoking.

Considerable effort was put into drafting the code. Yet, despite the Government consultation on it having been completed in 1999 and the Health and Safety Commission recommending its adoption after a further consultation in spring 2000, it has yet to receive final approval, in the face of continuing pressure from Members of both Houses. The code falls far short of legislation to ban smoking in public places, but it goes some way to protecting public health. I call on the Government to publish the approved code of practice

[Linda Perham]

together with the regulatory impact assessment produced at the time, which I understand provides the economic background for implementing such a code.

Mr. Sheerman: Many of us are worried not only that the code has taken so long but that international experience shows that voluntary agreements and codes do not work. From 1997, this Government have been timid, timid, timid on this issue—that has been their watchword. When does my hon. Friend think that they will take action to protect people in public places and workers in their workplace?

Linda Perham: That is why I mentioned the initiatives that have been taken in other countries. I carefully read the report of my hon. Friend's debate from March in preparing for today, and, like now, he did not mince his words in calling for the Government to implement the code, as many Members of both Houses have done in the three and a half years that the process has taken. That is partly why I wanted today's debate—to move the agenda along.

We want to see the code in place. I was involved in campaigning on age discrimination, the result of which was the introduction of a code on age diversity. However, as we know, the problem with voluntary codes is that some people and organisations always say, "Well, it's only voluntary, so I don't have to do anything." The worst must be brought up to the level of the best. Once such a code is in place, if sufficient progress is not made I hope that the Government will consider legislation.

As well as record investment in our health services, the Government have achieved a great deal to promote public health issues, including banning tobacco advertising last year and establishing the first ever post of Minister responsible for public health—my hon. Friend the Minister has recently been appointed to that post. I urge her and her Government colleagues not to drag their feet in working towards enabling the people of this country to live, work and enjoy themselves without suffering the scourge of smoke in public places.

9.58 am

Mrs. Patsy Calton (Cheadle): I congratulate the hon. Member for Ilford, North (Linda Perham) on securing what both the Liberal Democrat party and I consider a very important Adjournment debate. I congratulate her on the quality, number and range of arguments, because the debate is worthy of wide dissemination. I hope that it will not be disregarded because it is the first Adjournment debate after the recess although so few Members have turned up for it. Far more would have turned up had they been aware well in advance that it was going to take place. Even yesterday, notice was given only on a separate sheet rather than on the advance warning blue papers. It is a pity that more Members are not present.

We are in a transition stage in dealing with smoking as a public health issue and people's perception of it. Smokers and the public at large are finding that their attitudes are changing, and slowly—perhaps much too slowly—subjecting others to smoke is becoming as unacceptable as drinking and driving. Successive Governments have managed to produce a change in the attitudes, particularly of young people, towards drinking and driving. The same job needs to be done with smoking in public places and elsewhere. I hasten to add that I am not arguing that legislation is unnecessary, and I shall come to that in a minute.

There is now no doubt that smoking kills. Smoking is linked with a range of cancers besides lung cancer. There is no doubt too that passive smoking kills and worsens a range of illnesses and conditions such as asthma and heart disease. There is no doubt that giving up smoking is the single most important thing that any individual can do to improve not only their quality of life but their life chances after doing so. Furthermore, smoke makes people's eyes smart, offends the olfactory organ and destroys quality of life. Providing information about the likely disbenefits, such as low birth weight, is accepted practice with pregnant mothers, and was 20-odd years ago when I was pregnant for the first time. I gave up at the time, as I had smoked for 10 years. Giving up was so difficult that I determined that I would never smoke again; I have not and will not do so. That is why I have a view about why people fight so hard to maintain their ability to smoke whenever and wherever they wish: quite simply, they are addicted, as I was, and are under the influence of a drug that is very difficult to be rid of. That is not true of everybody—some people give up more easily than others—but large numbers of people find it very difficult. I suspect that some of our colleagues are among them.

It is now standard practice that pregnant mothers, and mothers and fathers of young children, are given information that makes it clear that their children may well suffer if they are exposed to cigarette smoke, either in the womb or by being in the presence of smoking. I do not think that we can accept that such information should be available yet not take steps to ensure that children are not exposed. If we know that children are at risk, we should ensure that that risk is lessened in every situation that we can. Low birth weight—one of the factors associated with pregnant women smoking—is also a risk factor for lower achievement at school. Children are being put at risk for the whole of their lives because their mothers smoke. Everything that can be done to encourage people to give up smoking and not to expose themselves to passive smoking should be done to improve both public health and children's individual life chances and quality of life from the word go.

Mr. Sheerman: The hon. Lady is making some extremely good points and speaks compassionately. Does she agree that those of us who hate smoking and campaign on smoking too often come over as do-gooders who know best, and who hector and lecture people? Those who are addicted to tobacco have a severe form of addiction and sometimes that is the wrong approach to the problem.

Mrs. Calton: I agree that reformed smokers are often regarded as public enemy No. 1. As the hon. Gentleman says, we are regarded as do-gooders. I prefer to think of smokers as victims and when I listen to people who, for whatever reason, began smoking and then found it extremely difficult to give up, I think in terms of the drug speaking rather than themselves. It is best to regard

people who put up such a fight for their right to pollute the atmosphere as victims of a very addictive substance that is extremely difficult for them to get away from.

Case law—Stockport had a famous case a few years ago—indicates that employers are liable if they fail to take action to reduce the risk of workers developing illnesses because of exposure to smoke. Those cases are rarely brought to court because they are expensive and extremely difficult to prove. The code of practice, as we heard from the hon. Member for Ilford, North, has taken a long time to implement, and it is time for it to be finally approved.

The code of practice should be approved for the workplace not only outside the House but inside it. Hon. Members should be consulted. Early-day motion 866 provided a form of consultation and won considerable support from Members, but it is important that they are given the opportunity to make their views clear. Hon. Members should be able to take a lead in designating smoke-free areas and environments.

Many workers are not adequately protected from smoking in enclosed spaces and—this has been mentioned—the public have little or no protection apart from smoke-free areas, which are often next to and influenced by smokers' areas.

I applaud Virgin trains, although few people will hear its users do so. Its timekeeping has improved quite a lot in the past few years and it insists on a smoke-free environment. Like several north-west MPs, I travel up and down on its trains most weeks, and now that smoking is not allowed anywhere on its trains the environment is much improved. I applaud it for banning smoking and for reminding people that they should not smoke on its trains. The issue affects not only those of us with chest infections; the journey is more pleasant and the carriages are not nearly as dirty as they were when smoking was allowed. That is another important issue.

The Liberal Democrats are developing policy in that area. I was interested to hear the hon. Member for Ilford, North tell us about taxi drivers. In fact, the Liberal Democrats used to have only one policy on smoking. At one party conference—I cannot remember which—we decided to ban smoking in taxis. I hasten to add—before anyone else says anything—that that may have been at the time when the whole parliamentary party could have fitted into one taxi, but we live in happier times and we certainly could not all fit into one now.

Liberal Democrats have a health policy paper out for consultation. Smoking is in the prevention of poor health section and we are looking for comments on it. When the paper goes before the party at its conference next spring, we will have extensive, possibly heated, debate about whether it is liberal to ban smoking in enclosed public spaces. No doubt some organisations would support a heated debate given that they believe that they would lose business. As the hon. Lady said, however, the evidence does not support that argument; it supports the argument that making an environment smoke free does not reduce business.

Clearly, in these circumstances I cannot say what our party will do when it makes its decision at conference. I have made my position absolutely clear. I would welcome a ban in enclosed public spaces. That is my position, until we have party policy on the matter. I will try to influence the outcomes, but one can never tell about such things.

A number of countries, and states and cities in the United States, have already introduced legislation to ban smoking in restaurants, cafés and bars without, as I understand it, any particular ill effects. Such bans probably contribute to smokers being put in an environment in which it is less and less acceptable to smoke, and must make it easier for them to give up.

Personally, I would ban smoking from all enclosed public spaces, but, as has regularly been pointed out to me, there is no one as sanctimonious as a reformed smoker. I do not believe that people who are addicted to a drug with lethal side effects should be allowed to determine the quality of the environment

10.10 am

Chris Grayling (Epsom and Ewell): I, too, congratulate the hon. Member for Ilford, North (Linda Perham) on having secured the debate and kicked off our return this autumn. I am sure that this debate should be thought about in terms of quality, not quantity. This is a valuable opportunity to discuss what I have no doubt will be one of the most important areas of public health debate in the months and years ahead, whatever one's perspective may be.

We have also heard from the hon. Member for Huddersfield (Mr. Sheerman), who has carried out extensive work on the matter through his Select Committee role, and from the hon. Member for Cheadle (Mrs. Calton). I do not doubt that she speaks with great sincerity, although I am not entirely certain how the Liberal Democrat spokesman can avoid speaking for her party in a debate such as this. I await the results of her conclusions with interest.

Mrs. Calton: May I help the hon. Gentleman? It may seem strange, but, in our party, policy is made and confirmed by the party and not by spokespeople. In the absence of written policy, the party will make a decision. Perhaps that is not so in all parties.

Chris Grayling: We shall wait with interest to see what comes out of that exercise, but I want to be slightly more clear-cut this morning.

I shall start by setting out some principles that underlie my contribution. I have a lot of sympathy with the sentiments that have been set out this morning. Smoking is a fundamental health issue in our society. In an ideal world, no one would smoke. All those involved in public health education—in whatever capacity they serve and in all the different ways in which that takes place in our society—should see reducing the number of smokers as a core aim. That is unequivocal. I strongly believe that people who do not want to be exposed to cigarette smoke—I am one of them—should not be forced into a situation in which they are so exposed. I shall touch on that in particular in relation to the workplace.

There is a caveat, and those of us who hold strong views about smoking need to remember one crucial point. Smoking is a legally accepted practice in our society, whether we like it or not, and the provision of adequate protection for those who do not want to

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smoke must be balanced, reasonably, against the interests of those who do. We cannot just forget smokers, even though those who do not like smoking would perhaps sometimes like to do so. Nowhere is that point brought into starker relief than in the debate about whether we should ban smoking in public places, and, particularly, in the debate on the impact of passive smoking.

In recent weeks both the British Medical Association and the chief medical officer have made contributions and issued warnings about the threat to public health from passive smoking. Some places, such as New York, have decided to take action against passive smoking by banning smoking in public places altogether. Most recently, the Commissioner in Brussels indicated that he is reviewing the issue. I fundamentally disagree that this is a matter for the Commission and very much hope that the Minister and her colleagues will ensure that the interest taken by Brussels is stamped on quickly. This is a matter for national Governments—for her and her colleagues, and their counterparts in other countries—not a Europe-wide issue. The Minister and her colleagues may not be able to resist the pressure, but their counterparts in France very likely will.

The arguments tend to focus strongly on health, and clearly the debate about the health implications of passive smoking is important. However, it is not always easy for politicians to be protagonists in such a debate, because we are not experts or scientists. Like everyone else, we amass and analyse evidence from those who bring professional expertise to the debate. I do not want to take one side or the other in the argument about the specific health implications of passive smoking. It is not necessary to do so, because the matter is clear-cut beyond purely the health situation. The issue is about balancing the freedom of individuals not to suffer unwanted exposure to cigarette smoke against the interest of not turning those people who want to smoke into pariahs in our society.

I wish to be absolutely clear this morning, first and foremost, that I do not want people to smoke and to inconvenience others when they are out and about. However, I do not in any way support a blanket ban on smoking in public places. That may seem slightly odd, coming from someone who is not a smoker, who does not like smoking and who wishes it would disappear. Such a ban would be impossible to define in a legally sound and fair way, and it would create anomalies that my colleagues and I could not personally defend. I shall give some examples.

I intensely dislike smoke-filled pubs and restaurants. I have sat in restaurants wishing that the people smoking at the next table would leave. If one is not a smoker, it is not pleasant while eating a meal to be exposed to smoke from someone sitting at the next table who is.

Mrs. Calton: Surely, it is not just that that is not pleasant. The people in the next seat who are blowing smoke over are passing on something that could kill. It is not just unpleasant; it is lethal. Usually, people are not allowed to do things next to others that are likely to cause ill health or, possibly, death at a later date.

Chris Grayling: Obviously, the hon. Lady was not listening to what I said a moment ago. Because politicians are not experts, we are not always best qualified to indulge in the fierce health debate that is taking place at present, and we do not need to. Even if passive smoking turned out not to be a health threat—I am not suggesting that it is not—the debate is more fundamental. Clearly, someone who suffers from asthma or lung problems has a right to sit in a restaurant and not have someone smoking at the next table.

Mr. Sheerman: What is worrying me is that it is taking a long time for the hon. Gentleman to find the courage to say where he and his party stand. People who work in restaurants, pubs and clubs are very vulnerable, and that is particularly true of those who really are at the edge, in rooms where there is constantly a great deal of smoke day after day, year after year. Why should that group of workers be subjected to poisonous fumes that will affect their health and do them great damage? Surely, this is not just about the inconvenience to the hon. Gentleman of going to a restaurant and having someone smoke at the next table.

Chris Grayling: If the hon. Gentleman will allow me to finish my remarks, I will come on to the workplace. Let me deal initially with whether there should be a blanket ban on smoking in public places.

Are we going to make it illegal for someone who owns a bar or restaurant to target their venue specifically at smokers? Will it be illegal for one pub in a high street in which most of the pubs and restaurants have banned smoking to be a smokers' pub? That would be the problem if we introduced a blanket ban. We would be saying, "It is illegal for you to have a pub specifically targeted at smokers." I do not believe that that is sustainable, nor is it justifiable in the context of human rights.

I hear what the hon. Gentleman is saying, but are we going to make it illegal for a rail company, private or public, to decide that it wants to make one sealed or unsealed compartment on its train an area designated for smokers? And in the natural correlation of that, are we going to make it illegal for an airport to provide a smoking room in a passenger terminal? I do not believe that that is sustainable.

How do we define a public place? If people smoke in a park, is that a public space? Are we talking about indoors or outdoors? Are we concerned with arenas where people are getting together for sporting events? What about a deck on a cross-channel ferry, a cliff-top walk on National Trust land or the platform of a railway station which is partly under a canopy and partly open? A law on the matter would be impractical to define and draft, unworkable and probably unenforceable. It is the wrong way of tackling a very important problem.

Mr. Sheerman: Does the hon. Gentleman accept that we have one of the most sophisticated and advanced democracies in the world? That is what we always tell ourselves. Other countries have grappled with the issue,

come to a balanced decision and banned smoking in public places. With common sense and good legislation, that works. Is he saying that this democracy cannot manage to do that?

Chris Grayling: I am saying that it is not possible to draft a law that is just, fair and practical. However, although I think that a blanket ban would be impractical and wrong in principle, that does not mean that I do not recognise the importance of the issue, or that I do not want action to be taken to protect people.

I would be much happier for the Government to focus their attention on employee protection in the workplace, which I regard as a fundamental issue of rights. With the one caveat that I shall come to in a moment—the entertainment industry—smoking in the workplace is a difficulty that we need to address. I do not see why employees should be forced to sit in a workplace exposed to cigarette smoke day in, day out, when they do not want to do so. They should not feel that to complain about such a position, or to take action, would be to jeopardise their position. That would be fundamentally wrong.

Of course, most responsible employers now operate perfectly reasonable policies that provide space for smokers away from main working areas. I do not like the concept of a large office building with a total ban, which means that anyone who wants to smoke ends up in the car park or the street. There is nothing more unedifying than walking past an office building and seeing a group of people outside on the doorstep smoking. There is nothing wrong with providing a smoking environment that is entirely separate from the main workplace where people can go during the day to have a cigarette if they choose to do so. Frankly, I wish that they would not use that space, but it is wrong for employers not to provide that opportunity.

Not all employers do provide such a space, and that is to be regretted. Sometimes that is through choice, and sometimes it is because of practical difficulties. In too many places, such as small minicab offices, firms of half a dozen people or behind the scenes in the local corner shop, the employee who does not smoke has little choice but to put up with the smoke of colleagues. In my view that is neither fair nor just. There are grey areas, such as the hospitality industry where public pleasure and the working environment go hand in hand, and they are much more difficult to deal with. I shall talk more about that in a moment.

I entirely agree with the hon. Member for Ilford, North. Employment protection seems to be an area on which the Government have put their head in the sand during the past four years. It is four years since the Health and Safety Commission published its draft approved code of practice, and interestingly it said then that there was already sufficient health and safety and welfare law that could be applied to the question of passive smoking. What is needed is for the law to be better understood and followed. It said that the case for more law is not yet convincing because the existing legal framework is sufficient to deal with the issue. We need greater clarification to help employees to understand their rights and employers to understand their responsibilities, and to create the right framework for managing smoking in and around the workplace.

It is extraordinary that the draft approved code of practice is still sitting on the shelf. I have read it, and it is not perfect. It is too bureaucratic and focuses too much on employers drafting policy documents rather than on doing things. It also fails to reflect the fact that the entertainment industry is a genuinely special case.

Do the Government think that there should be an approved code of practice? If they do, let us see a document based on what they believe to be the next step after the initial draft document. Do they believe, as the Health and Safety Commission put it, that the law should be better understood and followed? Why has the code of practice sat on the shelf for so long? There is no justification for that—I would be fascinated to hear the Minister's justification.

I want to make it clear that although I may have an issue with the practicality of a total blanket ban, we should not put employees in a position where they must be exposed to cigarette smoke. This is a question of fundamental rights. It is very easy to discuss smokers' rights; let us discuss the non-smokers' rights. Why should people be exposed to cigarette smoke in the workplace if they do not want to be? Of course, nothing is ever that easy. The leisure and entertainment industry is a particular challenge. It has advanced a robust case that it is working to improve the particular difficulties that it faces in protecting employees from passive smoking. Some people say that those efforts have not gone far enough.

The public places charter, which I have read, is a desirable step forward, as the hon. Member for Ilford, North acknowledged. She highlighted the fact that JD Wetherspoon has introduced non-smoking policies in parts of its pubs in her constituency, which is entirely desirable. Step by step, public pressure will make it less commercially viable for organisations to run big, smoke-filled pubs, as they have done in the past.

Can we, however, really reach a situation in which a blanket ban is imposed? I would be mighty reluctant to see us impose an absolute ban on anyone deciding that either part or all of their premises—a private venue—should be designated a smoking area. That approach would be questionable.

Mr. Sheerman: Does the hon. Gentleman not recognise the deep flaw in his argument? He does not want a blanket ban—people who support a blanket ban always worry me because they use it as an excuse for not thinking the issue through clearly. If he does not want a blanket ban, however, what are the implications for protecting workers in public places? If one is serious about protecting workers in public places, that must include pubs, bars, restaurants, clubs, railway stations and trains. If the health of workers is to be protected, smoking cannot occur in any of those places. The hon. Gentleman cannot have his cake and eat it.

Chris Grayling: I fully accept that. As I said, nothing is ever that easy. However, it is not sustainable to say to somebody who owns a pub, "You may not position yourself in the high street as the smoking pub."

When I examined the detail of the public places charter, I realised that it does not contain solutions to all the problems or go far enough on all the issues. It is, however, a positive step forward. It is definitely a

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foundation from which the industry and the Department of Health—it has been signed by both sides—can try to find solutions to a difficult and complicated problem. Although those on the anti side of the argument are wrong to dismiss it, it is not the only acceptable way forward. It is, however, a valuable next step in the debate. I accept the hon. Gentleman's point that the entertainment industry is a difficult issue in what is otherwise a broad-brush picture in which the issues are fairly clear.

Smoking in public places is often a nuisance, it has potential health implications and it should be reduced wherever possible. That is happening. Smoking has disappeared in airlines, on buses, on the London underground and in many public buildings around the country. It is in the hands of the whole public sector, which controls a significant number of public venues around the country, voluntarily to decide to make those areas smoke free in the same way that airlines and the London underground have. They have taken those decisions because that is what their passengers want.

There is already substantial proof that fewer and fewer organisations and people are willing to tolerate cigarette smoke in areas where smokers and non-smokers mix. However, I do not believe that a draconian Bill to ban by law any public venue from specifically targeting smokers would be workable or right. It would be hard to define in legal terms and almost impossible to enforce. Smoking is still a legal activity in this country. We should not go down that road.

By contrast, the Government's inactivity in the debate on employee protection in the workplace represents a real failing on their part. There is no rational reason for them to have taken four years to resolve whether there should be an approved code of practice. Does the Minister plan to bring forward a revised code for debate? Does she think that there is a stronger case for employee rights? What does she plan to do to address smoking in the workplace, an issue that the Government seem to have forgotten since 1999? That is where there is the most pressing need for immediate work to be done. Sadly, I see no evidence that the Government are doing that work.

I agree with many of the sentiments expressed by hon. Members this morning, but, as a society, we have to find a balance between proper and appropriate public health measures and draconian measures that ultimately remove the freedom to undertake activities even in isolation from others. That is what a draconian Bill could do. Let us see action to define employers' and employees' responsibilities and rights in the workplace. Let us encourage, by whatever means possible, those who provide public venues to continue to segregate and to provide spaces, protection and smoke-free environments wherever possible—but let us not, ultimately, be draconian in how we instruct our society to behave.

10.32 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I, too, congratulate my hon. Friend the Member for Ilford, North (Linda Perham) on securing this Adjournment debate. It is clear from the quality of the contributions that this is an important debate. I entirely accept that had it not been the first debate today it might have attracted a much greater attendance. I reassure my hon. Friend and other hon. Members that I am not concerned about the lack of people here. I know that this is an important debate that contributes to a wider public discussion on the dangers of tobacco smoke. It is a valuable reminder of the need to tackle those dangers.

In the hour that this debate has taken so far, more than 13 people in the United Kingdom have died from smoking. We must remember that all these discussions take place in that context. The vast majority of those people have died from smoking directly, but that is not to belittle the contribution that secondary smoking makes. It is also important to recognise that half all smokers will die of a smoking-related disease. This is an enormously important matter.

The debate gives the Government an opportunity to say what we have been doing to raise awareness of the health dangers of second-hand smoke and to reduce the risk to smokers and all those around them. Smoking kills more people than any other avoidable cause of ill health in the UK. There are 120,000 deaths, as has already been said, and the cost to the NHS of such diseases is £1.7 billion a year. Smoking causes more than 80 per cent. of deaths from lung cancer, and one in seven of all deaths from coronary heart disease is the result of smoking. Tobacco smoke is probably the biggest single cause of health inequalities because it affects not only those who smoke but those exposed to it.

There are many reasons why smoking has been, and continues to be, a top priority for the Government since we came to office in 1997. One of the first things we did was to launch the White Paper "Smoking Kills", which outlined a tobacco control strategy for the country as a whole. It has been echoed in subsequent documents such as the NHS plan, the cancer plan, the national service framework for coronary heart disease, the national service framework for children and others. The cancer plan recognised the major health inequalities that result from smoking and set specific targets to reduce its prevalence among manual workers to bring their smoking rates closer to those in the general population.

I want to say something about the nature of those who are addicted to smoking tobacco and the fact that 70 per cent. of them do not want to smoke. In respect of all the comments made about the evangelism of reformed smokers and about where people are coming from on the issue, we must remember that the vast majority of those who suffer from this serious addiction do not wish to smoke. We have therefore set targets to reduce smoking rates in the population, focusing particularly on young people and pregnant smokers. The targets take into account the impact of tobacco smoke, not only on the health of the smoker, but on those around them. Reducing smoking in the general population will reduce exposure to second-hand or passive smoking.

In June, the Government signed up to the World Health Organisation's framework convention on tobacco control. The framework convention is an international legal agreement agreed unanimously by the 192 member countries of the World Health Assembly. The convention covers all aspects of tobacco control and makes a specific recommendation that

action be taken to provide for protection from exposure to tobacco smoke. It is the Government's aim to increase provision of smoke-free or non-smoking areas.

On smoking in public places, the Government have always recognised that completely smoke-free places are the ideal. Seven out of 10 smokers do not want to smoke and many people do not want to breathe the smoke of others. Furthermore, many smokers do not want to breathe other people's tobacco smoke. At the time of "Smoking Kills", the Government took the view that a universal ban on smoking in public places was unjustified while we could make fast and substantial progress by other means.

Mr. Sheerman: We all recognise that this Labour Government have very good intentions on the matter, but it is 2003 and we have been in office since 1997. We have had a succession of Under-Secretaries of State for Health and my hon. Friend knows that I have the highest regard for her as a politician and as a Minister. This is an opportunity for her to make her name as the one public health minister anyone will remember for taking a really tough stand on the issue. I hope that she will not make excuses, but will tell us why there has not been much concrete action so far.

Miss Johnson: I am grateful for my hon. Friend's kind remarks and his desire that I should be remembered for achievement on this matter. I disagree with his recollection of the achievements of my predecessors, which are considerable. In the course of dealing with some specific matters, I hope to reply to his remarks.

On smoking in taxis, which was raised by my hon. Friend the Member for Ilford, North, the Department for Transport consulted nationally in 1999–2000 and in March 2001 announced that it recognised the merits of banning smoking in taxis, but that it did not consider the case to be strong enough to make a commitment to legislate. It was satisfied that the voluntary approach of drivers being able to ask passengers not to smoke—in other words, to make the decision per cab—was adequate.

Chris Grayling: I am on the side of Labour Members on this point. It is not always easy for a minicab driver picking up a group of drunken revellers on a Saturday night to persuade them not to smoke. Does the Minister accept that the voluntary code brings with it some serious shortcomings?

Miss Johnson: If I were a taxi driver picking up a group of drunken revellers late at night, I would probably be concerned about other things that could go wrong, but forgive me if I do not elucidate.

Linda Perham: The problem is that taxi drivers feel that they do not have the force of the law behind them. As hon. Members will have seen, many cabs carry a sign saying "Thank you for not smoking", but drivers do not feel that that can be enforced. Rather than a ban, they want the choice to designate their cabs as smoking or non-smoking. They cannot do that at the moment and they feel that an opportunity was missed during the passage of the Greater London Authority Act 1999 as such a provision could have been introduced. That is why they continue to campaign.

Miss Johnson: I understand my hon. Friend's arguments. They appear to be matters for the Department for Transport, although I can report on the current state of play. I have travelled in many taxis in which smoking is banned by the choice of the taxi driver. As a non-smoker I can tell whether someone has smoked recently in the cabs by the smell, and most cabs have remained smoke free. There is scope, but I understand my hon. Friend's point about some cab drivers' anxiety.

Children and smoking was the starting point for my hon. Friend's interest in the subject. Teenage smoking is one of the greatest challenges that we face and 82 per cent. of smokers start the habit when they are teenagers. We have taken many measures to tackle teenage smoking, including banning tobacco advertising—something that the previous Government consistently refused to do—and introducing tough enforcement on underage sales. From 13 September 2000, the Government launched an enforcement protocol with local authorities to ensure that existing legislation on underage sales was properly enforced. That is monitored by trading standards officials from time to time. The Government also support proof-of-age card schemes that protect shopkeepers and children alike, and there are tougher new restrictions on the siting of cigarette vending machines, which must be located in a monitored and supervised area.

My hon. Friend also spoke about the effects of passive smoking in the home. In 2002, the International Agency for Research on Cancer conducted an extensive review of the evidence. It concluded:

> "There is sufficient evidence that involuntary smoking (exposure to second-hand or environmental tobacco smoke) causes lung cancer in humans."

The overall conclusion was that involuntary smoking is carcinogenic to humans, and the agency is the accepted world authority on carcinogenic risks.

Second-hand smoke exposure causes lung cancer and ischemic heart disease. It also causes serious respiratory illness and asthmatic attacks in children, as my hon. Friend said, and second-hand smoke exposure triples the risk of sudden infant death syndrome. Middle ear disease in children is often associated with exposure to smoke, which also causes pregnant women to give birth to lower birth weight children.

Mr. Sheerman: Although my hon. Friend is expounding a brilliant set of facts, we still have a Government who refuse to ban smacking and smoking in pre-school nursery settings. We have the information, and if we believe it we should surely deliver on it. Campaigners within the Chamber and outside are waiting for her to explain what will be done to protect children and workers in particular, since they are at the forefront of the battle.

Miss Johnson: I will deal with some of my hon. Friend's points shortly. I have the luxury of a little time and I am trying to use it as constructively as possible. I am sure that I will not satisfy him on all those points, but I will come to them.

I will deal with the workplace as that has particularly concerned my hon. Friend, as shown in his recent remarks. The point was made that public opinion is in a transitional state on smoking in confined public spaces—not open spaces but all others—and that is correct. There is a shift in public opinion to banning smoking, but also a division of view among both smokers and non-smokers.

[Miss Johnson]

When the subject arose in a recent discussion, I was struck by the fact that some trade unions, such as Amicus, whose job it is to protect workers, circulated material arguing against a ban on smoking in workplaces, particularly in the entertainment industry, due to a concern about jobs. That is no reason for the Government not to introduce a ban, but some people who might be expected to argue strongly for it are not doing so.

Mr. Sheerman *indicated dissent.*

Miss Johnson: My hon. Friend is shaking his head but I do not know why.

Mr. Sheerman: I am a member of the union that the Minister just mentioned and I spoke at a recent conference held by the TUC on the matter. The trade union movement has dealt slowly and poorly with that aspect of workers' rights. However, as we both know, in the TUC and across the trade union movement, change is coming fast. If she is not aware of that, she should be. I have not seen the material that she mentioned, but will take it up with the general secretary at Amicus as soon as I leave this Chamber.

Miss Johnson: I am grateful for my hon. Friend's remarks. I suggested that there is a transition in all public opinion and that includes the trade unions.

Existing legal requirements on employers in the workplace come under the scope of the Health and Safety at Work, etc. Act 1974, which states:

"It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all of his employees."

If we are to ensure protection against second-hand smoke in public places, there must be action nationally and locally both to raise awareness of the risks associated with passive smoking and to increase the prevalence of smoke-free environments. The Department of Health will continue to encourage the development of smoke-free policies, working with both employers and communities.

Locally, the Department funds tobacco control alliances across England to work in communities to raise awareness and increase the number of smoke-free environments. Findings from those projects will inform the development of the Department's work. The Department of Health will, in addition to existing action, develop educational and information resources to raise awareness and understanding of the risks associated with passive smoking.

In that context, the Government are still considering the code of practice and I understand hon. Members' frustration. However, the Health and Safety Executive has been asked to examine the costs further, as they affect the small business and hospitality sector.

Chris Grayling: The Government have taken a long time to consider the issue—when will they stop?

Miss Johnson: That is not entirely under my control, but I assure the hon. Gentleman that I acknowledge that the process has gone on for some time. It would be good to conclude the discussions, but the time scale is not under my control—it involves parts of the Government over which I have no say.

Linda Perham: I think that my hon. Friend's argument about small business was also advanced in a colleague's reply to a debate secured by my hon. Friend the Member for Huddersfield (Mr. Sheerman) in March. I mentioned the problems that employers have with insurance premiums—the risk of fire and so forth—because of people smoking. I hope that not only small businesses but all businesses will regard attacking the problem of smoking as an opportunity as far as health and safety is concerned, not as yet another bit of red tape.

Miss Johnson: I share my hon. Friend's enthusiasm for the approach that might be taken and I agree with her remarks.

The public places charter—a hospitality industry-led initiative—declared an intention to improve facilities for non-smoking customers and for pubs and restaurants to highlight their smoking policy through universal signage. That was mentioned by several hon. Members, not least my hon. Friend the Member for Ilford, North in her opening remarks. The charter set the target that, by January 2003, 50 per cent. of pubs should have a formal smoking policy in place and available to customers. However, an independent validation showed that by January only 43 per cent. of pubs had the appropriate signage in place, which could mean that smoking is allowed throughout, and a formal written policy available to customers. That obviously fell short of our target. Most pubs still have smoking throughout and only a handful are entirely smoke-free. That is not satisfactory progress.

Later this month, officials from the Department will meet the charter group, which is responsible for the charter, and will consider any positive suggestions for improving health. As more companies recognise the health benefits for their staff and customers of becoming smoke free they will follow suit, but it is true that more motivation and enthusiasm need to be engendered in some to make the progress that is right and proper.

The Government acknowledge that much needs to be done in tackling smoking, but we have an excellent record of doing so—a record that is recognised worldwide. We have put in place a number of measures that have an impact on smoking. We have set up a comprehensive support service for smokers to help the 70 per cent. who want to quit. Cessation aids such as nicotine replacement therapy are available on the national health service. There are dedicated helplines for all smokers, for pregnant smokers and for south Asian tobacco users. The NHS stop smoking service is designed to help smokers to give up with expert professional support.

Among the measures having an impact is the Tobacco Advertising and Promotion Act 2002, which brought to an end billboard, newspaper and magazine advertising of tobacco products. From the end of July this year, virtually all sponsorship featuring tobacco products had gone.

In July, we launched the UK's first television campaign to raise public awareness of the health risks from second-hand smoke. It is estimated that 42 per

cent. of children live in a house where at least one person smokes and that approximately one third of smokers—more than 4 million people—continue to smoke near children. Smoking near children is linked to cot death, serious respiratory illnesses, asthma attacks and serious breathing problems. As the advert says, every year thousands of children have to go to hospital because of breathing other people's cigarette smoke.

The advert is the first step in a campaign to increase awareness of the risks of second-hand smoke not only to children, but to everyone. We have followed it with more information, newspaper advertisements and billboards highlighting the risks. In addition, the new, larger health warnings on cigarette packets, which became compulsory at the end of September, include the messages: "Smoking harms you and those around you", "Protect children: don't make them breathe your smoke" and "Smoke contains benzene, nitrosamines, formaldehyde and hydrogen cyanide."

We aim to raise awareness of the health risks from second-hand smoke to enable the public to take steps to avoid them. The chief medical officer, in his annual report published earlier this year, drew particular attention to the seriousness of second-hand smoke.

Mr. Sheerman: Will my hon. Friend the Minister talk to the Health Minister in the Irish Republic about the planned introduction of a ban in public places, and will she listen to and learn from him? Will she remind my right hon. Friend the Prime Minister that he said that we are at our best when we are at our boldest? Although there were many good things in her speech, it did not sound bold or like a Government at their best.

Miss Johnson: I shall ensure that we are in touch with developments on the smoking ban in Ireland. In any case, we take a wide interest in what is happening on the issue around the globe, not only across Europe. I shall ensure that we see whether any lessons can be learned from it.

As a result of the tobacco control alliances a number of cities and towns have declared their intention, on a voluntary basis, to create more smoke-free environments and thereby be able to declare themselves smoke free. From 1 April this year, the Department of Health has become entirely smoke free. We offer support and help to staff who want to give up smoking, and encourage others to follow that example.

This autumn we sponsored conferences in each of the English regions so that local organisations could meet to share examples of good practice. The conferences have been chaired by regional public health directors—there is a high-level commitment on the public health side—who have an important role in any event in increasing local awareness. Various businesses are getting involved in that initiative. There are speakers at the regional conferences from organisations as varied as the Cambridge Blue pub, Mars in Slough, the Land Registry in Plymouth and Aston Villa football club. It is a fairly disparate collection of interested parties, but that gives the feel of the range of businesses and employers—in the public and the private sectors—that recognise the importance of tackling smoking and responding to the wishes and needs of workers and their customers.

Chris Grayling: Will the Minister give way?

Miss Johnson: I should like to finish if I may. Public attitudes towards smoking and smoking in public places have been gradually changing in the past two decades. The days when cinemas, theatres, underground stations and trains were filled with smoke are in the past, notwithstanding the earlier remarks about GNER. It is in response to such changes in public attitudes that many businesses have moved to provide smoke-free premises. It is particularly noteworthy, as my hon. Friend the Member for Ilford, North commented, that the popular chain of restaurants, Pizza Hut, chose to go smoke free in response to both customers' and workers' wishes. When a restaurant business that is a name recognised throughout the country takes such a step, others should take note and act accordingly.

There has been a measurable shift in the number of smoke-free workplaces since "Smoking Kills" in 1998. Figures from the Office for National Statistics show that in 2002, for the first time, more than 50 per cent. of workplaces were free from smoke—that is up from 40 per cent. in 1996. Perhaps that is not enough, but it is progress. The same publication shows that the number of people wanting to eat in a smoke-free restaurant has been well above 80 per cent. for several years in a row. That statistic should be used to encourage operators of restaurants to respond appropriately to public demand.

Of course, old habits die hard—we know that that is particularly so with smoking—but things are changing, and we are more aware than ever of the risks of smoking and the effect of passive smoking. I recognise that we have some way to go and I encourage those employers and businesses that can make a real difference to show leadership in responding to public and customer demand for more smoke-free places. I am committed to real progress in all aspects of reducing smoking and assure my hon. Friend the Member for Huddersfield, who has urged on me the opportunity to make a name for myself in this regard, that I shall do all that I can to ensure that all partners who can help to achieve this result make more steady progress than they may have made to date towards achieving what we all want to see in the due fullness of time.

Mental Health Services

10.59 am

Mr. Stephen O'Brien (Eddisbury): I am grateful to Mr. Speaker for making the time available for this debate on mental health services in the United Kingdom. It is clear to those of us who take an interest in the subject that the debate will be extremely important. The way in which a society treats those least able to play a full role is a measure of how civilised it is.

Mental illness is society's unspoken epidemic. It is rarely discussed. All too often, people regard mental illness as a weakness and stigmatise the individuals who suffer from it. The draft Mental Health Bill, which was published by the Government in 2002, has not helped to alleviate that. The debate surrounding the Bill concentrated on the potential dangers posed by psychiatric patients rather than on the more important issue of the appropriate treatment for all patients. We need to shift the debate away from those rare incidents of violence—important as they are when considered individually—that stigmatise anyone with a mental health problem. Health policies can and must be shaped to support those who suffer from a mental health condition in what can, at times, be an atomised and alienating society.

More than one in five people are afflicted by mental illness during their lifetime. It is therefore fair to say that everyone in society—whether in the context of the family, or in a caring capacity—is affected by mental illness. However, those suffering from such an illness often have the smallest voice in terms of representation and in getting society, and the Government in particular, to wake up to their needs.

This debate is therefore a good opportunity to give the mental health sector, and the people affected by it, a true and loud voice. I therefore welcome the Minister, and hope that she will be able to give answers today that will provide hope to all those following the debate. If she does, that will be in contrast to the lamentable performance—and that is not intended to be a pun on his name—of her predecessor at the virtual Dispatch Box in Westminster Hall, now the Under-Secretary of State for Constitutional Affairs, the hon. Member for Tottenham (Mr. Lammy). In his response to the debate on this subject on 7 May 2003, he did not treat the subject with the seriousness, respect, dignity or importance that it warranted.

I therefore hope that the Minister will be able to put right the deep deficit on the Government's balance sheet in the way that debates in Westminster Hall have been handled. I also hope that—because her predecessor has been moved on—she will be able to make amends for the woeful Government response on that occasion.

It is fair to say that all Governments have moved on since the dark days when we used to talk about mental health patients and the asylum. It is important and necessary to pay tribute to the enormous number of highly professional workers in the mental health sector, and to those who are committed in a voluntary capacity to our mental health services. In our constituencies, we are aware of the enormous debt that we owe to all those who, with deep commitment and long-term dedication, care for many people who are afflicted by mental illness. To those of us who are lucky enough, at this stage in our lives, not to believe that we suffer from mental illness, devising the optimum treatment for such sufferers appears baffling.

We must also be careful, however, not to be cowed by the wish for what is increasingly becoming the norm in today's politics—and described by that ghastly word "consensus". Consensus is soggy and invariably ineffective. It is a sort of middle way or third way, which is anathema to getting action. We need action rather than words or comfort blankets in this area, and we have been waiting for that action from the Government. I do not differ from other Opposition parties in saying that we are looking for action, not simply rhetoric and fine words.

Before I move on to more detailed and substantive issues, I should like to talk about a phrase that society generally should stop using. The Government have been wont to use it completely erroneously when talking about the official Opposition and saying, "The lunatics have taken over the asylum". It is disgraceful of them to use such a phrase. I do not use it; I have never used it because it shows such deep disrespect. Yet Ministers and even some Cabinet Ministers have used it. The media have occasionally used it too. Normally I am absolutely against political correctness, but this has nothing to do with political correctness. It is to do with the deep sensitivity and the concern that society should show for people who have a mental illness. I hope that from hereon that wrong, nasty and thoughtless phrase will not be used by any Minister or by anyone in a position of authority.

I say that with some passion because I well remember as a young boy my mother driving me past what was then known as the asylum near Warrington. She was a nurse and she used to say, "Now, Stephen, just remember that those are really poor, afflicted people in there. There are fantastic nurses who look after them. The one thing I hope you will never grow up to do is to call this place an asylum. It is a hospital and a place of care." I have always held that thought with me. She said the same about Fazakerley hospital near Liverpool and Lancaster Moor hospital. It is time that we moved away from some of the language that was relevant a hundred years ago. In view of the compassion and expertise that we have in today's society, mental health sufferers deserve better than some of the loose language that we continue to use. This point matters.

The mental illness spectrum is vast. We must take care to recognise that some mental illness is defined in terms of the potential risk to self, as opposed to a risk or even danger to the public at large. That is a key feature of mental illness, once it is diagnosed correctly and the right medication prescribed. I know from my personal family experience that medication is the key to maintaining a regime of control and dignity in these matters, yet medication is often the one thing that the sufferer does not want to take, which makes the illness even more difficult to treat.

In addition to the range of risk, there is the age spectrum. We have increasing longevity; shortly some 2 million in our society will be over 85. Many of them will, of course, develop Alzheimer's and dementia. Such increasing longevity certainly presents problems and challenges for our society.

At the other end of the spectrum are young people. Most hon. Members present will be familiar with the organisation YoungMinds. Incidentally, it is disappointing that only three Conservatives, two Liberal Democrats and only the Minister and her Parliamentary Private Secretary are present. It is a shame that this is such an ill-attended debate, particularly on the Government side. YoungMinds describes the unrelenting rise in mental illness among the young. We have all become aware in our constituencies of the marked increase in the number of young male suicides. It is a significant issue revealing both stress and an inability to cope in what I referred to earlier as an increasingly alienating and atomised society. We need to observe that issue carefully and take the right steps.

Other points on the mental illness spectrum are what might be described as stress and forms of depression moving through, say, schizophrenia to what are also called personality disorders. I do not want to get into a debate on this today, which would be straying a bit far from the main topic on the Order Paper, but we need to take a much more clinical and dispassionate view of the difference between mental illness and certain personality disorders. I do not want to go down the rather legalistic route of examining whether, for example, paedophilia—abhorrent as it is in all ways—is a mental illness, a personality disorder or some other form of condition. What matters, and what was so patently missing in the draft Mental Health Bill that we saw a year ago, is a focus on what is treatable rather than simply on what is a danger.

If we look at mental health from the point of view of what is treatable, we can, as part of our responsibility as a civilised society, examine what can make the life and participation in society of certain individuals better, rather than examining the danger to, and protection of, those of us lucky enough not to be afflicted. Our mental approach, our mindset, to mental illness—I hope that I am not being too tautological—should be that we are on the side of the person suffering, helping to give them better prospects in life, rather than being on the other side. Without wanting to apportion blame, I think that being on that person's side has not generally been the mindset to date.

What is the scale of the problem? The number of people off work sick with mental illness has increased by a quarter in a long period of relatively static figures for missing work through sickness. Since 1997—this is not a political point; it just happens to be the date that I have—the number of those claiming disability living allowance because of mental illness has increased by three quarters. The toll of personal distress, and distress for families and carers, is something that we do not cost, but can all appreciate, and we should not be shy of discussing the economic cost to the nation, because it is real.

Another very real factor is not often discussed. When we speak from the very privileged surroundings of a debating forum in which we all expect to have our full mental faculties and when we discuss people who suffer from temporary or long-term mental illness, we should see it as part of our sense of self—our sense of pride and confidence in our country and ourselves as part of a civilised and compassionate society—to address the matter with the priority and care that it deserves.

More needs to be done on the interactive side, and on how those with mental illness can participate most in day-to-day society. I look to the Minister to give at least an indication about and, I hope, answers on the pathways to work strategy. We must look very carefully at whether people on benefits are capable of being at work. A three-pronged strategy is needed. First, we need to increase doctors' sensitivity and understanding. I am not making any criticism of current practice, but we must increase their diagnostic and other abilities in mental illness, so that they match those in the field of physical illness. Secondly, there must be more flexibility over part-time working. It is quite obvious that many people who have gone through stress and who may be the most capable of being treated so that they can get back to work more easily and earlier may not initially be able to face a full week's work. An environment of flexible part-time working would help.

Finally, we need to do much more—whether we call this joined-up government or joined-up benefits—to link rules. If someone is capable of going back to work part-time, they are therefore no longer incapable. However, if they are no longer incapable, there is a real risk that they will lose their disability living allowance. We need to look carefully at how the rules link. There are often perverse incentives for the professionals, and there is the possibility of adding to the stress and confusion of those trying to overcome problems.

Another point to bear in mind, although I shall not stray too far down this path today, is the need to consider learning disabilities. Although such disabilities are not in themselves mental illness, it is interesting to note that Mencap has said that learning disability leads to an intense, long-term unrelenting frustration, even agony in the sufferer, that can lead to forms of mental illness. Without reservation, I praise Mencap for all that it does; I am sure that I am joined in that by everyone here today. It is an outstanding organisation, which is very well led and has a most remarkable, committed field force with the deepest expertise. I hope that that is not regarded as something that is too easily said. Mencap deserves praise, and it will certainly get it from us today.

We must look carefully at linking learning disability provision with mental illness. The Hollin Green school for learning and physical disabilities in my constituency deals with the families and provides residential opportunities—an issue to which we may have to return. I recommend that the Minister visit that place one day as it is an example of the best practice that makes links in the community.

Before I touch on a couple of other issues, I would like to mention another underlying principle. We have heard from the Government on the matter before, and I would appreciate hearing from the Minister today a genuine update on where the valuing people strategy has got to following the White Paper. My point relates particularly to child and adolescent mental health services. In relation to the valuing people strategy, one of the critical issues that the Minister will have been briefed on may well concern whether we will get the mental health legislation. When will we see the Bill that has been so long under consideration?

As we know, the Government published a draft Mental Health Bill in the autumn of last year, and it was met with near universal condemnation. I do not think

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anyone would seek to correct me on that. The proposals in the Bill that provoked the most concern included measures to introduce compulsory treatment in the community, and proposals for the indefinite detention of people with severe personality disorders. It was a coercive measure and, ultimately, a shockingly dehumanising piece of proposed legislation from the Government.

The Mental Health Alliance, representing a group of more than 50 mental health organisations, said that the proposals would backfire because more compulsory detentions and forced treatment in the community would drive people away from seeking services. Marjorie Wallace, the chief executive of the mental health charity SANE, claimed that the Bill would not address the fundamental problems of mental health provision. The Law Society and the Royal College of Psychiatrists issued a joint statement unequivocally rejecting the Government's proposals for reform of the Mental Health Act 1983. They said that

"in our opinion, the proposals are fundamentally flawed."

Having promised mental health legislation for the 2002–03 parliamentary Session, the Government have failed to publish a final Bill or to give any indication of when legislation will be forthcoming. However, the Department of Health has promised to publish the consultation responses before publishing the new Bill. I hope that we can learn today, as a result of the debate, what the Government's intentions are. That would be helpful for all and not just those in the House. An awful lot of people—notwithstanding the fact that the Chamber is not overflowing today—will be following today's deliberations, and will be looking to see what answers are given.

The Conservative party has made it clear—I rely on the latest position from the shadow Minister who is here today—that if the Government were to introduce the Mental Health Bill as previously drafted, it would oppose it. That is well understood and accepted. We have had a year's consultation with, I hope, all the specialties, and shown a great deal of sensitivity to the various spectrums that I have outlined. We also recognise that the removal of liberty is the last, not the primary resort, so we have to put it on the record that there is a desperate need for a mental health Bill, but it must be the right Bill. It must contain the right provisions.

I call for such a Bill today, and I know that my party has consistently called for it. I ask the Minister to say whether it will be a priority for us in the forthcoming legislative year. All those who take a genuine interest in the subject need to feel that the time and care that they spent in consultation and in trying to influence Government policy was worth while because it will result in a genuine step forward. There should be a legislative move rather than simply the massive, protracted talking shop that is getting us nowhere.

On medical services for mental health, the interface with social services is critical. It is critical not only in emergencies, but in day-to-day life, particularly in relation to housing in residential areas, and the more common aspects of the ways in which people with mental illnesses find that they have to live their lives. I refer to people with a relapsing or remitting form of mental illness that is not consistent over time.

There is now a new challenge. When the three district authorities in my parliamentary constituency were under Labour and Liberal administrations—I am glad to say that the situation has changed somewhat dramatically over recent years and we have Conservative administrations—there was a rush to privatise the social housing stock. I am sorry. I said that we must be careful about the use of language so I must be politically correct and use the Government's message. The word is "transfer", not "privatise".

There is now an increasing problem because people with mental illness are no longer able to go to a connection of various agencies and authorities, and there is also the matter of considering what is the appropriate placing, within housing stock, of people with relapsing or remitting types of mental illness. We need to consider that issue carefully. I hope that the Government will have something to say about that.

The perfectly laudable aim of the national service framework for mental health, which sets seven national standards for mental health services, is to drive up quality and reduce variations in services to patients and service users. It is intended to include round-the-clock crisis teams for emergencies, more mental health beds and improved training for general practitioners. As I understand it, there is a genuine attempt to ring-fence mental health money and the various mental health trusts are intended to reflect that.

It is, however, October 2003 and—although I condemn in all other respects the Government's completely ineffective and distorting ghastly target regime—we have had more than three years under their target regime for an assessment of what they believe they have achieved in comparison with the targets that they have set themselves. I refer to the impressive speech made in this Chamber by my hon. Friend the Member for Daventry (Mr. Boswell):

"I turn now to the NHS plan targets. I hope that the Minister will comment on the Department's claims in meeting them. I note that the mental health mapping atlas, which was published in June last year, pointed out that there were particular problems in providing a 24-hour service for mental health crisis resolution teams. Fewer than half the teams then established—52, from memory—were meeting that requirement. We all know that mental illness does not operate on a nine-to-five basis—even if the office does. A problem may become acute in the small hours of the night. It is simply no good fulfilling targets nominally, but not meeting them in substance."—[*Official Report, Westminster Hall*, 7 May 2003; Vol. 404, c. 221WH.]

The complete lack of any assurance or answer to that point is partly why I was so openly critical of the former Minister and why his performance on that occasion was so disappointing and lamentable. I hope that there will be an answer today.

I hope that there will be a genuine recognition that staff vacancies continue to be a problem. My wife is a nurse and we met when she was doing her psychiatric training at Highgate. It was part of the critical training for all nurses to understand how to nurse psychiatric patients and that led my wife to decide to continue nursing in the oncology and terminal cancer care area, working particularly with old people. Having an understanding of how to nurse psychiatric patients

becomes a must in terms of the full-scale professionalism that must be devoted to people of that age in those conditions.

There are a huge number of staff vacancies in the nursing, psychiatric and medical areas. I hope that the Minister will tell us what progress has been made since the problem was highlighted in the earlier debate, and before that, by the shadow health team. I hope that we will hear that there has been genuine progress, because there is no point in having fine words and strategies without having enough of the professionals who choose to do a particularly tough type of professional care and work. I am worried that only one third of primary care trusts have completed evidence-based guidelines.

I thank the British Association for Counselling and Psychotherapy for briefing me today, although there is not enough time to go into all its arguments. There is a real concern that, partly because of targets, there is too little flexibility to recognise the huge value that counselling and psychotherapy can add to the provision of mental health services. The Government should be tested by the measures that they set themselves, even if we do not agree that those measures are likely to be effective. The targets have been in place for more than three years. By any test, a target can be assessed as met, not met or, at least after three years or more, whether it is on target, missed or fudged.

We must consider whether the targets focus only on severe mental illness rather than on primary care for mental health. We should also examine the assessment of the effectiveness and desirability of early intervention. In so many walks of life, early intervention is key. I cannot find—I will be grateful to the Minister if she can prove me wrong—where early intervention was measured in the target regime. I come from the world of business, so I know that what one measures is what one gets. If early intervention is not measured, we will not get a real focus on it.

I have two further points and then I will have taken up my full share of time. First, there has recently been a huge campaign about community pharmacies. Thousands upon thousands of my constituents have signed petitions, and, as a result of the enormous pressure brought to bear on the Government and various quangos to recognise the real danger of community pharmacies being lost, there has been movement in the right direction.

I have received the briefing from the Pharmaceutical Services Negotiating Committee, and I am happy to copy it to other Members who are interested, although I would be surprised if it has not been made available to them. It sets out very clearly why, in addition to all the advice that they are able to provide, community pharmacies are so important in recognising early symptoms of mental health problems, identifying signs of relapse, helping with concordance, encouraging good mental health practice and helping to change attitudes towards mental health patients and the perceptions of their problems.

We should not forget the enormous difference made by the footfall of communities through those shops. People can be seen regularly without losing face, and other members of the community can help them. I hope that the Government will not relent and will recognise that, in addition to all the other arguments, those with mental health problems benefit enormously from the advice, knowledge and discretion available in community pharmacies.

Finally, a story from my constituency may help. Several of my constituents have used the wonderful Gainsborough road respite unit in Crewe for many years. Crewe is not in my constituency; it is in that of the wonderful hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Sadly, the unit was recently closed despite a prolonged and determined campaign conducted by a number of us. It is so easy to forget how important the respite or drop-in opportunity is for mental health patients. It provides medication and a support group of people whom the patients know and trust. It is as much a part of their treatment and their ability to cope as anything else. If we know anything about mental illness in addition to the professional medication and treatment programmes, we know that people need coping mechanisms and trust so as to surround themselves with confidence, the lack of which is often the deepest undermining aspect of their mental make-up.

The Gainsborough road unit was a marvellous place for people quietly to recharge their batteries. I have received a letter from a constituent, Sheila McKeowen, who is a state registered nurse. She is deeply involved with the unit:

"Last year the Respite Unit for the mentally ill in Gainsborough road Crewe was closed despite all our efforts to keep it open. You intervened on our behalf but unfortunately to no avail. Prior to its closure in May 02 four of us had a meeting with management and were promised in its place a Rapid Response Team and a unit to be run by trained staff and social services. None of this came to fruition.

Since then numerous clients have been admitted to hospital, who would have benefited from a short stay at Gainsborough road. Not only was it residential for 8 people. It was manned by trained staff 24 hours a day. This meant people in distress and alone could phone any time day or night for advice and reassurance. The problem is psychiatric staff and social services finish work at 5 pm and are unavailable weekends and bank holidays. The only alternative is to phone Leighton and speak to a stranger.

I have been fortunate in having good community support from a psychiatric nurse and an outreach worker for whose services I pay the County Council. In your final letter to me last year you asked me to keep in touch if there were problems. Winsford has a small MIND group."

Mind is another laudable charity, but she points out:

"Other than that there are no facilities for the mentally ill."

She asks us to do all that we can to reverse that desperately distressing situation, which has exacerbated the already tough time endured by those who benefited from the services provided by Gainsborough road.

The Minister should ask mental health trusts and other NHS organisations whose work relates to the provision of mental health services about their strategies to recognise the importance of front-end respite care, because opportunities to use respite units seem to be diminishing.

Finally, I am not calling for the micro-management of that area—we must trust and boost the professionals. It is, of course, up to the Government to find the necessary resources to ensure that the right things to treat all those afflicted by mental illness can be done. There is a responsibility to examine where there are dangers to members of the public, but we should not make that the

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focus of our attention and activity. For the sake of patients, carers and professionals, we should compassionately and professionally examine the full range of treatment available to anybody who is afflicted by mental illness at any time in their life. In a civilised society, people should be able to live participative, dignified, respected and full lives. That is a minimum requirement for us to be proud to live in our country.

11.32 am

Mrs. Patsy Calton (Cheadle): I congratulate the hon. Member for Eddisbury (Mr. O'Brien) on securing this important debate. I was pleased to hear him refer to child and adolescent mental health services because I want to highlight an issue that affects children and their families in my constituency and, indeed, the whole of the metropolitan borough of Stockport.

I know that the Minister is not responsible for child and adolescent mental health services and, given the title of the debate, it will obviously be difficult to get answers today. I have corresponded with other Ministers about the issue in Stockport, where there is currently no specialist child and adolescent mental health service. There are no consultants in what used to be Stockport health authority, which has been subsumed into Greater Manchester health authority.

The correspondence to which I referred involved trying to find out how, despite the lack of child and adolescent mental health specialists, interim services can be provided in Stockport while child and adolescent mental health services are sorted out. Although there are 13 or 14 specialists in the Greater Manchester area, they unfortunately cannot take on work from Stockport. My latest correspondence from a Minister indicates that general paediatric consultants, excellent as they are, have the benefit of a telephone helpline. That might be appropriate for the outback of Australia but not for Greater Manchester, where the distances are not as great.

Unfortunately, child and adolescent mental health services has become an umbrella term not just for mental health conditions but for a range of others that may have associations with mental health but that are not directly mental health-related. For example, I have become particularly interested in autistic spectrum disorders, given the number of my constituents who are affected.

The Government have produced the document "Every Child Matters" for consultation. It includes much that is good and commendable, but I am very concerned that it suggests that all areas are expected to put in place a comprehensive child and adolescent mental health service by 2006. That is more than two years away at the minimum, but children and their families in my area need specialist advice now. They need to know where to go. Unfortunately, they are in the position, not just with medical health advice but with related agency advice, of having to go from one appointment to another—if they can get appointments, which is not always the case. Sometimes they have to wait two or even 18 months, when virtually everyone is aware that early intervention is needed for child and adolescent mental health problems.

I am not in any way decrying the excellent services that Stockport metropolitan borough council and the local health service provide. I recognise the benefits of the portage service, the social care that is available, the work that is done in education and by community services, the Connexions service and the disability database. The problem is that Connexions and other services are not connected. At present, there is no lead person or professional who points parents and carers and their children to the right place. I am very worried that there may be a two-year period in which little or no improvement is made.

There are bits of excellent service available all over the place, but parents and carers must find it for themselves. It is not clearly laid out for them, and it is almost as though they stumble by accident on to some of the services that they receive. That simply is not right. They should not have to go to their Member of Parliament to find out about such services. If a child is identified as needing multi-agency work, that work should be available from the beginning.

My plea today is that the named person—the lead professional—and full, comprehensive child and adolescent mental health services must be in place well before 2006. Children and their families are suffering and having to cope now. They must get the help and support that they need before another two years have passed. It is in the interest not just of the families and the children but of the whole society that early intervention, which makes such a huge difference, and the wrap-around service that people need should be available to my constituents and others.

11.39 am

Mr. Robert Key (Salisbury): Mental health services in Salisbury and south Wiltshire are very dear to the heart of my constituents. Therefore, I am pleased to be able to take part in this debate, thanks to the foresight of my hon. Friend the Member for Eddisbury (Mr. O'Brien). We are all very grateful to him for securing this debate for our first day back.

I wish to address the broad issue of the provision of mental services, mentioned by my hon. Friend, and the matter of locking up people who have not committed a crime just in case they commit one. That is the most contentious part of the Government's proposals for the reform of mental health services.

I give an example from my experience. A convicted man, who was in prison for some years for manslaughter, was released into Salisbury precisely because he had no connection with the town. There was an enormous police and health service operation to provide surveillance of him from the moment he was let out of the bus. We were briefed in advance that he would be watched and were told that the moment that he broke his bail conditions he would be put straight back inside, so everything would be all right. We thought, "Is this right?" Of course, he broke his bail conditions. He hopped out of the bus, walked up the road, went straight into an off-licence and was immediately rearrested and put back inside. Everyone breathed a sigh of relief. The alternative was to say that, because this man had a diagnosed mental condition and because there was a significant chance that he might reoffend, he should not be let out in the first place. As I understand it, that is what the Government are proposing.

In a mature democracy, it must always be unacceptable to deprive a citizen of his liberty just in case he reoffends. That is the position that we have to take. The reform of the Mental Health Act 1983 must be consensual because there will always be professional differences of opinion between different branches of psychiatry. If they cannot agree, it is right that such moral and ethical issues should be decided in the House of Commons. We will have to take those decisions on behalf of our constituents, the professionals and those to whom future laws will apply. Indefinite detention is the problem, not the solution, when it comes to mental health services, and I hope that my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) will have something more to say about that matter.

In my constituency, in common with most others, the provision of mental health services over many years has been complex. There is a complicated pattern of delivery in general medical services and, in particular, in mental health services. There was a splendid Nightingale hospital, the Salisbury general infirmary, in the heart of town, and it was an excellent place.

In 1945, the former American field hospital at Odstock, a hutted hospital that had been built in preparation for the liberation of Europe, was handed over to the new national health service. It provided the backbone of local acute services for my constituents for many years; I had my tonsils out there in about 1952 in an American hut. It did not do me any harm; indeed, it did me a lot of good. We were grateful for those facilities and for the generosity of the American people in providing them just after the war when we needed them more than they did. A hospital is still there on the same site, although I am glad to say that hardly any huts—either American-style or Nissen—remain; there is a fine Salisbury district hospital.

A contentious strategic decision was taken not to relocate the old asylum to the new hospital site. The acute provision was to be at Odstock in the new district hospital and the mental health services were given a lower priority. There is nothing new in that; it is the experience up and down the country. Mental health services always get the Cinderella treatment. However, I am delighted that a substantial building programme, which has been planned for more than a decade, is at last coming to fruition and new buildings are opening, although the strain on the mental health team has been enormous. I pay tribute to the magnificent consultant and the team who run the local site. They have been pushed around from pillar to post. They moved to a new office block to administer the service at Century house in Endless street, which is aptly named, and were then told that the premises were too expensive and that the building would be sold to pay their wages for another year. I jest not. That is what happened.

The position of the people providing mental health services has been uncertain. The team has been overstretched and undermanned and the reforms that were introduced in recent years have caused the loss of quite a lot of income from, for example, the county of Hampshire because the service went over the county boundary and provided services for part of Hampshire. That has now stopped so staff have been withdrawn.

There has been no guidance yet on, for example, how the service can be run to conform to the new European directive on working hours. The staff have no clue as to how that will be met. That matters enormously and even more to the acute provision of mental health services than to general acute provision. The staff do not know how they can possibly afford the new mental health services in the face of such bureaucratic decisions.

The team battles on and there is no doubt that it will settle down on the new site because its dedication is clear to everyone. However, a particular problem remains—the lack of an overall strategy for the provision of mental health services, including health services for young people. The county council has an excellent children's service, which it reorganised. It provides a wonderful service for my constituents and their children, but how does its attitude to mental health provision interface with the primary care trusts and the district hospital? There are elements of the mental health service for young people and the rest of the community at the district hospital when they should perhaps be based with GPs or in a special unit run perhaps by a children's trust. Some people suggest that the way forward is for the various partners to come together in care provision. There is also the overriding problem of respite care and how that interfaces with the different agencies whose mission seems to be very unclear indeed.

I needed to put those matters on the record because this is a great opportunity for the Minister to deal with our points. She is a sensitive Minister and I know that she will do her best. However, I hope that the Government are aware that joined-up government must take account of the provision of children's services not only by her Department, but by county councils and ensure that there is a proper read-across from the acute services provided by district hospitals and GP services supervised by the primary care trusts.

In Salisbury and south Wilshire, we are holding our breath. I shall continue to speak from the heart for those constituents who need our help and I shall continue to champion the cause of the remarkable professionals who run our mental health services. In the dying years of this Parliament, we shall expect the Government to address some of the issues with more vigour than they have shown since 1997.

11.48 am

Mr. Paul Marsden (Shrewsbury and Atcham): I add my congratulations to the hon. Member for Eddisbury (Mr. O'Brien) on securing this important debate. He did well to introduce the wide-ranging issues and I associate Liberal Back-Benchers with his kind tributes to many of the mental health organisations, charities and health care professionals. I also echo his concern that not a single Labour Back-Bencher seems to want to contribute to the debate, which is regrettable as the issue is so important.

I congratulate the hon. Member for Salisbury (Mr. Key) on raising constituency issues and the eloquence with which he spoke. I hope that the Minister will deal with those issues. The matters raised by my hon. Friend the Member for Cheadle (Mrs. Calton) may not fall directly within the Minister's remit, but I sincerely hope that she will pass them on to her hon. Friend because the problem is clearly serious.

[Mr. Paul Marsden]

I shall direct my comments to the draft Bill, which we have seen some 16 months after the Government promised that they would introduce it. It is long overdue and will replace the Mental Health Act 1983. It is highly regrettable that the Bill seems to have been introduced in a vacuum, as it does not relate to other parts of the health services, such as primary care or housing or social services. It is a mixture of a much-needed updating of mental health legislation and repressive legislation that will lock up people who have personality disorders. I agree with the hon. Member for Eddisbury, as we will add to the stigma that is regrettably attached to those with mental health problems if we allow the Bill to proceed unamended.

The Bill seems to focus primarily on compulsory treatment in the community, and its definition of mental disorder is far too widely drawn and regressive compared with the original 1983 Act. The Bill mentions care plans but does not guarantee that they will be implemented. It also removes the treatability test in the original Act, which is that an order for compulsory treatment can be made only when treatment is likely to alleviate or prevent a deterioration of the medical condition. I cannot understand why that is removed.

The Bill may lead to excessive and inappropriate use of compulsory treatment in community settings, and real damage may be done to the relationship between the health care professionals and their patients, who will have the fear of compulsion hanging over them. There may also be pressure on the professionals to recommend compulsory treatment in the community as a form of defensive medicine. We already have the ongoing problem of disproportionate use of compulsory treatment for patients from ethnic minorities—that will continue and might be made worse by the Bill.

Other vulnerable groups, particularly the homeless, will also be targeted by the Bill. In 1998, the Government published their report on rough sleepers, which found that between a third and a half of the homeless suffer from mental health problems. We should be trying to help those people more rather than locking them up, which will be the practical effect of the Bill. That will also be a distraction to and diversion of existing mental health resources, taking them away from where they are needed—front-line patient care—into more bureaucracy and red tape. We will find more procedures to cover compulsory treatment, which may ultimately be a waste of public money.

The worrying point is that the Government, after being opposed by more than 50 mental health groups led by the Mental Health Alliance, want to go even further. In June this year, *The Guardian* reported that following a meeting between the Home Office and the Royal College of Psychiatrists, the Government want to give courts the power to detain in hospital people who are deemed to be dangerously mentally ill, even if they are not charged with an offence that is punishable by prison. For example, if someone was stopped for speeding and deemed to meet the criteria, they would be locked up.

That is not my suggestion, but that of Tony Zigmond, the Royal College of Psychiatrists' lead member on mental health reform. He has also said:

"This new plan is a disgrace and shameful. The government should be hanging its head in shame in how it is treating the mentally ill. If this action was taken against any other group in society it would be called prejudice."

This is not a personal attack on the Minister, because she is new to the issue and I know that she is a fair-minded individual who has a good track record of listening to people. I hope that she will listen now, as there is a danger that this will come across simply as a quick-fix solution to try to grab an easy headline for the writers of certain right-wing newspapers to satisfy their prejudices.

The professionals are overwhelmingly against the current form of the Bill. What was reported in *The Lancet* belies the Government's approach. It said that at a conservative estimate, six people with dangerous and severe personality disorders would have to be locked up to prevent one of them from possibly acting violently. Five out of six people, who are not violent and are no danger to society or themselves, could be locked up to try to find that one other who might be. That is no way to act in a decent, democratic society.

I shall put that figure in context and get it into proportion. Each year there are approximately 700 tragic homicides. Every life is precious and we want to act where we can to reduce that number. Out of that average of 700, however, only about 39 a year can be attributed to people who have been referred to mental health services in the year preceding the offence. Those 39 may have had mental health problems that led to the violence, but we do not know that for certain. Let us weigh that up against the fact that, as reported in the last health profile in June, in my county Shropshire alone there are on average 31 suicides. Almost as many people commit suicide in one small county in Britain as arguably have mental health problems and commit homicide in the whole country. Yet, to try to satisfy those headline writers, all the attention seems to be focused on the draconian action that the Government should take against those individuals.

Likewise, as has been said, the number of prison suicides has risen under this Government from 41 in 1997 to 94 at last year's count. This year, the number will be more than 100. A person is 13 times more likely to commit suicide in prison than in the wider community. Does that not tell us that something is fundamentally wrong, which the Government should address rather than focusing their attention as they have?

The Liberal Democrats would like to ensure that the treatability test is put back into the legislation. We want to ensure that there is a reciprocal principle so that where compulsion is required—sometimes it is—entitlement to appropriate care and access to that care is also guaranteed. There should be the necessary resources for all the additional administration that will no doubt be created and there should be a guarantee and a right for all patients to nominate a person to act on their behalf, including access to trained advocates. In short, we want treatment and care of the mentally ill to be based on optimising patient advocacy and providing the highest quality care for those who need it. The vision should be about people, not about perceived problems. We want more support for families, carers and mental health professionals, who are overworked and under enormous pressure. The Royal College of Psychiatrists has said that another 600 professionals will be needed to cope with the new legislation.

My questions on the Bill for the Minister are as follows. When will the final Bill be published? Have the Government listened to the thousands of voices steadfastly opposed to the current drafting? Will they focus the new mental health Bill on the individual patient rather than on the Home Office's perceived problems? Otherwise, the Liberal Democrats, like the Conservatives, will oppose that legislation.

One final thought: we talk about our concerns at a high level and we are concerned about possible effects, but the Government are not tackling the fundamental problems. A gentleman came into my office three or four weeks ago. He was homeless. He readily accepted that he had mental health problems. He had been released from hospital in Yorkshire and was wandering around the country. He had arrived in Shrewsbury and was trying to find a place for the night. There was a complete lack of understanding; there is no joined-up thinking between services. My office spent two hours on the phone trying to secure a roof over the gentleman's head. There was a lack of understanding—the housing office wanted him to walk a mile and a half to fill in forms so that they could put a roof over his head for that night. They then expected him to walk another half mile or so in order, possibly, to secure some travel money. As he was mentally ill, he refused to travel by train. He would take only buses or coaches, so we had to ensure that we could get him back from my office to the Yorkshire hospital the following day. We did that, but we did not do it by filling out forms. We did not do it by saying, as the services seemed to do, "We expect you to walk all the way across town even though you have broken ribs because you slept rough on the streets. I'm afraid we do not take any great interest in your personal well-being." It was easier for me to pay for a bed and breakfast to take him in for the night than to force the services to work together and to appreciate what it is like to be mentally ill. Such problems can be overcome; nevertheless, a helping hand is required. That is what it is all about.

The Government will say, rightly, that there are more resources and I congratulate them on that and on making it a priority. However, they must ensure that the resources get to the front-line services. They must ensure that they start to deliver for the most vulnerable people in society. At present, they are failing those people.

12.1 pm

Tim Loughton (East Worthing and Shoreham): What the debate has lacked in numbers, it has certainly made up for in quality. I reiterate the congratulations to my hon. Friend the Member for Eddisbury (Mr. O'Brien) on returning to this important subject. He was right to say that the former Minister responded woefully to the debate on 7 May, which made it all the more necessary that we keep the subject at the top of the agenda. My hon. Friend struck exactly the right note with his wide-ranging comments—perhaps not surprisingly, as I noticed during his speech that his comments were written on the back of a music score. The way in which society values and looks after people with mental illness is a touchstone of the strengths of that society.

I agree with the hon. Member for Cheadle (Mrs. Calton) about the big problems around the country with child and adolescent mental health services. There are big divergences in the level of services provided and early intervention for young people is crucial, because it is a false economy not to get to the root of the problem while an increasing number of young people develop mental illness in those early years.

My hon. Friend the Member for Salisbury (Mr. Key) is absolutely right about coercion. There is a libertarian issue in the proposed legislation. We all agree with his comments about a Cinderella service, although we did not know that he had made such a large personal sacrifice of his internal organs to cement Anglo-American relations in the post-war environment. The details he gave suggest a tonsils-for-tanks approach.

The debate is timely because the Queen's Speech is in a few weeks, and Opposition Members hope that it will include a mental health Bill that reflects all the horror at, and the objections to, the Government's original attempt in draft form 16 months ago. It is also timely to have the debate a few days after world mental health day last Friday, in which I am sure many hon. Members participated.

Part of the Conservatives' intention is to keep mental health high up the agenda, and to raise the profile of a subject that has been far too much hidden away and feared as a taboo. We have held two mental health summits in Westminster and we should be holding a third at the end of the month ahead of the debate on the Queen's Speech. We have been working with the Mental Health Alliance and all its partners to maintain the pressure for the right mental health legislation.

The debate is also timely because, as hon. Members will remember, the extraordinary headline "Bonkers Bruno locked up" appeared in *The Sun* just three weeks ago. Many of us who saw that headline recoiled in horror at the language used by our most popular tabloid newspaper. Frank Bruno would not have attracted that sort of headline if he had been diagnosed with cancer or had suffered a stroke. Why, therefore, should he be castigated in such disgraceful terms simply because he fell foul of a mental health problem? We must reach the day when people with mental health problems are treated no differently from those who have suffered a stroke or have a condition such as diabetes. Mental illness is just another health problem; it does not make people any less human or less deserving of the help and treatment that is required than if they had a physical ailment.

As my hon. Friend the Member for Eddisbury rightly said, the way we treat people with mental health problems is a test for society. That headline pandered to the "lock 'em up" mentality of certain tabloids, and I fear that the Secretary of State for the Home Department shares that mentality. That is not the answer. We must give the mental health services greater access to funding within the NHS, and further dispel the stigmas that affect one in four people in the UK.

However, that headline did a lot of good, because the readers of *The Sun* forced the paper to reverse its approach. The following day, it contained an article by Marjorie Wallace, the chief executive of SANE, and the paper has been forced to set up a fund to help people with mental health problems. I welcome that big turnaround in its approach. It could prove to be a

[Tim Loughton]

significant turning point in the way in which people regard mental illness. I wish *The Sun* well in its conversion, if it now promotes a manifesto for greater understanding of mental health by ordinary people in the UK. In targeting Frank Bruno, *The Sun* picked the wrong target, and I am glad to see that he is fighting back. I am sure that all hon. Members here today wish him well.

It is important to discuss mental health services because, as the hon. Member for Shrewsbury and Atcham (Mr. Marsden) said, we are not merely updating the 1983 Act. Mental health legislation is still based on the legislation of 1958 and 1959, and it is therefore about 45 years since it was fundamentally reviewed. That is why we must get the new legislation right.

The evidence, however, does not give great cause for optimism. YoungMinds, which was mentioned earlier, launched its new website on mental health day. I congratulate that organisation on the great job that it does in providing information to people affected by mental health problems. One million children have some sort of mental health disorder, yet only 27 per cent. of them will receive assistance from specialist health services. Some 45 per cent. of looked-after children between the ages of 15 and 17 have some sort of mental disorder, and that problem needs to be given greater priority.

I also refer to the campaign by the *The Independent on Sunday*. A recent article by Sophie Goodchild, which was based on research done by the newspaper and by the Conservative health team, focused on the treatment of people from ethnic minorities with mental health problems. The article revealed some starkly worrying figures. For example, Afro-Caribbean men are seven times more likely than white men to be sent to a medium-secure unit, 51 per cent. of patients in the London psychiatric hospitals surveyed were black, compared with their 17 per cent. representation in the population as a whole, and 28 in every 100,000 black men end up in a secure unit compared with four in every 100,000 white males. Women born in India and west Africa have a 40 per cent. higher suicide rate than those born in England, and Caribbean men are 10 times more likely to be diagnosed as schizophrenic.

I therefore ask the Minister how the Government are addressing the problem with real action. Is it true that the Government suppressed a report by Professor Sashi Sashidharan? She is a member of the Government's mental health task force and produced the report "Inside Out", which concluded that mental health services were institutionally racist, that the issue of ethnicity in mental health services has been marginalised or even ignored and that the problems were getting worse. Perhaps the Minister would like to comment on that.

I have mentioned the campaign by Maca concerning people suffering from mental health problems in the workplace and my hon. Friend the Member for Eddisbury has covered that ground. I would also like to mention the survey by the Royal College of Psychiatrists concerning funding, which found that on average among mental health trusts there had been a real-terms reduction in budgets of 0.8 per cent. Out of 45 trusts surveyed, three had experienced a reduction of more than 5 per cent. in their budgets, another three had experienced a reduction of between 2 and 4.9 per cent., and 10 a reduction of just under 1 per cent. Those are alarming figures.

We hear about all this new money but it is not ending up at the sharp end treating people with mental health problems where it is required. We carried out an extensive survey of all mental health trusts throughout the country and found—surprise, surprise—that the new money is being used far too much to pay off inherited debts. We found that 73 per cent. of trusts have not yet employed primary care workers, only 22 per cent. have multi-disciplinary assertive outreach teams, only 17 per cent. have early intervention teams, only about half the trusts with crisis resolution teams have 24-hour cover, 85 per cent. of the trusts that we spoke to said that the provision for child and adolescent mental health services is inadequate and that 70 per cent. do not offer women-only day-care facilities. Those provisions are all required by the Government's mental health strategy. Boxes have been ticked, but at the sharp end the services are not there, the coverage is far too patchy and people are not benefiting from the things that we all agree they need.

I come finally to the draft Mental Health Bill. It is a vital opportunity to update 45-year-old legislation. The draft Bill was published 16 months ago, but more than 2,000 consultation responses have still not been published by the Government. Will the Minister tell us when those consultations will be published, and will she confirm that they will be published in full rather than in some abbreviated form? Will she give us a progress report on whether we are going to see the Bill in the Queen's Speech? Will it be the same as the draft Bill, or will it be a properly amended Bill that takes account of the consultations? Will the Bill be examined by a pre-legislative scrutiny committee? A precedent has perhaps been set by the draft Mental Incapacity Bill, and many of us would welcome such consideration given the legal expertise one would be able to call upon from both Houses to inject some sense into the Bill. Perhaps the Minister will show us that the Government really are listening in relation to this important legislation.

We have serious problems with many aspects of the draft Bill and, most of all, with the elements that involve coercion. There is also the duty to provide general assessment that is not a requirement. The treatability test has already been mentioned, and we want to see process and safeguard measures involving advocates, nominated people and the role of carers. There is the issue of continuity of care such as the right to free treatment for mental health, which was in the 1983 Act and is not mentioned in the draft Bill. Some people require special protection: what are the rights for 16 and 17-year-olds who fall down the gap between child and adult services? How will the legislation relate to the Children Act 1989?

There is also the matter of some of the more severe treatments, such as ECT, psychosurgery and high drug dosages. Prescribing standards are not mentioned in the Bill for those and other intrusive treatments, but will it take account of them? Many questions arise from that draft legislation, and we need to get it absolutely right. It is vital legislation that we have the opportunity to produce only once in a generation. I urge the

Government to introduce a proper Bill. Let us take the coercion out of it. We need a Bill that is all about treating people and helping people with mental health problems—a health Bill—rather than a Bill that is all about locking them up, which would be a law and order Bill. I hope that Minister and her colleagues are listening. If they are not and the Government go ahead with the draft Bill as it was, we will be part of the enormous alliance that wants to kill the Bill and get back on track with real mental health legislation that is about helping people with mental health problems, not just about locking them up and stigmatising them.

12.14 pm

The Minister of State, Department of Health (Ms Rosie Winterton): It is a pleasure to serve under your chairmanship, Mr. Deputy Speaker. The debate has been very interesting, and I congratulate the hon. Member for Eddisbury (Mr. O'Brien) on securing it. It has highlighted the importance of developing modern mental health services for the one in six people at any one time who suffer from a mental health problem.

I shall try to address as many of the points raised in the debate as possible, as well as some aspects of the draft Mental Health Bill. I hope that hon. Members will understand that I cannot go into too much detail about the Bill at this stage, but I shall certainly try to return to it.

I begin by highlighting the fact that the priority that the Government have given to mental health, putting it up there with cancer and coronary heart disease, has been welcomed by all sections, many of whom felt that mental health had been considered a Cinderella service. There has been under-investment in it for many years. Many hon. Members have talked about targets, planning and priorities. The feedback that I get from those who are working on the front line and in the voluntary sector is that we should continue to give mental health the priority that it has at present, because what has happened has made a real difference.

Before there is too much condemnation of targets and priorities, I urge hon. Members to bear in mind the people who are involved. I join the hon. Member for Eddisbury and others who praised the work that is done in this very important sector, not only by many thousands of NHS staff but by those who work in the voluntary sector and by the many thousands of carers who give our society so much support in very difficult circumstances.

One in six people at any one time suffer from a mental health problem and, as the hon. Member for Eddisbury said, suicide is the most common cause of death among young men. We have tried to address that in the strategy that we published recently in an effort to consider the issue and to see what more can be done. Each year, more than 600,000 people with serious mental ill-health problems receive care from specialist mental health services, and many more look after themselves or rely solely upon their GP.

Let me give some background to the national service framework. It was designed with the input of stakeholders and service users. It identified the need for early intervention and crisis resolution, so that people were not put into a hospital situation but, as far as possible, were treated in the community. To fast forward delivery of the NSF, £300 million has been made available. It is new investment, over and above the 2001–02 baseline.

There are criticisms about how the funds have been feeding through to front-line services, and the hon. Member for East Worthing and Shoreham (Tim Loughton) talked about that. Hon. Members must bear it in mind that the first year was a planning year that allowed people to get a proper idea of where the money would go and which services needed to be provided at local level. We have absolutely firm evidence that, last year, some £262 million extra was spent. That has resulted in more than 100 crisis resolution teams and more than 200 assertive outreach teams being in place, and in targets for early intervention teams. At the same time, we want to consider whether there are new ways of working in those teams, to break down some of the traditional barriers that have prevented the working together that we need across the professions. The money is getting out there.

We recognise that there are recruitment problems in some areas, but 25 per cent. more psychiatrists and 7 per cent. more nurses are in place. We are considering other issues, including graduate workers, so that we can ensure that the teams operate appropriately.

Tim Loughton *rose—*

Ms Winterton: Let me say this, because it may deal with what the hon. Gentleman wants to say. When we feel that the plans are not adequate, we are working with strategic health authorities to ensure that the money is directed towards the targets and priorities that we have set. Although it is important that local people set up ways of working that suit their areas, we are concerned to ensure that, through the SHAs, there is the right service delivery. We will work with the SHAs on an ongoing basis to ensure that that is the case.

Tim Loughton: Will the Minister confirm that, on matters such as crisis outreach teams, the figures that she gave related to a snapshot date, which I believe was 31 March? There are many cases of someone's date of leaving the service being stretched to 1 April and the date for the new person coming into the service being brought forward to 31 March, so that both could be counted in the figures for 31 March, although in reality there was only one person. That is the sort of bogus nonsense on which many of the Minister's figures are based.

Ms Winterton: I reject the assumptions behind the hon. Gentleman's remark. The figure for the money being spent is based on the autumn survey. I need to correct myself in one respect, because in fact the number of consultant psychiatrists has increased by more than 20 per cent. since 1997, the number of nurses has increased by more than 25 per cent. and the number of psychologists has increased by more than 50 per cent. However, we are not complacent. It is important that we continue to ensure that the 24-hour service to which the hon. Member for Eddisbury referred is available. I assure him that, when there are areas of concern, we want to ensure that an efficient, effective and high-quality service continues to be available to people.

[Ms Winterton]

I shall deal briefly with the draft Mental Health Bill before addressing some of the points that were raised. I cannot today give some of the detail on the Bill for which hon. Members asked, but I can say that I worked throughout the summer with the stakeholder groups to ensure that we have the right Bill and I will continue to do so. I know that there are concerns, but in this area we must have a balance. I think that we all agree that there is an overall need to update the 1983 legislation. We need extra safeguards for the people who are detained. We need to ensure that the legislation is updated to make it compliant with the European convention on human rights. At the same time, with regard to stigma and discrimination, we must recognise that we need a system that reassures people that there are safeguards for the wider public. In my discussions with organisations from the Mental Health Alliance, we are reaching a consensus over some of the principles and we are discussing some of the practicalities of how the legislation will work.

I can give a firm reassurance that it is certainly not our intention to increase the number of people subject to compulsion. The definition of mental disorder coupled with the strict conditions that must be met before compulsory powers can be used will ensure that only people for whom compulsory treatment is necessary receive it. The Bill will not oblige doctors to treat patients nor make people use facilities. The conditions for compulsion include the requirement that appropriate medical treatment must be available for the individual patient concerned. That should reassure hon. Members who have raised that point. I hope that, in discussions with the groups involved, hon. Members will receive feedback that suggests that we are making progress in addressing concerns that have been raised through our examination of how the Bill can be put into practice.

I take on board the comments that have been made on children's and adolescent mental health services. We recently announced an extra £240 million for that. I realise that there is slow progress at the moment but we are looking to improve those services as quickly as we can because of the very real problems presented there.

On stigma, the hon. Member for Eddisbury mentioned pathways to work. He is absolutely right. I am working with the Department for Work and Pensions to see how we can ensure that we give support to people who have been on incapacity benefit for a long time but wish to return to work. We must make sure that we do not write them off as being incapable of doing any more work for the rest of their lives. In many senses, that means, as he said, changing the perceptions of health care workers. Returning to work should be seen as part of getting better and returning to normal life, rather than it being said that being on incapacity benefit is how life is going to be led in the future. It is important to take a cross-Government approach, which is why the social exclusion unit brings together different Departments to examine discrimination against people with mental health problems.

In addition, it is important to get the message over to employers that they need to provide support to people who are in work and suffering from stress problems. Recently I, along with some high-profile people in the private sector such as Lord Stevenson, launched more guidance to employers to ensure that such support can be available. Employers should no longer be frightened of how to cope with someone who says that they are suffering from stress. We need people to come forward and be upfront about their problems, but we also need to ensure that employers have proper strategies in place to deal with them.

The hon. Member for Eddisbury also mentioned losing benefits. There is quite a lot of flexibility in the benefit system at the moment. We are running pilots through pathways to work to look at how we can improve that.

I absolutely agree that there is much more that we can do on the role of community pharmacists, especially in medicines management and respite care, which are very important and must be delivered at local level.

Today's debate has been constructive and has raised many issues, but I hope that I have provided reassurance that we are making progress in the national service framework. Issues still need to be addressed and we are well aware of them, but we are moving to ensure that there is a high-quality service for people with mental health problems and that a mental health Bill will provide greater safeguards to this important group of people while at the same time providing the public with proper security.

Offshore Oil and Gas

12.30 pm

Mr. Bob Blizzard (Waveney): I am pleased to have secured this debate, particularly at a time when the United Kingdom oil and gas industry is at a crossroads. Oil and gas is not a sunset industry, either in this country or the rest of the world. In energy debates in Westminster Hall and in the main Chamber, hon. Members often argue that we are running out of oil and gas. That is not true in the world. Vast reserves remain and many remain to be discovered. I am sure much more oil and gas will be discovered following advances in technology and innovation.

We are not running out of oil and gas in the UK either. Production reached an all-time high only last year or the year before. We will be a net importer of gas in about five years, but we should also remember that this country is the fourth largest gas producer in the world and the 10th largest oil producer in the world, making us a substantial player on the world stage. We will continue to be so for a good while to come.

There may be as much oil and gas left yet to be extracted as has already been produced to date, which means that we are probably half way through. In the early 1960s when gas and oil were discovered, it was said that reserves would last 20 years. We are still saying that they will last 20 years. What has changed in the meantime is the huge technological advance, which exposes another false perception about the oil and gas industry. It is not a dirty, dinosaur industry but a high-tech industry involving leading-edge engineering solutions. That image needs the well-paid, high calibre jobs that are on offer.

My final introductory point concerns the sheer scale of the industry and the magnitude of its impact on our economy. We all know the huge amount of money that was involved in building the channel tunnel. The oil and gas industry is equivalent to a channel tunnel each year in terms of spend. It supports approximately 265,000 jobs and has generated £190 billion in revenue for the Treasury through taxation since the 1960s.

Why do I say that the industry is at a crossroads? For the past few years there has been little new exploration. Few wells have been drilled. Only about 16 were drilled in the United Kingdom continental shelf last year and some of those were not particularly exploratory. That has to be a concern because if we do not explore we will not find; if we do not find we cannot produce; if we do not produce we will not maximise the extraction of the oil and gas that we need for our own energy needs and for Treasury income through taxation. It has been said time and again that undiscovered fields pay no tax at all.

We also need to maximise extraction for jobs and the economy, especially in oil and gas areas like my own constituency. A recent study of the East Anglia oil and gas area concluded that there were about 6.2 jobs in the local economy for every operating job in an oil company through contractors and the supply chain. That is a telling statistic. Many of the issues relating to low levels of exploration have been focused on by Pilot. Pilot is a model of industry-Government co-operation. More than one incoming American chief executive officer to whom I have spoken has complimented us on how accessible our Government are and how they are listened to much more than their Government.

In spite of all Pilot's good work, we still have low levels of exploration. The Chancellor was wise when, earlier this year in the Budget, he announced a review to examine the issues and identify measures to stimulate and encourage more exploration.

It is not the case that nobody is interested any more in exploration in UK waters. It is true that our oil and gas province is in its mature stage and that most—although certainly not all—of the big discoveries have been made. We have a healthy number of new companies—they are often smaller, but are still big companies in themselves—which have been entering the United Kingdom continental shelf with exploration ambitions. Some are showing a keen interest in wild-cat exploration and some are interested in doing more exploratory drilling around the margins of existing fields. It is noteworthy that there are 53 companies involved in the latest licensing round under the new promote rules, which encourage the kind of risk taking that we want to see. I congratulate the Department on coming forward with that promote round.

We could be on the verge of a new era in the North sea. However, a number of obstacles need to be tackled as part of the review. For a start, there is access to infrastructure—the existing platforms and pipelines needed to get new reserves and finds ashore. I have heard of numerous complaints from companies both large and small about unreasonable charges demanded by some of the majors who own the infrastructure. Those charges, based purely on avoidance costs, block developments or delay them while long-winded negotiations take place. That kind of problem discourages the new culture of exploration and risk taking that we want to foster in the United Kingdom continental shelf.

The Department of Trade and Industry has powers to intervene if it receives a complaint but, of course, no one has ever made a formal complaint because people in business—often small players—do not complain to the Government about people with whom they want to continue to have some kind of business relationship. The DTI must not wait for complaints. It must establish an interventionist regime and an independent watchdog to determine fair rates. I urge the Minister to be strong when formulating the proposals under the review. We cannot allow our country's natural assets not to be exploited because of individual companies' positions in the marketplace of infrastructure use. We have tried voluntary codes of practice, but I do not think that they have worked sufficiently, and they certainly have not worked fast enough.

Time and pace are the key issues. If the stacked-up drilling rigs around this country are not commissioned soon, they are likely to move to other parts of the world and it would be prohibitively expensive to try to get them back again. Also, some necessary infrastructure—the hubs and platforms—is getting older. The longer it is left, the more expensive its maintenance becomes, adding to cost in marginal fields. If it is decommissioned, we will lose

[Mr. Bob Blizzard]

opportunities completely. That is why access to infrastructure must be taken seriously and why the Government must be strong about it.

There are similar problems with access to seismic data. Again, complaints have been made that it is difficult and sometimes costly for smaller companies to obtain such data. In the interests of the whole country, we need a national archive of that information that is open to all. We need a shift away from a culture of confidentiality to a culture of openness and co-operation and we need to recognise that there is a shift going on in the North sea from a small number of dominant players to a diversity of many more smaller companies.

Another, even more basic, obstacle to the exploration that we want to see is that some licences are retained by operators who are not doing anything with them. I understand that about half the North sea licences were awarded in the first four licensing rounds and, with oil company mergers, about two thirds of those licences are operated by just three companies. We need a robust process whereby operators agree to relinquish licenses for areas where they are not active. That should apply to blocks with no discoveries as well as those where a discovery may not have been developed. Good work has been done on that in Pilot, but such work and discussions must come to a crunch. We must apply a new, tougher regime to all such licences in the national interest to maximise the recovery of oil and gas. Companies that are willing explorers must have early access to blocks; time is of the essence.

Another problem is the alignment of partners. Many potential developments involve several companies, some of which may want to make progress while others do not, because that does not fit their global investment plan. I do not know what the Government can do about that; it is a difficult situation but we need discussions. Some companies are frustrated at not being able to proceed with what they view as an excellent opportunity because another company has different priorities. Time is running out.

Another obstacle is the fiscal regime. The Treasury has set a regime for existing production, much of which is derived from bigger and easier past discoveries. We must have a different regime for future fields and finds, which will be riskier, harder to find and smaller. We can learn lessons from other regimes around the world, where the mature phase has been reached. No tax is payable on undiscovered fields, so the Treasury has an interest in stimulating developments. I emphasise that we must not look at the issue solely in the context of a narrow equation on offshore taxation. We must consider the wider economic benefits that can flow to communities around the country, both locally and nationally, from the employment and supply-chain activity, and the tax that the Treasury can levy on that.

We must concentrate on measures applicable to drilling that would otherwise not take place, possibly including appraisal wells, which occasionally have to be drilled. We are considering not only outer margin wildcat drilling, but sometimes satellite drilling of existing fields, which may require an incentive to make it viable. A fiscal incentive is needed if we are to realise the potential and enter a new era with new entrant companies. We must listen to the experiences of those companies and their ideas. We do not have to accept everything that they say, but if we do not listen there is a danger that we adopt a mentality of managed decline.

The other side of the deal must come from the companies, whether new or old, large or small. The gain to the UK from the measures I have described will be jobs and economic activity flowing from discoveries. That will be realised properly only if the work goes to competitive contractors in the UK. It was sad that most of the fabrication of the last big development—the Clair development—went to Norway. Sadly, we now recognise that we no longer have the capacity to fabricate large jackets. However, UK companies are competitive for other parts of the platforms, and I hope that there is no repeat of the Clair scenario for any other big developments. I am sure that my hon. Friend the Minister shares my concern.

The process of the ongoing review is impressive. The DTI, the Treasury and the Inland Revenue have worked closely together and engaged widely and thoroughly with the industry. I cannot believe that the Government can undertake that kind of task every other year. This is the final opportunity to get the taxes and regulations on the industry right for the future to ensure that the new era occurs. Time is of the essence and the window of opportunity will close if we do not act decisively.

The key to maximising oil and gas extraction, which has always been the first aim of all policy through Pilot, is the pace of activity in the North sea. We need a positive announcement in the pre-Budget report. The problem is not that oil and gas are running out. The critical issue is the time left in which to exploit those resources. Time need not run out, and I hope that this timely review will deliver results.

12.45 pm

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I start by congratulating my hon. Friend the Member for Waveney (Mr. Blizzard) on securing this debate. People working in the industry have told me how much they appreciate his support and constructive lobbying.

The Government and the UK oil and gas sector have two main objectives. First, we must ensure that oil and gas resources within the UK continental shelf are fully and effectively exploited. Secondly, we must maintain the UK's pre-eminent position as a centre of expertise for the oil and gas sector.

I agree with my hon. Friend that to maintain that world-class reputation, the Government and the industry must work together. I also agree that Pilot—the oil and gas industry task force—has been an extremely valuable collaboration. In particular, a lot of work has taken place to ensure that the North sea remains vibrant and continues to attract investment from around the world.

My hon. Friend rightly made the point that the region is maturing, but he is also right to point out that there are still a lot of opportunities. The recent success of the Buzzard discovery—the largest UK offshore oil find in the past 20 years—is evidence of that. The scale of the

find caused some surprise, but, as my hon. Friend said, huge quantities of oil and gas—potentially greater than the amounts that have already been extracted—can still be produced from under the North sea. We must ensure that those opportunities are fully taken up.

We are keen to attract new players to the North sea, and I am glad that a number of the companies that have come here have had some important successes. It was excellent news to hear last month that Venture, which is comparatively new to the North sea, has made a successful discovery at Annabel in the southern North sea. That well has been tested at rates exceeding 50 million cu ft of gas per day and could deliver its first gas in 2004–05. I look forward to receiving a development plan for that field in the near future.

We want to encourage new entrants into the UKCS and to make things easier for those companies that are already here. That is why we have introduced the new master deed through Pilot, which brought in a streamlined system for licence and assets transfers. I was pleased recently to announce consent to the first transaction under the new system, namely BP's sale of its Bacton area assets to Perenco. I hope that others will now take advantage of the new system's benefits.

In the long-term, some 15 other north American companies are undertaking strategic assessments of the UKCS. They include US companies such as Apache, ATP, Challenger Minerals, Palace Exploration, Newfield Exploration and EOG, and Canadian companies such as Talisman, EnCana and CNR. We welcome their interest, which we want to reach fruition.

Mr. Frank Doran (Aberdeen, Central): Does my hon. Friend the Minister accept that all those new entrants, which we welcome to the North sea, face the fundamental difficulty—spelled out by my hon. Friend the Member for Waveney (Mr. Blizzard) in his important contribution to today's debate—of the control that the existing operators have over infrastructure? My figures are slightly different from those of my hon. Friend, but I understand that about 60 per cent. of the acreage left for exploration in the North sea is owned by four individual companies. We have reached the stage in North sea development in which the interests of those companies that first developed the North sea are perhaps running counter to the national interest. Most of the new incomers see access to the infrastructure and the unexplored acreage as fundamental, but it is far too expensive.

Mr. Timms: My hon. Friend raises important issues. I know how much his support for industry, particularly that part of it that is based in Aberdeen, is welcomed by leading players in the industry. We need to make much more progress in addressing the problem of fallow fields that are not being exploited at present and I will say in a moment what we are doing in that respect. It is important to stress that we want the major North sea players to continue to take an active role and I am glad that they showed a continuing interest in the 21st offshore licensing round.

My hon. Friend the Member for Waveney talked about the promote licences, which have been very successful. On 18 and 19 November, the Department of Trade and Industry and the Petroleum Exploration Society of Great Britain are jointly hosting UK Prospect Expo 2003, where there will be a good deal more information about what it is anticipated will come out of those plans.

My hon. Friends raised the issue of fallow assets. During the last 18 months, the fallow initiative, which has been taken forward through Pilot, has been aiming to stimulate more seismic activity and drilling on blocks and discoveries that have seen no activity for four or more years. We continue to push the industry hard to relinquish fallow acreage because, as my hon. Friends rightly said, we cannot afford to have assets sitting idle—in a number of cases, for a very long period.

There have been some successes. We have targeted more than 300 fallow blocks and discoveries for action and there has been significant renewed activity on more than 60 of them. More than 40 blocks have been relinquished and have been, or soon will be, offered for re-licensing. The next major release of fallow blocks will occur early next year and will contain many blocks from the first to the fourth round of licensing. As a result, I hope that there will be progress in opening some fields that have not been active for some time.

We must continue to work hard to increase exploration levels. Like my hon. Friend the Member for Waveney, I welcome the work being done by the Treasury. We have been looking closely at the two issues highlighted by my hon. Friend—access to existing infrastructure and access to seismic data. I agree with my hon. Friend that the offshore infrastructure on the UK continental shelf is one of our most valuable assets. It provides a basis for the continued exploitation of our offshore reserves, which might otherwise be uneconomic. We have looked closely at the issue through the Pilot working group, which has agreed to a new level of transparency on the deals being done in respect of access to infrastructure and also on the potential of a new process of intervention by the Secretary of State, who is automatically brought in when negotiations are unsuccessful. The Secretary of State also has access to legislative regulatory powers and to the Competition Act 1998. We have reached agreement on those points through the Pilot working group, and that is an important step forward in addressing the issue that my hon. Friend raised.

My hon. Friend also spoke about access to data, and I agree with him. A great deal of data have been gathered in the United Kingdom during 30 years or more of oil and gas activity. During Offshore Europe in Aberdeen last month, I announced two significant initiatives to improve access to that collection of data. Those initiatives are the result of close collaboration between the Government and the industry through the Pilot forum. I am pleased that UK companies have helped in that process by agreeing to allow the Department of Trade and Industry to publish exploration data after four years, which is full year earlier than previously.

In addition to exploration, we should not forget brown fields. Those that are already in production have the potential to yield prizes in terms of activity, investment and jobs. New approaches and new technology often allow operators to increase recovery

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from a field far beyond the levels originally predicted. I am delighted that in the past couple of weeks Tuscan Energy in Aberdeen has achieved the first oil production from its Ardmore field—formerly Argyll—bringing the UK's first field back into production 11 years after it was abandoned. That is an important illustration of the remaining potential on the UKCS.

Tuscan Energy has successfully redeveloped the field with the use of modern, long-reach drilling technology and production is expected to peak at 40,000 barrels per day in the first quarter of next year. Achieving further production from the field is an important achievement and a tremendous boost for the North sea. That shows just what is possible with new thinking and new technology and it is good news not only for the oil and gas industry, but for the economy as a whole.

Angus Robertson (Moray): On new thinking, will the Minister confirm that a number of initiatives are being considered to boost exploration, which is the main issue facing us in the oil and gas industry? When are the Government likely to make public the conclusions of those initiatives and how will they ensure that the initiatives have the desired effect of boosting exploration?

Mr. Timms: The industry is optimistic that the measures that we are discussing will achieve the objective. I have spoken a little about progress on the non-tax issues and in due course my right hon. Friend the Chancellor will make announcements about progress in the Treasury and Inland Revenue. I know from my discussions with the industry in private and when I was at Offshore Europe at Aberdeen last month that there is a lot of optimism about what we can achieve with the industry and Government working together.

Another important area is co-operation across the meridian line in the North sea between the UK and Norway. The energy White Paper heralded the forthcoming UK treaty with Norway to facilitate continued supplies of gas and followed last year's Pilot and Kon-Kraft report—Kon-Kraft is the Norwegian counterpart to Pilot—on North sea co-operation, which recommended that a new treaty be put in place to clarify the regulatory framework for a range of commercial projects across the boundary. That includes pipeline projects transporting gas across the meridian line, field developments that straddle that line and the use of host facilities for developing reservoirs from one side of the line, using infrastructure on the other.

The week before last marked a key milestone in the future partnership between the UK and Norway when both Governments signed up to principles that will underpin future cross-boundary oil and gas co-operation between them. These are to be incorporated in a new framework treaty. The agreement of principles to go into that treaty constitutes the most comprehensive energy co-operation yet between Norway and the UK and will facilitate the delivery of 20 billion cu m a year of Norwegian gas to the UK, which is equivalent to 20 per cent. of UK gas demand from 2006 and around the same proportion of Norwegian gas production. That is key to unlocking the remaining reserves within the median corridor and it will set us on the road to realising the $2 billion co-operation prize identified in last year's report. Pilot and Kon-Kraft are holding a joint meeting in London next month where I hope that we can further explore the opportunities for co-operation.

We must work together to maintain the UK as a centre of excellence for the business.

Post Office Closures (Eastbourne)

1 pm

Mr. Nigel Waterson (Eastbourne): I am delighted to have this very timely opportunity to raise the subject.

Although the title of the debate refers to Eastbourne, this is a national issue. Government policy has been a direct cause of anything up to half the post office network being rendered non-viable at a stroke. The introduction of direct payments—leaving aside all the other difficulties such as PIN pad design and the problems caused to elderly, disabled and housebound people—has dramatically reduced business and the footfall in many of our local post offices.

The Government accept that 3,000 branches will close. I suspect that that figure is the minimum rather than the maximum. That is set against the background of the Post Office losing upwards of £1 million a day despite still having close to a monopoly in its own business.

Record numbers of post offices have closed under this Government. More recently, the rate of closure has slowed. There are two reasons why, neither of which has much to do with Government benevolence. First, a lot of people who would like to sell their businesses as sub-post offices cannot give them away; they certainly cannot find any buyers because of the gloomy prospects for many sub-post offices. Secondly, a large number of people have been hanging on in the hope of receiving compensation for closing their businesses.

The Government and the Post Office have produced their so-called network reinvention policy, which involves a large bag filled with money to dole out to sub-postmasters and sub-postmistresses who are willing to close their businesses. Rumour has it—I do not know whether the Minister will confirm or deny this—that when there was an initial trawl through sub-post offices who might be interested in funding, the Post Office was appalled at how many of them put their hands up to ask for a share of the fund simply to go out of business. There must, therefore, have been a rethink.

The Post Office has now come up with the area plans system, which I raise on behalf of my constituents. I do not know why we were singled out for this particular honour, but we are the first place in the country to go through that process—we are the guinea pigs. Instead of a programme of piecemeal closures, the Post Office has now decided—I concede that there is some logic behind this—to consider each parliamentary constituency as a unit to try to determine logically whether there are too many post offices and whether they are too close together. At the end of the day, the system will produce closure proposals that have some internal logic.

Sadly, Eastbourne has been on the cusp of those new arrangements, which, until fairly recently, have verged on the shambolic. First, the Whitley road sub-post office was marked for closure, which has now closed. Secondly, out of the blue—I mean that, because it was announced in early August when many people were on holiday—the Post Office announced that it was proposing to close the Upperton road post office, which for most people is the main post office in Eastbourne. It is in the centre of the business district, and it is one that I often use. Incidentally, if it is to be closed because of a lack of business, I should point out that I must queue for quite some time to get served every time I go in. The proposal was announced by the Post Office, because Upperton road post office is directly administered as a Crown post office.

Just as the hoo-hah was beginning to die down about that proposal, another Post Office department announced independently that it was going to close three more sub-post offices in my constituency—in Compton street, Church street and Avard crescent. Those closures involved different departments of the Post Office and different consultation exercises that ended on different dates and were conducted by different people.

I am pleased to see that, in part due to my representations, the Post Office has taken a grip of the situation and brought together all the consultations, extending them to the same closing date, which happens to be this Thursday, 16 October. It has also agreed to my request to send representatives to a public meeting in my constituency, which will take place in Eastbourne town hall at 7.30 pm on Thursday. If the Minister has nothing better to do, he is welcome to join us. I shall be at that meeting, as will representatives of the local council. I want to pay tribute to the efforts of Postwatch, the consumer watchdog, which has been proactive in helping the consultation, supporting my efforts to ensure a rational approach from the Post Office and organising and chairing the meeting.

All sorts of petitions have been flying around. Earlier this year, I presented a petition with 8,000 signatures to No. 10 Downing street, but many have signed others, too. I have also been inundated with letters, e-mails and phone calls, so I can assure the Minister that there is strong feeling locally on the subject.

I have already conceded that it makes sense for the Post Office to consider an area as one whole. To use current jargon, it should examine the area and its needs holistically rather than just with regard to individual post offices. However, leaving aside the massive concern of those who want to continue to use the post offices, there are several points to be considered. The first is the question whether the Post Office will take any notice of the strength of local feeling, which runs across the board, including all parties on the local council. The chamber of commerce and the Federation of Small Businesses have also both been involved in lobbying.

The proposed closures, especially that of the Upperton road post office, will directly affect not only elderly people who live nearby and regard the post offices as a convenient place to make purchases and so on, but local businesses. The post office is slap bang in the middle of the town and surrounded by businesses, many of which have written to me to describe how they use the office for bulk mail and other services. Indeed, one of the main reasons why the local borough council previously shut its cash office was that the main post office was available just down the road for at least some transactions.

Another major concern is whether anything can be reversed. The Upperton road office is dealt with differently as a Crown post office, and the Whitley Road post office has already shut, which is very sad. However, the Post Office has not only identified the three other post offices that should close, but has already struck a

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deal with the sub-postmasters. That has not encouraged me to put my posters or petitions on their premises, as they are looking forward to being paid substantial compensation for closing down.

When I met representatives of the Post Office here in Westminster, I asked them whether in principle any of the decisions could be reversed. They assured me that they could, but from the point of view of commercial reality I wonder how right that is. I intend to test the theory to destruction, because one of my constituents is ready, willing and able to take over one of the post offices as a going concern. He has made an offer to the Post Office, but as far as I am aware he has not had any response as of today. I intend to pursue it on his behalf.

Another issue is the need to test the Post Office's business case for closure, especially in respect of Upperton road. It has made broad assertions about losing money. It has quoted and bandied around in the local paper figures that range from £65,000 to £100,000 in losses a year, but it will not give chapter and verse, as it regards the figures as commercially sensitive. However, my information from a mole in the Upperton road post office suggests that the staff are well ahead of their targets for reducing costs and increasing revenues, so much so that they are about to receive a bonus.

Presumably, the decisions have been made without taking any account of the recent announcement that was all over the press in the past week or so that the Post Office had struck a deal with, I believe, the Bank of Ireland, with £100 million being injected into the post office system to provide banking services. The Minister may tell us more about that. Is it really sensible for the Post Office to contemplate closure of so many retail outlets when it is doing its best to reinvent itself as a properly run commercial business?

I should also say in passing that the Post Office seems to believe that most of the business currently done by the Upperton road post office will easily migrate to the Terminus road post office, our other so-called main post office in Eastbourne. That is quite unlikely. In any event, Terminus road is already extremely busy. It has long queues and a great deal of its own business. Again, that issue will be gone into in even more detail at the meeting on Thursday.

There is another major concern. The Post Office said that the great advantage of the new approach—the area plan approach—is, as was put to me in my meeting with the Post Office, that it will not be coming back to Eastbourne. As far as it is concerned, that will be the end of the matter and all the pain will happen at once. The problem is that other local sub-postmasters and sub-postmistresses wanted to take the money but were not offered that particular deal. Their business may already be losing money, or they may be reaching retirement. The Post Office accepts that it cannot guarantee against what it terms force majeure closures. The closures have nothing to do with an act of God but are a direct result of the Government policies that I described earlier.

The situation is that already five of the 19 post offices in the town are set to close—more than one quarter—with no guarantee whatever that other post offices outside the area plan will not be forced to close in due course or feel that they have no alternative. In fact, the situation could be much worse. Could one third or one half of all the post offices in the town close?

When the smoke clears and the dust settles, the Post Office's stated aim of providing a post office within one mile of 95 per cent. of the urban population in a place such as Eastbourne could be shot to pieces—partly due to decisions of the Post Office itself and partly due to the Government policy that lies behind all this, but also partly due to the decisions of individual postmasters and postmistresses. I cannot emphasise too strongly to the Minister the consequences, particularly for the very elderly population in parts of my constituency but also for the business community, of such vandalism to a post office system that has served the local community extremely well for a long period. I hope that the Minister will have some words of comfort that I can take to the public meeting in Eastbourne town hall on Thursday.

1.14 pm

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I congratulate the hon. Member for Eastbourne (Mr. Waterson) on securing the debate and on the very close interest that he has taken in the lively discussion in Eastbourne in recent weeks.

I must say that I was sorry to hear the hon. Gentleman run down the post office network in the way that he did when he spoke about it becoming unviable. He is quite wrong about that. The post office network has a very promising commercial future. I want to reassure sub-postmasters in Eastbourne and elsewhere of the Government's commitment to a viable future for the post office network. Of course they recognise, as the National Federation of Sub-Postmasters has, that in urban areas where there have been large numbers of post offices in a small area there is simply no longer the business to sustain so dense a network. For example, more than 1,000 sub-post offices have more than 10 other branches within 1 mile of them. That density can no longer be supported, so we need a rational process to decide which branches should continue and which ought to close.

I am disappointed that the hon. Gentleman has talked about half the post offices or more closing. This process is about ensuring that there is a commercially strong and viable future for the branches that remain. That is why we have invested £500 million in technology to ensure that banking transactions can be carried out at every single post office branch in the country. I join the hon. Gentleman in welcoming the announcement of the joint venture with the Bank of Ireland to allow, within a few months, every post office branch in the country to sell financial services and new products further to develop commercial viability.

I was pleased to hear the hon. Gentleman's comments on the role of Postwatch. I am glad that what he has seen in Eastbourne confirms what Postwatch has told me of the effectiveness of its role in monitoring this process in urban areas. I am also glad that he gave a welcome, if a rather grudging one, for the area-based approach that the Post Office has now introduced. As he rightly said, we are seeing the first example of that in Eastbourne.

At the beginning of his remarks, the hon. Gentleman wondered why the number of post office closures had sharply reduced, especially in rural areas. That has been

the case in the past couple of years, and is precisely because the Government imposed a requirement on the Post Office that there should be no avoidable rural post office closures. That has been very effective, and is a direct consequence of the Government's approach. At the same time, we recognised the need for a sensible rationalisation of the urban network, given the issues about density in urban areas that I mentioned earlier.

The policy goes back to the recommendations of the performance and innovation unit in 2000, which recommended that if the Post Office decided that fewer offices were needed in some urban areas, the Government should consider providing funding to ensure that the sub-postmasters affected could be adequately compensated for the loss of their business. That report was widely welcomed. We accepted all the recommendations made, and following parliamentary approval of the funding last November, Post Office Ltd. initiated the programme that we are debating today.

The network of post offices includes nearly 17,000 branches, which is more than all the banks and building societies in the country put together. The Post Office is ensuring that, in a properly managed way, the post office network will meet the needs of the communities that it serves and fit the business passing through it. There have been reductions in post office usage for all sorts of reasons, past under-investment being one of the most important, but some two thirds of the urban population live within half a mile of two or more post offices, many of which have been struggling to survive. Rationalisation of parts of the network will improve its viability and allow the development of better services, from brighter offices, for customers.

The great danger of not having such a process would be unmanaged decline in which individual sub-postmasters simply decided to shut down and leave. That is what the hon. Gentleman feared might happen in his constituency. I hope that, on reflection, he will agree that the process we have put in place is a much better alternative and that it will avoid the unmanaged decline that he feared. It is important that all of us express confidence in the future of the post office network because it is such a valued feature of our lives in every part of the country, in urban and rural areas.

Mr. Waterson: Of course I agree with the Minister's point about unmanaged decline, but would he like to deal with my central point? No matter how much the Post Office organises an area plan—I see that there is some logic to that approach—it cannot cauterise the situation. It could shut those five offices and still end up with more offices closing in the next year or two.

Mr. Timms: I hope that as a result of the process, which has been designed to achieve this goal, we will achieve a viable network in the future. I have talked about the investment in technology for banking. It is now the case that any customer of Lloyds TSB, Barclays or Alliance and Leicester can withdraw cash from any post office in the country with their cash card. That is a new service, and we have seen rapidly increasing numbers of people taking advantage of it. I use it myself at my local post office; it is an excellent service. We have talked about the new products that the Bank of Ireland joint venture will produce.

There are no cast-iron guarantees that one can give about the future of any commercial business, but we can look forward with some confidence to a viable network in urban areas as a result of the admittedly rather painful and difficult process we are going through at the moment. I think that the hon. Gentleman will agree that completing that rather difficult exercise now stands us in better stead for having a successful and viable network in the future. I take his point about there not being cast-iron guarantees but there is a high level of confidence in my mind, and among those who work in the Post Office network, that at the end of the process we will have a financially sound network that will continue to serve all our urban and rural areas.

The hon. Gentleman made some points about the rate of closure of offices and the sales of sub-post office branches. I can tell him that in 2002–03 there were nearly 1,500 sales of post offices. The previous year there were about 1,600 such sales. I do not think that there is as significant a depression in the market as he suggested. The hon. Gentleman has talked about the branch at Whitley road in Eastbourne, which has already closed under the terms of the programme. Although nobody is pleased about the closure of any post office, the way in which that was handled meant that the postmaster could inform customers of what was happening, and of alternative offices, such as Terminus road, Marine parade and Seaside, all of which are less than a mile from the closing branch.

I am glad that the hon. Gentleman acknowledged that the Post Office has now pulled together the various proposals relating to its operations in Eastbourne. It has produced three proposals for compensated closures under the urban reinvention programme for Avard crescent, Church street and Grand Hotel buildings. It is also proposing to close its directly operated Eastbourne Crown office and will consider that proposal in conjunction with its wider plan for the area. I should say that I am advised that all those changes, including the Whitley road closure, would amount to five closures out of 22 post offices in the hon. Gentleman's constituency. I think that he referred to a figure of 19.

Mr. Waterson: There is no reason why the Minister should know this off the top of his head, but he will find that there are 19 in the town of Eastbourne. My constituency extends to places such as Willingdon and East Dean where, I am delighted to say, the post offices will remain untouched as long as they remain viable. Out of 19 post offices in the town itself, five will have closed if the plan goes through.

Mr. Timms: I bow to the hon. Gentleman's knowledge of the boundaries of the town. I think that only one post office in his constituency was classified as rural; no doubt he will correct me if I am mistaken on that as well.

There has been a lot of debate and I am glad that the Post Office has extended the consultation period for the Eastbourne Crown post office following the meeting with the hon. Gentleman on 8 September. That is an example of the attention that the Post Office will pay to local opinion and need before reaching its decision. Postwatch and I are satisfied that good processes exist to express local community concerns through Postwatch, and that those concerns can be effective in influencing

[Mr. Timms]

the final decision of the Post Office on individual closures. Under the programme, several closures have been proposed, which, following representations from Postwatch, have been amended or withdrawn.

In Eastbourne there is the issue of the Crown post office as well as the sub-post offices. Crown offices are generally the largest post office outlets in an area and the Crown office network makes substantial losses of around £50 million a year. I think that Eastbourne is unusual in having two Crown offices operating. In the financial year 2002–03, losses for Post Office Ltd. increased to £194 million, before exceptional items. Eastbourne Crown office is making an operational loss of around £65,000 a year, and that figure would increase if all the overheads were added. That illustrates the need for urgent action to maintain the viability of the network.

Consultation on the proposals for the hon. Gentleman's constituency remains open until Thursday and he referred to the public meeting being chaired by representatives of Postwatch on that day. He has been influential in securing that meeting and I hope that it will allow further, fruitful discussion of the proposals and give the company the opportunity to consider comments that are raised. Importantly, once decisions on the current proposals have been reached, Post Office Ltd. has no intention to return to Eastbourne with further proposals. The company's view is that, should the proposed changes go ahead, it will have fulfilled its objectives of ensuring that there is the right service in the area for the custom, and that the network can continue to serve Eastbourne on that sound basis.

An additional element of the programme is the £30 million that the Government have provided for modernising and adapting the offices that remain in the network. The key to improving standards in those offices will be the increased volume of expected business. The grants of up to £10,000—a figure to be matched by the proprietor—for each office expecting to take on a significant number of additional customers will also be an important boost. The Post Office will generally require the receiving offices to improve facilities and increase opening hours so that sub-post offices will maintain the same hours as the associated retail businesses alongside them and improve the service to customers in contrast with the hours being kept in the past.

The proposal is the first ever programme of Government investment in urban sub-post offices. It is a welcome, additional measure to those recommended in the performance and innovation unit report. The Post Office is assessing applications totalling more than £12,000 from branches in Eastbourne that would expect to receive additional custom should proposed closures go ahead. I am sure that the hon. Gentleman will welcome that and agree that it is important that sub-postmasters are given the encouragement to improve and develop their offices.

I am going to leave Westminster Hall immediately to attend the award for this year's best post office, a competition that has prompted enormous enthusiasm on the part of members of the public supporting their post offices. There is an immense commitment to the post office network and the changes that we are making provide a high-level assurance about the prospects of the business going forward.

Paediatric Allergy Services

1.30 pm

Jon Cruddas (Dagenham): I wish to raise a number of issues concerning allergy in the UK. I will talk specifically about paediatric allergy and the lack of allergy services within the national health service.

Allergy is a major public health problem in developed countries. In the UK over the past 20 years, the incidence of common allergic diseases has trebled, giving this country one of the highest rates of allergy in the world. In any one year, 12 million people in the UK—one fifth of the population—are likely to be seeking treatment for an allergy. Allergies range from debilitating conditions such as asthma and hay fever to life threatening conditions such as anaphylaxis.

There are solutions to the problems that face us. However, they require an understanding of the issues from within the NHS and a new strategic approach to the issues of allergy within the Department. A recent report from the Royal College of Physicians stated that

"despite the epidemic proportions of the disease, the health service is failing to meet the most minimal standards of care—far less clinical governance".

Today's short debate gives me the opportunity to raise some points regarding allergy—these are very real concerns to my constituents in Dagenham—as well as to probe the Department about why there are so few specialist allergists to meet the needs of the population in the UK. On a more positive note, however, the debate gives me the opportunity to propose a series of initiatives that might allow the Department to demonstrate an acknowledgement of the problem and a readiness to develop a training programme and infrastructure to improve the care available within the NHS.

At the outset I must declare an interest. My family has had first-hand experience of severe allergy and anaphylaxis. I am a member of the Anaphylaxis Campaign, which is the research and campaigning group raising awareness of issues centred around allergy and anaphylaxis. The campaign's food safety adviser Hazel Gowland is listening to the debate this afternoon.

I want to place on record my own personal debt of thanks first to the Anaphylaxis Campaign and its director David Reading for the support that they offer to thousands of families who have to confront issues of child anaphylaxis every year. From personal experience, I know that their work is critical for many families in terms of offering support and understanding to enable people to deal with the condition. Secondly, I thank the excellent paediatric allergy centre at St. Mary's hospital under Dr. Gideon Lack. As a family, we were fortunate to live close to that hospital. The problems that I will describe are centred around the postcode lottery of being referred, or not, to a specialist paediatric allergy centre.

Thirdly, I am thankful for all the hard work being carried out within the medical community on allergy, especially by all those involved in the Royal College of Physicians working party on the provision of allergy services in the UK. The working party has meant that this summer has seen greater awareness of allergy issues in the public press. The headlines were generated by the report by the Royal College of Physicians, "Allergy: the unmet need. A blueprint for better patient care", which was launched in the House of Commons in June.

The Royal College of Physicians has sought to put allergy higher up the health care agenda of the Department of Health and of planners and managers. It has made proposals for an improved allergy service for the British people, which, if taken up, would result in more consultants, a network of accessible centres around the country and better training.

In terms of the nature of allergy in the UK, it is worth considering some of the statistics. One in three members of the UK population—about 19 million people—will develop an allergy at some point in their lives. Asthma, rhinitis and eczema have increased in incidence two to threefold over the past 20 years. Among 13 to 14-year-old children, 32 per cent. report symptoms of asthma, 9 per cent. have eczema and 40 per cent. have allergic rhinitis. The UK ranks highest in the world for asthma symptoms and is also near the top for allergic rhinitis and eczema.

High and increasing trends are also apparent in nut allergy, anaphylaxis and occupational allergy to latex, for example, and allergic reactions to drugs. Anaphylaxis occurs in one in 3,500 of the population each year. Hospital admissions have increased sevenfold over the last decade and doubled over the last four years. Peanut allergy, the most common food allergy to cause fatal or near-fatal reactions, has trebled in incidence over four years and now affects one in 70 children in the UK. Only 10 years ago this was deemed a rare disorder.

Allergic reaction currently accounts for 6 per cent. of general practice consultations, according to the Royal College of Physicians report, 0.6 per cent. of hospital admissions and 10 per cent. of the GP prescribing budget. It is estimated that the cost in primary care, excluding hospital services to the NHS, is around £900 million per annum. Even before the recent increases in allergy were registered, it was estimated that paediatric allergic disease in the USA constituted 28 per cent. of all chronic disorders requiring medical attention and resulting in school absence.

In a nationwide study of children's allergies in the UK, of the 27,507 children surveyed in 1999, 20.4 per cent. were reported to have had asthma in the previous year, and 16.4 per cent. eczema. One or more atopic symptoms were reported in 47 per cent. of all children. Those rates are reflected in acute paediatric care. In a recent survey of accident and emergency admissions at St. Mary's hospital in London, 7 per cent. of children seen as emergencies were diagnosed as having an allergy disorder. Those children required twice the rate of admission and twice the rate of specialist tertiary referral compared with other children attending as emergencies.

Is it any wonder that many experts in the field now talk of an allergy epidemic in this country specifically with reference to allergies in children? The allergy charities are inundated with telephone inquiries from a desperate public. The vast majority of GPs have no training in allergies and few are aware of any of the formal guidelines for allergy management. In many instances, the severity of the symptoms, with attendant high morbidity, has forced the public to look outside the NHS.

[Jon Cruddas]

Urgent action is required. However, consider the deficits in current paediatric care. Across the whole country, there are only six centres staffed by consultant allergists who offer a full-time service with expertise in all types of allergy problems. Three are based in London; at Guy's, Royal Brompton and St. Mary's. The others are in Cambridge, Southampton and Leicester. Services are extremely poor in the rest of the country. There is no specialist provision north of Manchester or west of Bournemouth. All six specialist centres provide a high quality multi-disciplinary approach. Moreover, they have an international reputation for research. Five of the six—the exception is Leicester—were developed as academic units with university funding. That is an indication of the lack of tradition within the NHS of allergy support.

Demand is enormous and waiting lists are very high. In Cambridge, for example, the number of patients seen increased by 440 per cent. between 1993 and 2000. Referral rates rise continuously while waiting lists remain unacceptably high for serious disease. This pattern is the same in all six specialist centres. Overall there is only one consultant allergist for every 2 million people in the UK, compared with rates of around one per 100,000 for mainstream specialties such as heart disease.

Allergic diseases comprise a significant percentage of the workload of primary care and the majority of children with allergy problems will have their care provided exclusively by a GP. Yet according to a survey of GPs carried out by the British Society for Allergy and Clinical Immunology, the majority of GPs had received no training in the management of allergic disorders. Only 23 per cent. of respondents reported that they were familiar with any guidelines for the management of an allergic condition. More than 80 per cent. of respondents considered current allergy service provision throughout the NHS poor, with deficiencies being most marked in secondary care and in accessing appropriate specialists.

There are four NHS paediatric allergists in the UK. In Sweden, there are 96 trained paediatric allergy specialists; in Germany, there are 500. Compared with the UK, there are five times the number of paediatric allergists in Greece, and four and a half times the number in Switzerland. In Japan, the paediatric allergy society has 2,000 members. As a consequence, parents who are desperate for treatment for their children seek help from complementary and alternative medicine, which can sometimes lead to potentially dangerous recommendations.

Given the lack of specialist care, many children with different types of allergy such as eczema, rhinitis, asthma and food allergy may be seen consecutively in different settings general paediatrics, ear, nose and throat, dermatology, chest medicine and the like. That remains a highly inefficient method of delivering health care. As such, the underlying causes of allergic disease are often left undiagnosed. Delivery of care by a paediatric allergist would provide a more rational, integrated and cost-effective service in effect, a one-stop shop. All the above can lead to so-called steroid loading, owing to no single specialist taking charge of overall management.

The report by the Royal College of Physicians contains a series of excellent proposals for the way forward. It proposes that each new NHS region should have at least one specialist allergy centre staffed by a multi-disciplinary team covering a population of 5 million to 7 million people. Staffing levels in those centres should include two new additional consultants to cover diagnostic procedures and specialist treatment, a minimum of two full-time allergy nurse specialists, one half-time dietician and one half-time paediatric dietician with specialist training in food allergy and two consultants in paediatric allergy supported by paediatric nurse specialists and dieticians.

The development of services should be gradual, and long-term savings through better-educated GPs and more effective referrals would largely offset the increase in costs. That, in turn, would lead to a more efficient use of allergy services. There would be fewer hospital admissions, less accident and emergency attendance, reduced drug costs and lower levels of illness. Moreover, to create more new consultant posts, it is essential to increase the number of trainees in the specialty. There are only five trainees nationally. Despite the explosion in allergies, the Department of Health has allocated no new funded posts for 2004–05.

In conclusion, it is not melodramatic to talk about an allergy epidemic in this country, especially over the past 10 years. The issues will not go away. All evidence suggests that the number of people affected will continue to rise, especially given the profiles among children. In one sense, it is not surprising that the extraordinary growth over the past 10 years appears to have caught the NHS by surprise. What is lacking, however, is an adequate response from the Department of Health.

Evidence locally suggests that some primary care trusts are considering cuts in the minimal specialist provision that currently exists. The people who work in that area are extraordinarily committed and they know that the situation cannot be resolved overnight. They are, however, looking for a lead from the Department of Health that demonstrates a commitment to the work. They are looking for a commitment to fund new training posts in paediatric allergy over the next 10 years with a corresponding number of consultant posts, support to start investing in regional specialist centres and a commitment to further research, particularly into the early prevention of allergies in children. A willingness by the Minister to meet a representative group of campaigners and medical experts would also be very welcome. Paradoxically, given what I have said, there is a great opportunity for the Government to recognise those problems and to demonstrate that they are moving toward some solutions.

I hope that we will receive such a response from the Minister. It would be a welcome development as, too often in the past, the Department of Health and health managers have been in denial about what is really happening across the country.

1.44 pm

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I congratulate my hon. Friend the Member for Dagenham (Jon Cruddas) on securing the debate. I am aware both from his remarks and earlier that he has a personal interest in the subject. I welcome the opportunity to outline the Government's policy on allergy services.

I should say that a friend of my son has a severe peanut allergy. As my son has grown up—he is now 17—I have seen his friend at close quarters, having taken them on holiday, and I am well aware of the issues surrounding allergies for parents and families.

Perhaps it would be helpful for hon. Members if I defined anaphylaxis, an acute, immune reaction requiring urgent medical attention that may occur in children or adults who suffer from severe allergies. The most common cause of anaphylactic attack is a severe allergy to food, although certain drugs such as penicillin, and the venom of stinging insects, such as bees and wasps, can result in an attack. In its most severe form the condition is life-threatening but it can be treated with medication, such as antihistamine, adrenaline inhaler or adrenaline injection, depending on the severity of the reaction. Most parents are normally prescribed a device for personally injecting adrenaline. It looks like a fountain pen and is pre-loaded with the correct dose. It is not possible to give too large a dose when using the device.

The Royal College of Physicians recently published a report called "Allergy: the unmet need. A blueprint for better patient care". The report notes that allergies, including asthma, rhinitis, eczema, food allergy and drug allergy, are becoming increasingly common, as my hon. Friend remarked. It called for improved NHS allergy services across the board and offered useful models of how that could be achieved.

We agree that NHS allergy services need improvement and our substantial extra investment in the NHS will help to deliver service improvements. My hon. Friend will be aware that up to 2002–03, expenditure on the NHS has increased by an average of 5.7 per cent. in real terms each year since the Government came to power. NHS expenditure is set to increase further by an average of 7.4 per cent. in real terms over each of the next five years. Such substantial investment in the NHS is not being wasted. It is producing real results, including significant increases in the number of health professionals, increases in capacity, prescribing of new and better drugs, shorter waiting times and greater choice for patients. There will be further improvements, including expanding capacity, increasing staff and training numbers, and reducing waiting times.

Although the waiting times figures do not relate specifically to allergy, it is worth mentioning that the vast majority of patients receive their first out-patient appointment within 21 weeks. In the quarter ending June 2003—the last for which we have data—82 per cent. were seen within 13 weeks and 99 per cent. within 26 weeks of referral by their GP. At the end of June, the number of patients waiting over 21 weeks for their first out-patient appointment with a consultant had fallen by more than 29,500 over the past year. That is real progress and it is making a difference to all patients, including those with allergies.

I should like to comment on the role of the Food Standards Agency. My hon. Friend mentioned the growing incidence of allergy and there is a question relating particularly to food. The FSA's approach to food allergy and intolerance has three main components. The first is to help those with food allergy by improving understanding of the issue among consumers, all sectors of the food industry, including caterers, and local authority enforcement officers. The second is the funding of research to investigate the causes and mechanisms of food allergy, and the third is to encourage fully informative labelling of foods.

The board of the FSA recently agreed a detailed action plan to help food-allergic consumers. The work is concentrating particularly on teenagers and young adults and on the catering sector, as most food allergy deaths occur in that age group when eating away from the home environment. That could create a particular difficulty when selecting food and knowing what is in it.

The agency has put a detailed fact sheet about food allergy and food intolerance on its website to provide food-allergic consumers with information. It is also conducting research into other sources of information about food allergy for consumers, the food industry and enforcement officers, and into the knowledge and understanding of the issue in those sectors.

The agency will work with others to provide further information and training and education to address the gaps identified. It will also work with health professionals and dieticians to help to provide patients with food allergy such information as they need to make safe choices about the foods that they eat.

The FSA also funds research on food allergy and intolerance, with particular emphasis on severe allergies, how often they occur and what causes them. A large programme of research on food intolerance and allergy, costing about £1 million a year, is ongoing.

Part of that research programme is examining the impact of advice issued by the Government in 1998 that, where there is a family history of allergic disease, pregnant women and breast-feeding mothers should avoid consumption of peanuts during pregnancy and lactation. That advice arose from a report issued by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment in 1998, which addressed some of the issues behind the possible causation of peanut allergy. In July 2000, the committee issued a further report on adverse reactions to food and food ingredients.

The agency has been working with a wide range of interested parties in the UK and Europe to ensure that food labelling is informative to allow those with food allergy get the information that they need. A new EU directive on allergen labelling has just been agreed in Brussels. It will tighten up existing legislation and will help to ensure that consumers are provided with comprehensive ingredient information to allow those with food allergies to identify products that they must avoid.

The agency has also been addressing consumer concerns about the inappropriate use of "may contain nut" labelling—we have all seen it—which can severely restrict consumer choice. We will shortly seek comments on an alternative phrase for use in labelling.

My hon. Friend said that hon. Members often call for research into various conditions. It is worth saying that the research effort is not confined to the UK Government because there is also an international dimension. The main agency through which the Government support medical and clinical research is the Medical Research Council. The MRC is an independent body that receives its grant in aid from the Office of Science and Technology. The Department of Health

[Miss Melanie Johnson]

also funds research to support policy and the delivery of effective practice in the NHS. The MRC spent an estimated £11.9 million in 2001–02 on its respiratory disorders portfolio, which includes allergies.

A number of research studies into aspects of allergy are under way. The national research register, for instance, shows that there is a study under way on peanut allergy in children at Southampton general hospital; my hon. Friend mentioned Southampton. The study is called "The Prevalence of Peanut Allergy in British Children at School Entry Age" and it is funded by the Food Standards Agency. It is due to report in 2005.

"The International Study of Asthma and Allergies in Childhood" was established in 1991. Phase one measured the prevalence of childhood asthma, hay fever and atopic eczema for international comparisons. Phase two began in 1998 and involves more intensive studies in a smaller number of countries. The Department of Health funded the UK contribution to phase two.

We are currently working up a children's national service framework to set standards to improve health services for children. It would clearly be impractical for the NSF to cover every specific condition or problem in detail. However, in illustrating what the NSF standards will mean for children with asthma, the asthma exemplar, which will be published in tandem with the main NSF, is likely to make a general reference to allergy. Consideration will be given to the general issues relating to the problems encountered by allergic children in schools.

My hon. Friend raised the issue of the number of consultants. Consultant numbers in immunology, which includes allergy, have increased by 11 per cent. from 63 consultants in September 1997 to 70 in June 2003. There are, however, ongoing discussions between the British Society for Allergy and Clinical Immunology and the Department of Health, which are aimed at improving the provision of consultant allergists, and I recognise that that is a specific issue.

A small number of specific full-time or full-time equivalent posts are devoted to allergy. The British Society for Allergy and Clinical Immunology handbook lists 86 NHS consultant-led clinics in the UK, and the British Allergy Foundation handbook lists an additional 15 clinics. However, only six of those 101 clinics offer services provided by a whole-time specialist allergist. I recognise the problem that my hon. Friend outlined and we are doing what we can to improve the situation. In June 2003, there were 10 consultants in allergy, an increase of four, or 66 per cent., on the September 2000 level. September 2000 was the earliest date at which specific numbers on allergy consultants were collected in the work force census, so I cannot give my hon. Friend a better figure than that.

From 2003–04, the trusts will have an opportunity to create up to five locally funded specialist registrar posts for training opportunities in allergy. Central funding will also be distributed to support the implementation of an additional registrar post in immunology. Trusts will have the opportunity to create up to five locally funded training opportunities. Work is going on to improve the spread and degree of specialism available, but I recognise that we have some way to go given the starting point and the level of need, which my hon. Friend rightly sketched out.

I am not the Minister in the Department who principally deals with allergy, although the Food Standards Agency obviously falls within my remit. I am sure that the Under-Secretary of State for Health, my hon. Friend the Member for South Thanet (Dr. Ladyman) would be happy to meet members of the organisations which my hon. Friend the Member for Dagenham mentioned to discuss the provision of services.

In conclusion, I hope that my hon. Friend agrees that we must take the provision of allergy services and paediatric allergy services very seriously indeed. Our substantial extra investment in the NHS and the action on waiting times will lead to better allergy services for all NHS patients. The work of the Food Standards Agency will give us a greater understanding of the problems caused by food intolerance, and research is under way into the causes of allergy. We are starting from a low base and have some way to go, but the debate has been useful.

Question put and agreed to.

Adjourned accordingly at four minutes to Two o'clock.

Westminster Hall

Wednesday 15 October 2003

[MR. FRANK COOK *in the Chair*]

Biofuels

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Bradshaw]*

9.30 am

Mrs. Gillian Shephard (South-West Norfolk): I am delighted to have the chance to raise this important issue. As can be seen by the attendance here today in the Chamber, there is strong interest from all parties.

I shall make the case that the Government should seriously consider increasing their support for a sustainable biofuels policy on economic and environmental grounds, and for fuel security. In the past few months, the number of questions to Ministers, contributions to debates and early-day motions, together with the work being done by the Select Committee on Environment, Food and Rural Affairs, of which there are several members present, have shown that there is extensive support for increased measures to encourage the development of a biofuels industry in the United Kingdom.

In Norfolk, we practise what I am preaching today. After our disappointment over the amount of support given to biofuels in the Budget, we formed an all-party group in Norfolk. I am delighted to see colleagues from all parties here in support. MEPs also support us, as do all the local authorities in Norfolk, the university of East Anglia, the Institute of Food Research, British Sugar, the road haulage industry, fuel and petroleum companies, the Royal Norfolk Agricultural Association, the National Farmers Union, the Country Land and Business Association, and the East of England Development Agency. We have had substantial and very welcome support from all our local media. Now that I have secured this debate, for which I am very grateful, our group's next step is to bring a delegation to meet relevant Ministers.

Outside Norfolk, there is strong support for further measures to help biofuels from the CBI, major manufacturers, the Road Haulage Association, Friends of the Earth, and the British Chambers of Commerce, which will make a strong submission to the Chancellor on the Budget. This is an interesting and diverse line-up of supporters, and the Government would be well advised to take notice of them.

The collective view from inside and outside the House is that, although the Government's duty reduction of 20p a litre for biofuels, which was announced in the last Budget, was very welcome, it is not enough to stimulate further development of the industry. If the Government really mean what they say, a further duty reduction and/or other measures are necessary. It is just as necessary that there be a clear cross-departmental Government strategy to achieve the Government's stated objections—I am sorry: objectives, although they may have objections—in this policy area.

The Government is short neither of advice for the case nor of externally set targets. They have not been short of pronouncements either. Like everyone else, they must know that the public want access to environmentally friendly fuels without the expense of switching to hybrid vehicles or to vehicles that have to be adapted. They should be as shocked as everyone else by the fact that rape seed is exported from the UK by road and sea to Germany, where it is made into biodiesel and then imported back into this country by road and sea to be retailed here as environmentally friendly fuel. That speaks for itself.

The Government constantly repeat their commitment to the reduction of greenhouse gas emissions and carbon dioxide emissions. Research commissioned by the Government from Sheffield Hallam university shows that the reduction in CO_2 emissions from conventionally produced bioethanol would be more than 60 per cent. British Sugar says that, with its efficient means of production, it could increase that reduction to 70 per cent. However, the duty reduction of 20p per litre promised for January 2005 will not be enough to encourage investment in the development of the industry. The great fear is that it will do nothing more than encourage imports.

The Government have stated their intention of meeting the renewables targets by 2020, and the requirements of the EU biofuel directive by 2005.

Gregory Barker (Bexhill and Battle): I am listening carefully to what my right hon. Friend has to say. Would she agree that although their moves are welcome, unless the Government go all the way and lower the tax hurdle to the trigger point at which capital will flow from the private sector to develop the industry, they may as well not bother? Missing by an inch is the same as missing by a mile.

Mrs. Shephard: My hon. Friend makes the point well. We hope that the Minister will clarify matters, but the simple fact is that neither of those targets can possibly be met with the UK biofuels industry in its current state, as our production of biodiesel is less than 10,000 tonnes per annum and we produce no bioethanol for road use. What real measures are being planned by the Government?

The Government are not short of stated aspirations. The report of the policy commission on the future of food and farming—the Curry report—states:

> "England needs a long-term strategy for creating and exploiting opportunities in non-food crops, including starch and oils. This area should be a high priority for the research and technology transfers we have outlined. We recommend that the Government should reduce duty on biofuels to that charged on other clean fuels. We believe this will help processors to drive the market forward."

Yes, and many others believe that to be so, but what is being done?

The Government are committed to reducing greenhouse gas and carbon dioxide emissions. They are persuaded of the need for fuel security. They are aware that they must meet renewables targets by 2020, and the requirements of the EU biofuels directive by 2005. They have made a start, which is welcome, but it is not enough. Are other countries doing better? The answer is yes, much better. I shall not say more about that, Mr.

[Mrs. Shephard]

Deputy Speaker, because many other hon. Members wish to speak, but the facts may emerge during questions or interventions. Most European countries are doing a great deal better than we are, as are the United States and Brazil.

It has been difficult to discover whether the Government have a cross-departmental strategy. It has also been difficult to persuade Ministers to reveal the reasons that led to the decision to make the 20p reduction in duty that was announced in the Budget. We have also had a problem trying to discover the rationale for the liquefied petroleum gas rate of 41p on offer. Was it based on the carbon dioxide reduction of 12 per cent. that it offers, which is a great deal less than that offered by bioethanol, or on air quality benefits, which are similar to those derived from bioethanol? Apparently, we are not to be told.

The external targets loom, and environmentally conscious fuel users seem more aware than the Government of the present hazards. I have been sent a copy of a letter from Mr. Peter Howe, a constituent of the hon. Member for North Norfolk (Norman Lamb), who runs a successful cruiser business on the Norfolk broads. In a letter to the Chancellor of the Exchequer, dated 6 October, he wrote:

"There are, however, significant barriers to the use of the fuel being extended throughout the Broads, particularly because the price of the material is so much greater than conventional fossil fuel. While we are, at present, prepared to pay a premium because of our belief that the fuel is so much better for the environment, other businesses may not be in a position to take the same view."

Thanks to Mr. Howe, and thanks also to the work done by the hon. Member for North Norfolk, a loophole has been discovered. However, if the Government mean what they say, it should not be up to others to find loopholes in their attempts to keep the environment clean, especially on the broads.

Mr. Dennis Thouless runs a biodiesel production business in Norfolk and Suffolk that is based in the constituency of my hon. Friend the Member for Mid-Norfolk (Mr. Simpson). Mr. Thouless reprocesses used cooking oil, but he has studied and is enthusiastic about the possibilities of using oil seed rape. However, Ruth Rawling of Cargill plc told the Select Committee:

"There is an extremely small cottage industry . . . at the moment in the UK producing biodiesel, but in order to have an industry which would really make a difference in terms of environmental benefits, in terms of our farmers or indeed in terms of being able to go into a petrol station and buy something which contained biodiesel . . . we do not yet have an industry and the reason is very similar; we do not think that the duty derogation is large enough to make the investment worthwhile. We have argued consistently for the last three years that we need a duty derogation around 28 pence per litre . . . and we still have not got there. We have only got 20 pence and that is why we do not have a biodiesel industry of any size."

Mr. Thouless concurs. Fortunately for him, the forward-looking Breckland district council in Norfolk has just given him permission to expand his business. As Councillor Kemp said at the relevant meeting:

"This man is doing a fantastic job for the environment. We should remove the conditions and let him carry on."

I wish that the Government took the same view.

The same point is made about bioethanol in the excellent study produced by the East of England Development Agency, which was published in July. What response have the Government collectively made to the conclusions of the report, and what action is to be taken as a consequence? The most interesting feature of the report is that it was a Government agency, and not the Government, that saw the need for a proper economic, environmental and cross-departmental examination of the potential of biofuels. The report will have been seen by many hon. Members present who are interested in the issue. I will not go into detail, but it proposes a selection of options—I have the details, but I do not want to bore the Chamber or you, Mr. Deputy Speaker, which would lead to a fate worse than death, I know. Some propose a further cut in fuel duty, some infrastructure improvements and some grants for other options for the Government to consider. We hope that the Minister will give his view on those options.

In taking evidence for its report on biofuels, the Select Committee has made it its business to ask those giving evidence to sign up behind such options. As far as I could ascertain, there was such an agreement across the board. Obviously I cannot pre-empt the report, which will be produced in good time for the Chancellor's pre-Budget review. However, I will go so far as to tell the Minister that I think that it would be difficult for the Government this time to argue that there is no agreed view across the interests concerned. It would be nice if we were able to say the same for the Departments involved.

There are five Departments involved in the issue. No doubt as many as that are needed if we are to believe that the Government are as serious as they say they are about meeting their environmental and fuel security targets. The only problem is that no one Department is in charge of the policy. That emerged from the as yet uncorrected oral public evidence given to the Committee by Lord Whitty, the Under-Secretary of State for Environment, Food and Rural Affairs, on 15 September. The Minister was asked which Department was in charge of the Government's policy on biofuels. He replied:

"We have an overall committee in Government following up the Energy White Paper and also as far as the transport side is concerned on low costs fuels, within that different departments have different responsibilities: Defra is responsible for the agriculture environmental dimension, air quality and climate change, et cetera and agricultural production and agricultural markets; broadly speaking the DTI is responsible for the technology and the capital investment and the DfT is responsible for the vehicle fuel dimension, although they do act very closely with Defra . . . at the end of the day the Treasury is responsible for all the fiscal side."

The Minister was then asked if the Committee would be right in inferring from his answer that no one Department was in charge of the Government's policy on biofuels. He replied, "Yes, you would." He was then asked whether there was a group of Ministers who met to co-ordinate policy. He replied that there was, and that it met

"Not very often, maybe once a quarter."

On the substance of the debate, the Minister said categorically that the 20p concession granted so far was not stimulating the needed investment to deliver the outcomes in the UK, and that what was needed was either incentive for investment, a greater duty cut or a combination of the two.

Does the Minister agree with the view of Lord Whitty, as stated to the Select Committee in public? Those points were put to the Economic Secretary to the

Treasury at the Select Committee's public oral evidence meeting on 17 September. One might ask why these questions are not being put by one Minister to another, rather than through the intermediary of the Select Committee, but there we are.

Dr. Ian Gibson (Norwich, North): The right hon. Lady talks about interaction between Departments, but does she see any possibility of interaction between the Departments' policies, such as on transport or trade and industry? Can any of the political aims of the different Departments be linked up?

Mrs. Shephard: The hon. Gentleman is referring to a useful meeting that Norfolk Members had yesterday on transport issues, at which that idea was raised. It is extraordinarily brilliant. It issued from the mouth of the hon. Gentleman, so one would expect that.

Mr. Keith Simpson (Mid-Norfolk): That is enough.

Mrs. Shephard: My hon. Friend says that that is enough, so we will pursue the idea at a Norfolk level. Although one could say that that is our job, there are people who are paid to do it—they are called Ministers—and we are often told that we live in an age of joined-up government.

In the Economic Secretary's reply on the as yet uncorrected oral public evidence he rejected his ministerial colleague's view. He said:

"As a government we are not convinced that the 20p cut will not produce the developments that we are looking for."

No doubt the Economic Secretary will one day convey that view to the Minister responsible for agriculture, but meanwhile what is the Government's view? I want this Minister to tell us at the end of the debate.

Mr. Michael Jack (Fylde): Has my right hon. Friend had an opportunity to examine the further supplementary evidence sent by Lord Whitty at the Department for Environment, Food and Rural Affairs to the Select Committee during its biofuels inquiry? It illustrates considerable environmental and employment gains for agriculture, and discusses qualitative issues about biofuels made from rapeseed and other agricultural products. That is in stark contrast to a Treasury policy that continues to promote an industry that is in effect based on recycled cooking oil.

Mrs. Shephard: I have had an opportunity to study that evidence, and I hope that DEFRA sent a copy to the Treasury. To be fair to the Economic Secretary, he made it clear that the Government are considering a range of options.

I should like this Minister to throw light on another interesting point that his colleague made. On the European biofuels directive, he said that he does not accept that

"the indicative numbers set by the European directive are necessarily appropriate and the best thing for the UK."

I thought that the Government had signed up to that measure, but perhaps the Minister will throw light on that.

There we have it. We have a Government who rightly preach their commitment to the environment. They make claims about their intention to observe their European and international obligations and their desire to establish and encourage manufacturing development, especially in areas where there is little. They have even been heard to say, though not loudly, that something might be done to help farmers, who have seen their annual incomes drop by 50 per cent. in successive years under this Government. However, in the one policy area of biofuels, they have the chance to demonstrate all those commitments to the environment—

Mr. David Drew (Stroud): Will the right hon. Lady give way?

Mrs. Shephard: No, I am concluding my remarks. I hope that the hon. Gentleman will make his own contribution.

The Government have a chance to demonstrate their commitment to the environment, to Europe, to the international community, to the development of indigenous manufacturing industry and to the maintenance of rural prosperity—all in one policy area. The Minister must tell the House this morning how he sees these vital questions being taken forward by the Government.

9.48 am

Paddy Tipping (Sherwood): I am delighted to follow the right hon. Member for South-West Norfolk (Mrs. Shephard). I reinforce her initial comments that the biofuels campaign has support across the parties and across the country—within and outside Parliament. I am delighted that this debate is taking place. I hope that my hon. Friend the Minister, who takes a close interest in this matter, will listen to the voices and talk to his colleagues across Government.

The Government support biofuels, but I shall argue that the support needs to be converted into action. Unless priorities, policies and an action plan are produced, the United Kingdom will be put at a competitive disadvantage. The Government's position is clearly set out in the energy White Paper published earlier this year. I need not quote all that the White Paper says about biofuels, but suffice it to say that it recognises their value. Paragraph 5.21 comments:

"Drawing on the Low Carbon Vehicle Partnership and other expert knowledge, we will over the next year produce an assessment of the overall energy implications of both a hydrogen economy, and of large-scale use of biomass-based fuels".

That is a clear commitment to produce an action plan within a year. The White Paper was published in February, and it is now six months on. When will the action plan be published? Action has already been taken. It has been made clear that, following the 20p reduction for biodiesel, a similar reduction in duty on bioethanol will be introduced from 1 January 2005. The essential argument is whether that policy is sufficient to enable proper production in the UK. We need to consider the players in the field, particularly Cargill and British Sugar, which, in their submissions to DEFRA and the Treasury, made it clear that the 20p reduction will not create an indigenous production base.

Mr. John Horam (Orpington): May I reinforce the point that we need to develop a clear implementation plan for the energy White Paper? The hon. Gentleman

[Mr. John Horam]

told us that the Government have not yet said when that will be forthcoming. Could the Minister make it clear what the Government have in mind? It must be something more than what is on the table already.

Paddy Tipping: The hon. Gentleman, who has a good deal of knowledge of, and a long commitment to, these issues, will know that the essential, broader criticism of the energy White Paper is that the mechanism to implement it is extremely weak. A sustainability panel reporting to two Secretaries of State will not effect the radical changes set out in the White Paper. Part of the problem, as the right hon. Lady said, is that different Departments are involved in the discussion about biofuels. No single Department is taking ownership of it. The situation is worse than she outlined, because Ministers are making contradictory statements.

Lord Whitty, a Minister at DEFRA, told the Select Committee on Environment, Food and Rural Affairs that the EU biofuels directive targets would be met. My hon. Friend the Economic Secretary to the Treasury, who has already featured in this debate, made it clear to members that those were indicative targets, and that it was important to get the trajectory right. There is a difference of opinion between two Ministers.

The DEFRA Minister also told the Select Committee that he wanted to see UK-based production, as he thought that there would be benefits to that. By contrast, the Economic Secretary underplayed that, saying that it was unnecessary, but that it was necessary to accrue environmental gains, and that the best gains could be achieved by importing biofuels. It is essential that the Government speak with one voice, because the clock is ticking and the EU biofuels directive has now been published. The Government must produce proposals by next summer on how to meet those targets. I understand that there will be consultation in February to April next year, so it will probably not be concluded until after next year's Budget. Those who produce crops that could be used in the development of biofuels have a planting cycle of 15 months. We need clear and consistent policy statements now from all Departments if we are to meet European targets.

The difficulty is that the Treasury has an environmental model to assess rate reductions. It has already been said that the duty rate reductions on road fuel gases are way in excess of those available for biofuels. It is important to test the Treasury's model. Why is the duty reduction on road fuel gases equivalent to 40p per litre, whereas biofuels are being offered 20p per litre? In previous discussions, the Economic Secretary argued that the environmental benefit from biofuels is only 2.7p per litre.

I do not pretend to understand the methodology, but it is clear that we all need to know why there are such large variations in duty reduction. I draw the Minister's attention to a parliamentary written answer given on 8 September on the question of road gases versus biofuels. The Economic Secretary said:

"It would not, however, be appropriate to compare the duty incentive for biofuels with those for road fuel gases."—[*Official Report*, 8 September 2003; Vol. 410, c. 102W.]

To put it bluntly, why not? After all, that is what the argument is about. I put it gently to the Minister that many people throughout the country feel strongly about biofuels, which have great environmental and economic benefits, especially for rural areas. I understand the Treasury's concern about not sucking in imports from the big players such as Spain and Brazil. However, the Government need to act by defining their policies and priorities and by producing an action plan that has a clear timetable. If they do not do so, the consequences are as likely as night following day. The United Kingdom will be dependent on income from abroad. That makes no sense for the economy, the environment or society.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. The convention in these 90-minute Adjournment debates is that we commence the winding-up speeches 30 minutes before the end. Six hon. Members are seeking to catch my eye. The two Opposition spokesmen suggested that they should curtail their remarks a little to ensure that other hon. Members can take part in the debate. However, I suggest to those hon. Members that they should bear that generosity in mind when making their contributions and when accepting and responding to interventions.

9.58 am

Mr. Keith Simpson (Mid-Norfolk): Thank you, Mr. Deputy Speaker. I shall bear your comments in mind. It is a pleasure to follow the hon. Member for Sherwood (Paddy Tipping), and I congratulate my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on initiating the debate. She has led the initiative on biofuels in Norfolk, and is a senior member of the Select Committee on Environment, Food and Rural Affairs. Again, we see that there is a cross-party, cross-country approach to this issue.

Like the hon. Member for Sherwood and my right hon. Friend the Member for South-West Norfolk, I reinforce the point about joined-up government. It is absolutely crucial when developing Government policy to know which Department is taking the lead; is it DEFRA, the Department for Transport, the Department of Trade and Industry, Customs and Excise or the Treasury? We all want to discover not only what the Government's policy is, but which Department is in charge. Will a Cabinet Committee be set up to co-ordinate Government policy on biofuels? Many old Whitehall hands would argue that that would be better than government by sofa, which we have seen lately in other areas.

I raised the issue of biofuels in a debate on farming in Norfolk in Westminster Hall almost a year ago. I will not repeat the arguments that I made then, but I want to put several questions and observations to the Minister, some of which have been covered by the hon. Member for Sherwood and my right hon. Friend the Member for South-West Norfolk.

What research are the Government undertaking on the utilisation of biofuels in the UK? Sheffield Hallam university is working directly for the Government, but my right hon. Friend pointed out that the main work seems to have been done by a Government agency. Does the Minister's Department believe that an increase in the cultivation of biofuels will assist farming and benefit the

environment—the two linked aspects? Does he know whether the Treasury is willing to zero rate biofuels to give UK industry a real boost? Would the action highlighted by the hon. Member for Sherwood lead to the UK market being flooded with European biofuels?

What will the impact be on the UK of the new European Union directive that will oblige Governments to support the production of biofuels, particularly from environmentally friendly fuels made from crops such as oilseed rape and sugar beet? The EU directive must be signed into national law by December 2004, and the EU insists that Governments set targets for increasing the production of biofuels over the next decade. The directive suggests a benchmark that biofuels should account for around 2 per cent. of an EU state's fuel market by 2005, and 5.75 per cent. by 2010. Is that target achievable or is it merely, as the hon. Member for Sherwood said, a trajectory or an ambition?

I understand that the Minister's Department supports biofuels and the EU directive. How can the Minister convince other Departments, particularly the Treasury, that they must comply with the directive, and how will it work on the ground? Biofuels could have a major impact on the environment, farming and transport in Norfolk and East Anglia. There is no doubt that they are cleaner and more efficient, and could offer a lifeline to the farming community. Will the Minister confirm that Franz Fischler, the EU Agriculture Commissioner, is a convert to the idea of using set-aside land to grow biofuels?

Farmers are conscious that they cannot argue the case for biofuels purely on the benefits to the farming industry. At a recent meeting in Norfolk, there was a wail of despair from a farmer who heard people discussing every aspect of biofuels except the benefits that they would bring to farmers. It is important to emphasis in the presence of a DEFRA Minister that biofuels will benefit farming. Despite the early proposal that farming should be omitted from the title of DEFRA when it was established, the Minister, having now been in his post, will understand the important contribution farmers make to food production and the environment.

East Anglia, with its long experience of arable farming, has the potential to become the UK centre for biofuel production by growing the raw materials for the new industry. Many factors need to be brought together, such as science and technology, which I am sure the hon. Member for Norwich, North (Dr. Gibson) wants to speak about, farming, environmental criteria and the requirements of transport. However—this is the reason for today's debate—the most significant role can be played by the Government. Unless the Government seize the initiative, as the hon. Member for Sherwood said, and make what Churchill would have called "action this day", the initiative will be with our European partners and other countries. There will be a biofuel market in the UK, but it will be supported by France, Germany, Spain, Brazil and others.

Mr. Drew: Will the hon. Gentleman give way?

Mr. Simpson: I am just about to finish. However, the hon. Gentleman is always the bridesmaid and never the blushing bride, so I will let him in.

Mr. Drew: We learned from the DEFRA trip to Brazil that its industry was kick-started by direct intervention, when its fuel producers were set a target to include a certain amount of bioethanol. Why are we not considering such a step in this country?

Mr. Simpson: I will pass that on to the Minister, as it was a good point well made. As the hon. Gentleman said, and as I was concluding, this all comes back to Government policy. The Minister may not be able to give one today, but we need a clear Government policy statement on biofuels that contains a clear agreement on the lead Department and, most importantly, has the active support of the Treasury. Lord Healy always said that the Treasury knew the cost of everything and the value of nothing. I hope that on this issue he will be proved wrong.

10.6 am

Dr. Alan Whitehead (Southampton, Test): I, too, have spoken in this Chamber and elsewhere about the importance of biofuels to the future transport strategy of this country. I will try not to repeat too many of my comments. However, the debate is crucial to how we sort out our future transport strategy. Undoubtedly, we will have to move substantially away from a petrol-based fuel strategy for transport, and if we do not grasp that in the near future, as other hon. Members have said, we will be left far behind.

In grasping a strategy,

"there is a 'chicken and egg' problem whereby vehicle manufacturers will not deploy new technologies if there is no refuelling infrastructure, whereas energy supply companies are reluctant to invest while there is no significant demand; and with a range of vested interests competing for future markets and the constraint on public policy not to 'pick winners', there is a danger that the 'pathway dilemma' will persist making actors hesitate to back any one technology decisively."

They are not my words, but those of the Government energy review published last year. That seems to sum up the dilemma exactly.

The point to remember is that, although bioethanol is a pathway fuel, it is also a long-term fuel for a hydrogen economy. The production of hydrogen has to be done by finding the fuel to create the hydrogen, and if that fuel is a mineral fuel, the problem of CO_2 is simply shifted one stage up the process. Hydrogen can be created by using bioethanol, which provides a zero emission fuel right up the line. As hon. Members have pointed out, bioethanol can be used as a fuel in its own right, and, with the strategy in mind, the question is how one does that.

As my hon. Friend the Member for Stroud (Mr. Drew) pointed out, one problem in picking winners and alternative fuels has been infrastructure. Do we have to set up new pumps to distribute the fuel around the country? The investment process is about not just the production of the new alternative fuel, but its distribution and sale.

In my view, the simplest and most straightforward way of kick-starting an industry in this country and ensuring that it has a secure future is to put the stuff in our petrol now. That would prevent imports from being sucked in because of the trajectory of increasing use of the fuel, and allow a domestic industry to get going. That is not a brand new idea. As my hon. Friend the Member for Stroud said, 20 to 25 per cent. of petrol in

[Dr. Alan Whitehead]

Brazil is ethanol, up to 10 per cent. in Canada, Peru and Australia, up to 5 per cent. in India and 3 per cent. in Japan.

Other countries do it, so we could, too. Would it wreck car engines? No. Petrol with less than 10 per cent. ethanol probably does not require any adjustments, while petrol with 5 per cent. ethanol certainly does not. I am afraid that I must mention the word "escalator" now, because my suggestion is that we have an ethanol escalator policy. The idea is quite simple, quite straightforward: 1 per cent. more ethanol in petrol for the next five years.

Dr. Gibson: Is my hon. Friend aware that several cars in the Le Mans 24-hour race this year used a petrol-bioethanol mix?

Dr. Whitehead: I was not aware of that, but I am sure that they did very well.

Dr. Gibson: Yes, they did.

Dr. Whitehead: That is useful information.

The calculations on a 5 per cent. ethanol mix in petrol are quite simple. Getting the escalator to the top of the process would cut 1 per cent. of CO_2 emissions, which would be a substantial contribution on climate change and emissions saving in its own right.

The final question is whether we would have to import bioethanol, as hon. Members have suggested. The answer as far as I can see is that we would not necessarily have to do so. I am interested to hear the results of the Norfolk initiative. Bioethanol can be made relatively straightforwardly from crops, as other hon. Members have said. There is land available, and British Sugar is actively considering the idea. A Canadian company with which I was recently in discussions would like to put a European pilot plant in the UK, together with a production plant later. That bioethanol company can make bioethanol from straw, which is almost 100 per cent. CO_2 restitution capable and therefore very environmentally efficient indeed.

The establishment of a policy structure requires a combination of lateral thinking, discussion between Departments and a determined effort both to pull and to push the market forward, but the rewards are enormous. This important debate points the way and shows why we should move forward successfully on such an urgent task.

10.12 am

Norman Lamb (North Norfolk): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing this debate and on all the work that she has done in leading such an incredibly important campaign to change the Government's policy and to secure a new, environmentally friendly industry.

I want to say a few words about the gap between the widespread acceptance of the case for developing a significant biofuels industry and the extent to which we have developed the means to do so. The Government are willing the end but not yet providing the means to achieve the end. It is remarkable how much opinion on the subject has shifted just in the past two years. I can remember bringing down a group of Norfolk farmers to see Lord Whitty at the Department for Environment, Food and Rural Affairs. I talked then to the Energy Savings Trust, which was sceptical about the case for biofuels, but the right hon. Lady has referred to the diverse range of interest groups that now support the case for biofuels, above all else the environmental case.

Mrs. Shephard: Does the hon. Gentleman agree that some of the work in Norfolk has directly contributed to that development? Norfolk chamber of commerce is so convinced of the case that it has persuaded the British Chambers of Commerce to include a strong submission for more help for infrastructure for biofuels in its Budget case to the Chancellor.

Norman Lamb: I very much agree with that and always love to see Norfolk leading the way. The discussions that we had two years ago led to the East of England Development Agency producing its study on the impact on the rural economy. I was fascinated to see that, in 2001, a European Commission report highlighted the fact that, if the UK could develop a biofuels industry, we could benefit to the tune of 20,000 to 30,000 new jobs, mostly in rural areas,. The EEDA study reinforces that view.

I recognise that any Government, of whatever political complexion, will be anxious about the loss of duty. However, I am sure that the Minister will be aware of a recent German study that highlighted the fact that 73 per cent. to 83 per cent. of the duty lost is recovered by way of increased economic activity, through more people earning incomes in rural areas and paying taxes. Therefore, the loss to the Exchequer is much less significant than might at first appear to be the case.

I will now say something about the environmental case, which is the most important issue. It runs in parallel with the case for helping the rural economy and tackling our over-reliance on fossil fuels and our concerns about fuel security. Achieving the targets set in the Kyoto protocol presents a massive challenge not just to the UK, but to the rest of the world. The Governments are funding a great deal of research on what the developed and developing worlds need to do to tackle the massive problem of global warming.

In the UK, the situation has worsened. The transport sector produces 22 per cent. of greenhouse gas emissions but, between 1990 and 2001, there was a 5 per cent. increase in those emissions. That should concern the Government, as well as the rest of us, and they need to find a way of tackling that problem.

There appears to be confusion in Government policy. We have heard other right hon. and hon. Members talk about the EU directive on biofuels. Comments made by Ministers on that issue appear to be contradictory. I hope that, in the Minister's response today, he will describe a clear programme of action for implementing the UK's obligations under the biofuels directive. I know that the targets in the directive are indicative but, if we are to meet our Kyoto targets, it is essential that we implement that directive in the spirit in which it is intended. It is clear that the UK lags far behind many

other European countries in developing a biofuels industry and in addressing the environmental imperative of tackling global warming.

The UK has failed to achieve the means to the end. A 20p duty reduction has been introduced for biodiesel and, in this year's Budget, it was confirmed that there will be a similar duty reduction for bioethanol from 2005. Is it not bizarre that the duty reduction for LPG—a fossil fuel—is double that amount? How can that contradiction in policy be justified?

We must introduce a significant enough duty reduction, or other measures, to kick-start the biofuels industry. The evidence that we need to do that is already there. A biodiesel industry has already been developed, based on the use of waste cooking oil. However, with the current duty reduction in place, no similar industry has been developed to use oilseed rape as a raw material. That has not happened because it is not considered to be commercially viable—producers need more help to get that started. The same is true of bioethanol. As other hon. Members have said, if we do not produce the catalyst to get the bioethanol industry under way, biofuels will be imported into the UK, and we will lose the great opportunity of securing all those extra jobs in rural Britain.

Dr. Gibson: How would the hon. Gentleman feel if it were discovered that a plant that had been genetically modified at one of the institutes in Norfolk produced a better, purer type of oil, that would help to reduce carbon dioxide even more? Does he think that some of the antipathy towards GM crops would die away in the pursuit of scientific excellence?

Norman Lamb: I thank the hon. Gentleman for that challenging question. I have always made it clear that I have an open mind on GM. The judgment that we reach must be science-based and not based on any emotional anxiety. We need to look at the actual impact of GM crops, but we must work on a precautionary basis in developing that policy.

The Government are not doing enough to develop the technology. Something must happen. Time is of the essence. If we delay much longer, the technology will be based on imports and we will not meet our objectives under the biofuels directive. Most important, we will not reach the Kyoto targets—something that we need to do to save the planet from the serious consequences of global warming.

10.21 am

Mr. Anthony D. Wright (Great Yarmouth): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing the debate, which is one of many in which all Norfolk Members have achieved unanimity. I support calls for an extension of support for biofuels, but I also welcome the measures that the Government have already announced.

In a speech on sustainable development in February the Prime Minister set out several pledges that will fundamentally alter the course of energy production. He set out his ambition to double the amount of energy supplied by renewables. An essential part of that commitment will be the rapid development of a strong biofuels sector. I want to talk about biofuels in transport. Alternative forms of transport fuel need to be developed rapidly to meet the environmental requirement to reduce CO_2 and other greenhouse gas emissions, improving urban air quality and providing sustainable development.

Biofuel production has been encouraged and promoted for use as an alternative transport fuel through Government policies and incentives in Austria, France, Germany and Italy, among others. In such instances, national Government support is frequently also justified by the broader benefits of savings on imported oil, greater national fuel security, fuel diversification and reorientation, farming innovation and rural economic development.

It is essential that the UK Government provide the necessary financial support to get the industry off the ground. That support must, however, ensure that the production of biofuels proceeds on the basis of their relative worth and their positive effect on the environment. The Government have made a commitment to reducing greenhouse gases to 12.5 per cent. below 1990 levels by 2008–12 and, further, to reduce CO_2 to 20 per cent. below 1990 levels by 2010. In addition to those targets, the Government are committed to the production of 10 per cent. of the UK's electricity from renewables by 2010.

In addition, the recent energy report produced for the Government by the performance and innovation unit called for a target of 20 per cent. of energy provision from renewables by 2020. What I am describing shows the Government's commitment to the royal commission's target of a 60 per cent. reduction in emissions by 2050. The Government are working hard, and must continue to work hard, to reach agreement on that commitment with other EU members.

I welcome the fact that on 1 January 2005 the Government will introduce a new rate of duty for bioethanol, 20p per litre below the rate for sulphur-free petrol. We need to go further. The European Parliament wanted 2 per cent. of all petrol and diesel for transport purposes placed on its markets by 31 December 2005 to be produced from biofuels, with the figure increasing to 5.75 per cent. by 2010. However, the biofuels sector of the industry is the least well developed, largely as a result of the current price of fossil fuels. That means that further development of the sector is uneconomical. It is essential to do as much as we can to reverse the situation and there are several ways in which we could do more to promote the industry.

In transport, we must ensure that biofuels are supplied as quickly and effectively as possible for a market where there is sufficient demand for them. I sound a cautionary note, however: that is provided that the necessary research is undertaken to ensure that individual biofuels are viable in terms of their environmental impact and the net environment gain for large-scale production of such fuels. However, their potential benefits could be significant.

The use of bioethanol and biodiesels as fuels for road vehicles could have a large-scale impact on reducing carbon emissions and greenhouse gases in the UK. Compared with other fossil fuels, the CO_2 amounts produced by bioethanol are at least 50 per cent. lower. In the case of conventionally modified biodiesel from oil seed rape the figures, according to the Sheffield Hallam

[Mr. Anthony D. Wright]

study, show 72 to 86 per cent. net savings in carbon dioxide emissions and 56 to 80 per cent. net savings in greenhouse gas emissions in comparison with ultra low sulphur diesel.

The Government are clearly committed to reducing CO_2 and greenhouse gas emissions by 12.5 per cent. by 2008–12, with a target of reducing CO_2 by 20 per cent. in that time. To meet those targets, significant and quick action must be taken as we face several difficulties. The transport sector contributes nearly a quarter of the UK's emissions of CO_2. It is imperative that we set up a reducing emissions strategy, which includes a much greater focus on the potential of biofuels, to counter a growth in emissions of 5 per cent. from 1990. Although other sectors will probably see a stabilisation or reduction in emissions in the future, emissions in the transport sector will continue to increase until we take aggressive action.

The Government's 1997 national air quality strategy acknowledged that without further action periods of poor air quality will persist in the UK, mainly because of the continuous increase in road traffic, a major source of air pollution. Therefore, a new strategy setting measurable air quality objectives was outlined, to be met by 2005. At the time it was believed that existing programmes that control pollution from industrial plant and Europe-wide policies to improve vehicle fuel and emissions standards would go a long way to meeting those targets. A Government review of the targets the following year led to the conclusion that the date for achieving some of the target objectives should be accelerated, showing a genuine Government commitment to improving air quality in the UK. The aggressive pursuit of stricter and more rigorous standards would be made far easier and correlate to a large degree with the adoption of greater incentives for the wider use and larger production of biofuels. That would, in time, lead to a significant decrease in air pollution in the UK.

Another key environmental benefit regarding the wholesale adoption of biofuels in the UK is the accompanying sustainable development benefits that it would have. As part of a greater use of biofuels the UK would naturally move towards a reduction in the use of fossil fuels, which would provide the UK with more choice and leverage. The UK would be able to choose between maintaining the current rate of depletion of North sea oil and reducing the demands on our North sea oil reserves by using them over a longer period of time. It would also place the UK in a stronger position when negotiating oil imports in the future. That would, in turn, contribute to the reduction of the EU energy deficit through the provision of energy from renewable resources, similar to other EU members. The benefit of securing a renewable fuel from domestically produced sustainable crops would also have significant national fuel security implications. Such fuel diversification could lead to the development of a new industry with the consequent increased economic activity, job creation, and associated socio-economic benefits dependent on the sector's cultivation.

The 20p per litre excise reduction for bioethanol that the Chancellor announced in the Budget, to be introduced in 2005, is welcome. However, he needs to go much further to make it more applicable. Other incentives, for example a capital grant, would also greatly help to stimulate the growth of the biofuels industry.

I finish by asking the Government to consider carefully the cross-party support for this debate by Norfolk MPs and other hon. Members. The Government should find new incentives for the growth of the industry, benefiting the environment as a whole, developing and diversifying in the farming sector, and bringing many associated benefits.

10.29 am

Mr. Richard Bacon (South Norfolk): I join other hon. Members in congratulating my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on securing a debate on this very important subject which, as the hon. Member for Great Yarmouth (Mr. Wright) said, has all-party support.

I very much agree with the points that have been made about the need for any coherent transport strategy to take account of biofuels and, as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) said, for joined-up government on this important issue. I am particularly persuaded by the environmental arguments. We would all like to hear the Minister try to justify why liquefied petroleum gas, which is a fossil fuel, has a higher tax break than biofuels. No sensible person believes that that is justifiable. I am also powerfully impressed by the economic case. Such a strategy would be a huge benefit to farmers in my constituency, which has significant rural economic deprivation.

I want to expand slightly on the subject of fuel security, which has been touched on, and to ask the Minister some questions. Our notion of energy security presupposes more than one source, even for one type of energy supply. For example, we should not be dependent on imported oil only from the middle east and countries such as Iraq, Iran or Saudi Arabia. We should also be able to depend on imports from Latin America, Russia, Alaska and so on.

Energy security also requires diversity of types of supply, not just oil or natural gas, but sources such as wind and solar power. Why would anyone not want to add biofuels to that list? Does the Minister believe that a biofuels industry is necessary, not just desirable, in the United Kingdom? If the answer is yes, do the Government recognise that they have a responsibility to introduce policies to help to start such an industry, either by fiscal means, such as the escalator suggested by the hon. Member for Southampton, Test (Dr. Whitehead) or through other tax breaks? Which would be better?

Are the Government satisfied with the rather bizarre situation described by my right hon. Friend in which rape seed produced in Norfolk and elsewhere is exported to Germany to be turned into biofuels, only to be imported back into this country with the concomitant extra CO_2 emissions that that causes, never mind the lack of benefit that could be accruing to an industry in this country and, as the hon. Member for North Norfolk (Norman Lamb) said, the extra jobs that would go with it, including in my constituency? If the Government are not satisfied with that bizarre situation and believe that a biofuels industry in the United Kingdom is necessary

rather than just desirable, and that they have a responsibility to promote such an industry, will the Minister stand up and tell us what they intend to do about it?

10.30 am

Andrew George (St. Ives): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing this important debate. She set an appropriate tone, given the fact that there is much cross-party consensus, and explained the need for ministerial assertiveness on the issue. The debate has shown that there is a lack of cross-departmental co-ordination, or at least insufficient evidence that any Department has put pressure on the Treasury, and has been assertive enough to make the necessary policy decisions to provide the kick-start that the industry needs, the case for which hon. Members have made today.

The right hon. Lady drew attention to the disappointing Government response that she and others, including myself, have received in replies to parliamentary questions. A cross-departmental policy is necessary. The hon. Member for South Norfolk (Mr. Bacon) referred to the bizarre situation in which we export crops and import fuel, using fossil fuel to prop up that exchange. He clearly identified a number of arguments that were taken up by other hon. Members.

The hon. Member for Sherwood (Paddy Tipping) pointed out in a telling speech the need for an adequate lead-in time—at least two years is required for preparation—and the need to give the industry the necessary incentives to plan for the improvements that will be required. The hon. Member for Mid-Norfolk (Mr. Simpson) also identified the need for a clear plan.

The hon. Member for Southampton, Test (Dr. Whitehead) read a passage from the Government's energy strategy, which clearly identified the Government's ambivalence. We know that civil servants like to be on the cusp of a dilemma, but Ministers need to push them off it and to adopt clear policy positions. The hon. Gentleman also identified the need to set targets for the blending of ethanol with other fossil fuels.

My hon. Friend the Member for North Norfolk (Norman Lamb) emphasised the environmental case. I agree that pursuing this policy would make a major contribution to a reduction in greenhouse gases. He also appropriately identified, as did others, the need to establish parity in Government policy on LPG.

The hon. Member for Great Yarmouth (Mr. Wright) emphasised the need for a strategic review in the light of the predicted fall-off in North sea oil production, which the Government should take into account when considering their position.

We are aware of the low level of biofuel usage in this country. The Treasury has said that the reduction in fuel duty on biofuels has stimulated the production of biodiesel from waste cooking oil or animal derivatives, but that is based on sales of 400,000 litres of biodiesel a month and a proposed £10 million investment in a plant in Motherwell. Those figures should be considered in the context of the huge amount of road fuels used in the UK. The figure of 400,000 litres is only 0.01 per cent. of the UK's monthly road transport fuel requirement. The £10 million Argent plant in Motherwell promises to produce 45,000 tonnes—50 million litres—per annum, which is encouraging. However, the UK uses 37 million tonnes of road fuels a year, of which 45,000 tonnes is only 0.16 per cent. More action is needed on that front.

Clear co-ordination and cross-departmental effort are required. The right hon. Member for South-West Norfolk identified the need for Ministers to meet and to get off the fence to set a clear policy. They should give a clear lead and encourage civil servants to stop enjoying the intellectual pleasure of being on the cusp of a dilemma. They should establish a clear policy, which includes a further cut in duty and the provision of grants or allowances.

There has been a debate about whether a cut in duty would result in imports flooding into this country. The Central Science Laboratory recently studied the transport costs of fuels and the fiscal regime in the UK. It concluded that it was unlikely that there would be a flood of imports, but we cannot take that risk. The Government should review the situation intelligently to ensure that the balance is right. There needs to be parity with LPG, and the hon. Member for Southampton, Test is right to encourage the Government to set a target for increased blending.

The debate is timely. The Government can no longer faff around—if I may use that expression—but must set clear targets. We need a decisive view, a clear lead, co-ordination and a strong resolve to follow policy through.

10.32 am

Mr. John Hayes (South Holland and The Deepings): I congratulate my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on securing the debate. It is indicative of her mix of diligence and insight that she drew the Chamber's attention to this important matter. She will be mindful of the impact that it will have on her constituents, as will other hon. Members. It will also have a beneficial impact on my Lincolnshire constituents, as we are her near neighbours.

It might also be beneficial, not for this well-informed Chamber but for a wider audience, to remind the House what biofuels are. Biodiesel made from a vegetable or animal oil mixed with a small amount of methanol is non-toxic and biodegradable, and bioethanol is a simple alcohol produced by the fermentation of plant co-products such as straw, wheat and potatoes. The hon. Member for Southampton, Test (Dr. Whitehead), with his scientific mind, is probably scrutinising my every word, so I hope I have that right.

In that context, it is important to rehearse the principal environmental benefits of biofuels, which several hon. Members have highlighted. The main benefit is expected to be the reduction in CO_2 emissions by about 50 to 60 per cent. compared with emissions from fossil fuels. Some of the emissions are absorbed during the growth process. With biofuels there are fewer greenhouse gases and fewer air pollutants, and there is the possibility of recycling waste oils. Given the state of agriculture in the past few years, biocrops would give farmers the real and much-needed option of going into a new product area that provides additional business opportunities, as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) said.

Mr. Drew: Surely, the problem for farmers is that the structure of the EU predicates against that, because they

[Mr. Drew]

are asked to sign long-term contracts. Commissioner Fischler should ensure that contracts reward farmers over an acceptable period, rather than their being front or end-loaded.

Mr. Hayes: That is an extremely good point. The hon. Gentleman is a keen contributor to debates on matters that affect agriculture. He is right; there needs to be a clearly defined strategy. We cannot expect growers to plan ahead unless there is clarity of direction both from the EU and the Government. At present, such clarity does not exist at either level. The hon. Gentleman is right to say that that is a necessary component of what I was describing.

Against a background of the accepted environmental benefits of biofuels, the EU is proposing a series of targets for this country and other EU members. Although we are familiar with those targets, it is worth rehearsing them. In essence, the EU directive set out a target for the use of biofuels and other renewable fuels at a rate of 2 per cent. by 2005 and 5.75 per cent. by 2010. Member states will have until 31 December 2004 to develop a strategy to meet the targets. The EU proposes that we should replace 5 per cent. of the total automotive fuel market with alternative fuels by 2020.

As my right hon. Friend said, the Government's response has been to talk a lot about aspirations. However, the only action taken to meet the targets was to reduce the duty on bioethanol by 20p per litre and it is widely acknowledged that that is insufficient to kick-start the industry. As hon. Members on both sides of the House have said, the judgment is that that simply has not done the job. I will not linger too long on that, but it is worth taking into account the remarks of the president of the National Farmers Union, who said:

"the Chancellor's decision to reduce the duty on bio-ethanol by 20 pence per litre merely brings the duty on this green fuel into line with that of bio-diesel, which is insufficient to provide any impetus to developing the bio-fuel industry."

Peter Clery, Chairman of the British Association for Biofuels and Oils, was also disappointed with the scale and timing of that change. Biodiesel accounted for 0.1 per cent. of UK road transport diesel consumption in 2002. Other countries are racing ahead of us—not only France and Germany, but, as my right hon. Friend pointed out, Spain and Sweden. Furthermore, the issue extends well beyond Europe, and Britain is being left behind.

For brevity and clarity I shall restrict my further remarks to a series of questions. I know that the Minister will have all the facts readily to hand, so answering them in the time available will not be difficult. On the off-chance that he does not have the information, he can drop me a note at his convenience.

The questions are simple. How will the Government meet the EU targets? What are the proposals to meet higher thresholds, which are likely to come later, and what time scales does the Minister envisage for meeting such targets? Will he estimate the level of biofuel that we import from, in particular, Germany and France? What was the Government's estimate of the likely effect of the reduction to 20p? What measurements have they made of the subsequent effect on the industry? What is the Government's estimate of the capacity to grow bio crops—if we can call them that—and what discussions has the Minister had with the farming industry about opportunities for hard-pressed growers? How much palm oil do we import to feed the biofuel industry? I said that the Minister might want to write to me, and if he does not know the figure off the top of his head I am sure he will be able to find it.

Which Department is responsible for co-ordinating the strategy? The hon. Member for Sherwood (Paddy Tipping) was absolutely right, and my right hon. Friend also raised the point when mentioning the evidence given to the Select Committee. There is an extraordinary lack of clarity about who in the Government is pulling policy together. What discussions are taking place? Who is co-ordinating policy? Which officials are dealing with it? Which Department has authority over it?

What proportion of biofuel sales comes from recycled cooking oil? I hope that the Minister will enlighten us on that subject, which has been mentioned by a number of hon. Members and is essential to the debate. Ultimately, what is the Government's strategy? It is one thing to have aspirations, and we know that there are targets, like it or not. However we are not sure, as the hon. Member for Sherwood said, whether the Government speak with one voice. In fact, it is increasingly clear that they speak with many voices or, in answer to some of these questions, with no voice at all.

There must be a strategy, because uncertainty and lack of clarity is causing us to suffer a competitiveness disadvantage, which is likely to grow considerably. There cannot be further delay. We need a clear Government position, not only to allow the industry to grow and develop, but to support growers in their long-term planning—they have to plan two or three years ahead, as the Minister knows.

As I have said to the Minister on other subjects and in other contexts, we have a Minister with a new opportunity. He is a fresh man with fresh ideas coming to the subject for the first time. *[Laughter.]*

Mrs. Shephard: Why are hon. Members laughing?

Mr. Hayes: It is friendly laughing; they are laughing with the Minister, not at him. With that fresh approach, new energy and helpful zeal, we hope that he will do what hon. Members on both sides of the Chamber have been calling for. I pay tribute to them for championing the issue. Their efforts did not start today, but some time ago. I hope that the Minister will meet those expectations, rise to the challenge and do what is in the interests of the environment, farmers and growers and, I think we would all agree, what is in the nation's interest.

10.50 am

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): It gives me great pleasure to respond to the debate, especially given the constructive and consensual nature of the contributions, although at times the Government have not been given enough credit for what they have done so far, but I shall address that. The debate has also given me a chance to take a tour round my home county of Norfolk.

Dr. Gibson: Come back.

Mr. Bradshaw: I was not aware there was a vacancy.

It is pleasing to hear so many Norfolk MPs talking with one voice. I do not intend to make a long speech on the background to this issue, because the opinions expressed in the debate have been fairly united. We all agree that biofuels are a good thing and should be promoted and encouraged. However, I will say a little about the background, because the hon. Member for South Holland and The Deepings (Mr. Hayes) has, as always, generated a great deal of work for my officials. That is his prerogative and a very good thing, too. I promise to write to him if I do not answer all his questions, and to other hon. Members if they do not feel that their points have been addressed.

Biofuels can provide significant life-cycle reductions in carbon dioxide emissions compared with conventional fossil fuels. Bioethanol and biodiesel from virgin crops can reduce such emissions by about half over conventional fuels. In the case of biodiesel from waste vegetable oil, the life-cycle benefits can be even higher. However, as several hon. Members said, environmental considerations are not the only issue. Establishing new markets for agricultural produce and maintaining and increasing rural job opportunities is important for farmers and policy makers alike. That point was well made by the hon. Member for Mid-Norfolk (Mr. Simpson).

The reform of the common agricultural policy is potentially very positive for biofuels. Reduced production of sugar beet, cereals and potatoes could make available more land for the growing of biofuel feedstocks, in addition to the existing set-aside land. Under the agreement for reform, biofuel feedstocks can continue to be grown on set-aside land, and they will receive payments under the new single payment scheme. Feedstocks grown on non-set-aside land will receive payments under the new single payment scheme plus the new €45 per hectare energy crops payment.

The Government have supported the production of biofuels through cuts in the duty rate. In 2000, my right hon. Friend the Chancellor of the Exchequer launched the green fuels challenge to produce proposals for environmentally friendly fuels. As a result, biodiesel was awarded a duty cut of 20p per litre compared with ultra-low sulphur diesel. The cut was implemented in July 2002 and has resulted in some useful production. About 500,000 litres a month—not 400,000 litres, as the hon. Member for St. Ives (Andrew George) suggested—are sold from more than 130 filling stations in the UK. That biodiesel is mostly from recycled vegetable oils—I will write to the hon. Gentleman to give him the exact proportion—so it provides additional waste reduction benefits over and above the benefits from reduced carbon dioxide emissions. He highlighted an example of progress when he drew attention to the Argent plant in Motherwell, which will produce biodiesel from animal fat, including tallow. That shows what can be done under the existing regime of the 20p duty cut and capital support from the regional development agency.

Support is also planned for bioethanol. In the 2003 Budget, the Chancellor announced that a new duty rate would be set at 20p below the rate for ultra-low sulphur petrol, with effect from January 2005.

Mr. Bacon: Will the Minister give way?

Mr. Bradshaw: Of course, but I am about to come to the 20p reduction and the questions that the hon. Gentleman asked.

Mr. Bacon: Does the Minister accept that if all the cooking oil in the United Kingdom were recycled and turned into biofuels, the total contribution would be relatively small, not to say almost negligible?

Mr. Bradshaw: I do not accept that; the contribution made by recycling cooking oil should not be underestimated.

My hon. Friend the Member for Sherwood (Paddy Tipping) asked how the 20p duty reduction was calculated. I understand that the reduction takes into account the environmental benefits of biofuels. The calculation shows that, given the social costs of carbon emission, the environmental benefits can be valued at between 3p and 5p out of the 20p. The 20p reduction recognises the environmental, agricultural and industrial benefits delivered by biofuels.

The right hon. Member for South-West Norfolk (Mrs. Shephard) asked why more support is given to LPG than to biofuels. Several other hon. Members raised that issue. The duty rates for road fuel gases were set to reflect the benefits that they deliver to local air quality rather than the reduction of greenhouse gas emissions. Road fuel gases face significant market barriers, and require a dedicated and separate refuelling infrastructure. Vehicles must be converted or have a dedicated design to use gaseous fuels, so the difference in reduction in duty reflects the extra capital costs that using those fuels requires. The right hon. Lady argued that the duty cuts in the UK did not compare favourably with those in other EU countries. She may be right in one or two cases, but taken across the board the UK duty cuts compare favourably. For example, we are one of the few countries to be committed to offering duty incentives for biodiesel and bioethanol.

Mrs. Shephard: The Minister has four minutes left. Will he use them to tell the House whether he agrees with his noble Friend, Lord Whitty, the DEFRA Minister, that more help is needed than a 20p duty cut? As all hon. Members present have asked, will he also explain the Government's cross-departmental structure? Is it designed to bring about that change, and will there be extra help?

Mr. Bradshaw: I shall endeavour to deal with as many points as possible, and I could get through more if right hon. and hon. Members did not intervene. If they do, I shall have to write to them. I am going through the right hon. Lady's questions one by one, as she will notice.

The right hon. Lady complained about material being exported to Germany and imported back into this country. She will know that the German situation is a particular one dating from reunification when, because

[Mr. Bradshaw]

of the economic and agricultural inheritance of the former East Germany, the German Government took a strategic decision to invest a great deal of money in the East German industry and biofuels. I do not want to go into details, but I will be happy to expand on that in writing.

The hon. Member for South Norfolk (Mr. Bacon) asked whether the Government believe that biofuels are necessary. We believe that they are necessary as part of a package of renewable energy to help the UK to meet its targets. We recognise the need to provide support to kick-start the industry, and that may well include reconsidering the levels of duty and one or two of the other issues that have been raised.

We shall consider the following possible options: further duty cuts; enhanced capital grants; enhanced capital allowances; and mandatory blending. I agree that it is helpful for Governments to speak with one voice. It would not be the first time that Ministers in different Departments have emphasised different areas; that happens all the time in all Governments and I am sure that the right hon. Lady experienced that in her many ministerial roles. If my hon. Friend the Member for Sherwood is right to say that Ministers have been flatly contradicting one another, I will try to iron out such differences. I would be surprised if that were the case, but I shall certainly speak to the Minister in my Department who leads on this issue, Lord Whitty, and shall ensure that in future the Government speak with the same voice on the matter.

The right hon. Lady asked how the Government would respond to the East of England Development Agency report. We believe that it was an excellent analysis of the potential development of the bioethanol industry. We contributed to that exercise and have drawn on the data that it produced. The process has helped and has informed the Government's analysis, and we shall keep the duty rates under constant review.

The hon. Member for Mid-Norfolk asked what research was being undertaken. Considerable research has been undertaken, not only at Sheffield Hallam university, to which he referred. We have also worked with the EEDA on its study, and our Central Science Laboratory has produced detailed assessments on the potential for an impact—

Mr. Deputy Speaker: Order. We must turn our attention to the next topic for consideration today.

Affordable Housing (Torbay)

11 am

Mr. Adrian Sanders (Torbay): In approaching this subject, we must first understand what we mean by "affordable". For many of my constituents, affordable means a ratio of wages to house prices of close to four times, rather than the ratio of nearly seven times that exists today. From my constituents' point of view, housing is less affordable now. Secondly, we must define the term "housing". By housing, I mean decent, secure housing, whether for purchase, rent, part-purchase or part-rent.

Affordable housing is in short supply in my constituency. Until the sale of council houses, there were more than 6,000 units but now fewer than 3,000 of those units remain as rentable accommodation. They were not replaced as fast as they were sold. There is a scarcity of social housing, either housing association or local authority housing, which comprises about 7 per cent. of the total housing stock in Torbay, as compared with 14 per cent. in the south-west region and 21 per cent. nationally. For a town of its size, Torbay has one of the smallest percentages of social housing anywhere in the country.

The main problem is the level of wages in relation to house prices. Torbay is the 20th worst area according to the Joseph Rowntree Foundation's report entitled, "Can work—can't buy". I believe that that position has worsened as a consequence of large-scale redundancies in the area in the high-technology industry. Some 4,300 jobs have been lost. The unemployment rate has increased only a little. People are now working in lower-paid jobs, often not full-time, which means that average incomes have fallen rather than risen in the past three years.

We also have a problem with second homes. I do not want to say that it is a great problem in Torbay—it is far greater in other parts of the south-west—and we are grateful that the Government are considering allowing councils to reduce the discount available to second homes. However, there is concern in the west country, particularly outside my constituency, that district councils with a housing function that collect council tax will have to pass 87 per cent. of that discount to the county councils that do not have a housing function. Torbay has a housing function and is a collecting authority, so it ought to be all right, but colleagues around my constituency are still concerned about the issue.

According to the latest figures published following parliamentary questions and available in the Library, the average wage in Torbay is now around £20,000 a year. Many people in my constituency will wince and say, "I don't earn £20,000—that's an astronomic sum," but that is the average wage according to the statistics. According to the figures from the latest quarter, the average house sale is £134,537. The average wage is the 147th lowest in the table of 150 areas, and the average house price is in the highest quartile of house prices in the United Kingdom. One does not need to be a rocket scientist to see that a salary nearly seven times the average is needed to borrow enough money to pay the average house price in the constituency. That means that many people not only cannot now, but probably will never be able to afford to buy.

The big change for my constituents in the past 20 years has been that larger numbers of people, in jobs that 10 or 15 years ago would have enabled them to get their foot on the housing ladder, now cannot purchase. One must question where, in future, gardeners, street cleaners, dustbin men, chambermaids, barmaids, nursing assistants, care workers, nurses and junior teachers—all the essential workers—will live. We have heard the argument about London. According to the Joseph Rowntree Foundation, the problems in Torbay are closer to those of a London borough than to those of the south-west region.

As at 31 July, there were 1,451 households on the council's housing register and 2,153 on the Riviera housing trust list. That includes the council's 1,451 and a further 702 with no local connection. There were 331 lettings in 2002–03, of which 304 were local authority nominations, and 60 per cent. of those went to homeless households. Torbay council's housing needs survey, which was conducted by Fordham Research, determined the net need for new affordable housing to be 1,816 units a year for the next three years. The provision in the local plan is for just 135 a year, which relies on windfall sales and has not yet been achieved.

The Joseph Rowntree Foundation report by Steve Wilcox, published in 2003, compared household income and property prices. Torbay was fourth outside the south-east, and was less affordable than several London boroughs. The report concluded, as I have said, that for working households the south-west is less affordable than the south-east.

Why, then, does the Government's sustainable communities plan pump new money into the south-east and midlands, giving no real additional funding to the south-west in 2004–05 or 2005–06, when there is clearly a need and demand there? Torbay's allocation from the Housing Corporation for 2003–04 was £2.9 million, which will provide 68 units. That is somewhat short of the 1,816 that are needed.

Many things can be done. The Government need to provide help in several areas, not just resources and money. The section 106 agreement needs to be amended. It does not work consistently across the country and it is clear that not all councils are getting as much out of it as they might. The Government need to examine that state of affairs and find out why some authorities are getting good deals out of section 106 and others are not. If it is a question of putting in training and support, that should be considered.

Planning policy guidance 3 needs some reform. It should clarify the definition of affordable housing. Under the current definition, many of those who cannot get on the housing ladder cannot get access to the affordable housing that the Government say needs to be made available. It is very important for my constituency that PPG3 should apply to sites of less than half a hectare. Torbay is an urban constituency in an urban borough. It is protected by hills that mean that there is a clear barrier between it and the hinterland. In the other direction, of course, is the sea. We cannot build in the sea and we are restricted as to how far back we can go into our hinterland.

There are, however, a large number of small—below half a hectare—brownfield sites, dotted across the constituency, on which only private housing will be developed, because the council has no power to say to developers that they should build affordable housing. The Government could easily assist authorities such as Torbay, including those in both urban areas and rural communities—villages that perhaps have small plots of land—to ensure that affordable housing is secured for their communities. It is bizarre that, at present, the Sunday newspapers contain advertisements for executive-style homes in the south-west region, promoting a lifestyle to people throughout the UK and beyond, while we do not have the power to meet our own local housing needs.

Torbay and other parts of Devon should be included in the sustainable communities plan. It is clear from the Government's statistics, and from more than one independent research study, that our problems are akin to those of some of the areas that will be provided with support.

Our biggest challenge, however, is the weak economy in Torbay, which has been devastated by the loss of 4,300 jobs in the opto-electronic industry. At the turn of 2000, for the first time in our history, manufacturing overtook tourism as the biggest generator of income in our economy, but that is no longer the case with the loss of those jobs. The reason that those jobs were lost was well beyond the control of Torbay, or the Government—it was due to the downturn in the global economy and in that industry.

Sadly, some people who are desperate for work have returned to jobs that they did before working in the fibre electronic industry, but on lower pay and under worse conditions—there are many examples of that. There is therefore less money circulating in the economy, and it has become evident that our economy is over-dependent on tourism. That is not to say that tourism will not play a leading role in helping us to improve our weak economy—it must. However, we must also diversify from our dependence on that one industry.

The council and the community recognise those problems and have got together. We are influencing regional bodies, such as the regional development agency and the regional assembly, and our Members of the European Parliament and anyone else who will listen. We say that we know what our problems are and that we have plans to tackle them. However, the Government could assist us in our plans to tackle some of those problems by tweaking the current legislation and by ensuring that available resources are pumped in. At present, they are not doing so.

My friend and neighbour, the hon. Member for Totnes (Mr. Steen), and I met local housing associations and other housing providers to discuss those issues, and I know that he has a particular point that he may wish to raise.

Mr. Anthony Steen (Totnes): May I make the point a little later?

Mr. Sanders: The problem for the hon. Gentleman is that I have timed my speech at 15 minutes, and I do not wish the time for him to make his point to run out. The issue that he wishes to raise is important.

Torbay's housing problem is not new—it has persisted for many years. It is due to the fact that, for generations, we have not provided enough social

[Mr. Sanders]

housing. The problem is now becoming acute, because of the right-to-buy policy, the fact that the houses bought are not replaced and the rise in house prices.

We also have a problem in the private rented sector. Some 85 per cent. of the private sector landlords in Torbay are not members of the South Devon Residential Landlords Association. I wish that they were, because the SDRLA does a fantastic job in ensuring that we have caring landlords who draw up proper tenancy agreements that are enforced, and ensure that tenants are not a nuisance to their neighbours. However, 85 per cent. are not members, and many of those 85 per cent. are absentee landlords, who live not just in other parts of Torbay but out of the county or even the country. We have seen a growth in people with social problems who exhibit antisocial behaviour accessing some of that private sector rented accommodation. If people want to find the drug dealers and users and unruly children, they will find them not on the council estates or in housing association accommodation, but in private sector rented accommodation.

The Government have rightly tightened up some of the rules relating to the allocation of affordable housing. A housing association may decide that a family have made themselves intentionally homeless and then not allocate a house or allow them on to the waiting list. That family will then move to the private rented sector. Indeed, families are moving into our area having been evicted from social housing in other areas. A wide variety of private sector rented accommodation is available, so they are able to secure accommodation.

If we were able to provide more social housing, we would reduce the level of private sector accommodation. That is a vital problem, which is recognised by the police, social services, education system and the local authority in general. Like many coastal communities, our area suffers from a high turnover of people. The Fothergill report by researchers at Sheffield Hallam university, which was published a few months ago, identified 43 coastal resorts as having potential problems with employment and sustainable economic development and noted that they attracted people who were economically less active than migrants moving to the south-east and other boom areas.

It is an interesting study. It shows that people want to move to coastal resorts and identifies them as people close to retirement who are winding down economically, retired people who are not economically active and benefit dependants. There is no reason for them not to move to the coast, but the trend has an impact, which the study did not identify. It places extreme burdens on health, education and social services, which is not reflected in the way in which the Government view such coastal communities. Although the report identified the factors, it reached the wrong conclusion in saying that migration to an area is of itself a good thing. It is important to identify who is moving in and whether the areas can cope.

Schools in my constituency have extreme problems with the high turnover of pupils, partly because of the high level of private sector rented accommodation. That has implications not only for the kids of the people who are moving, but for the classroom as a whole. Those factors are not being picked up by the Government when they decide how to distribute grants to areas with social deprivation. I hope that the Minister will take that point on board.

I am moving towards my conclusion, but I know that the hon. Member for Totnes wants to make an important point, so I shall give way to him.

Mr. Steen: First, I pay tribute to the hon. Gentleman for the quality of his contribution and for securing this important debate.

I want to raise the problem of land value. Land within the local plan is worth a lot more than that outside the local plan. If someone has planning permission within the local plan, they may get £300,000 an acre but, if it is outside the local plan, the land may be worth only £3,000 an acre. Affordable housing cannot be built inside the local plan unless there is Government subsidy. It can be built outside the local plan only by housing associations, and landowners can sell to housing associations. Does the hon. Gentleman agree that, if affordable housing is to be built and the Government are not going to subsidise housing inside the local plan, either they must subsidise land outside the local plan, or farmers and landowners must be prepared to sell land outside the local plan and accept less money for it?

Land will be sold for less outside the local plan. A covenant must be included to prevent an owner of affordable housing who wants to sell it on from making that housing no longer affordable for the next purchaser.

Mr. Sanders *rose—*

Mr. Deputy Speaker: Order. I draw the Chamber's attention to the fact that we are almost 21 minutes into this 30-minute debate and the Minister has yet to reply.

Mr. Sanders: I shall be brief.

I agree entirely with the hon. Member for Totnes that the subject deserves an Adjournment debate in its own right, as does the whole subject of taxation of land.

I have made my points. I look forward to hearing the Minister's reply and whether she can give some help to the many homeless families and people in inadequate and poor accommodation who desperately want to access decent, affordable housing in my constituency.

11.21 am

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I congratulate the hon. Member for Torbay (Mr. Sanders) on securing this debate, and on bringing this issue to the Chamber again. It is just a few weeks since my hon. Friend the Minister for Housing and Planning responded to a debate on affordable housing in the south-west that my hon. Friend the Member for South Dorset (Jim Knight) had introduced. I know that many hon. Members are concerned about this matter.

The south-west is grappling with rapid house price inflation, which has occurred in a relatively short time in many places in the region. The situation is exacerbated by the fact that the south-west suffers the double impact of significantly higher-than-average house prices and

lower-than-average incomes. The hon. Gentleman described the impact of that on his constituents. Torbay is a desirable part of the country in which to live and many people are attracted by its quality of life, but it also suffers significant deprivation in some areas with the highest unemployment rate in the south-west and is among the 100 most deprived districts in the country. The average earned income is £18,000 compared with a national average of £23,000 and a regional average of £21,000, and the impact of that can be seen. House prices in Torbay have risen by more than 58 per cent. in just three years, which is in line with rises in the south-west. Throughout the south-west, the average house price stands at £164,036, which is the highest outside London and the south-east. With rising prices and lower-than-average incomes, it is clear that affordability for people wishing to own a home has become complex.

The factors at play in Torbay are seen elsewhere in the south-west, where rapid growth in house prices is a product of increasing population and economic growth in an attractive region. It has the fastest growing population, as the hon. Gentleman said, which has been more than double the national average.

Even within the south-west region there are wide variations in the figures, such as those for gross domestic product in Swindon compared with Cornwall and average house prices in Cotswold compared with Plymouth. Overall, the regional figures for homelessness show an increase of 23 per cent. between 1990 and 2000, with the third highest proportion of homeless people in England.

The Government are fully aware of the challenges and difficulties facing many places in the south-west, including Torbay. We are increasing our investment in affordable housing, including no less than a 30 per cent. increase in funding in 2003–04 under the main approved development programme for social housing. That represents an extra £20 million for housing in the south-west, bringing the total to £81 million, which will deliver about 2,000 new affordable homes for the region in 2003–04.

The hon. Member for Torbay raised another key issue, which is related to planning. Under the proposals for the reform of the PPG3, we want to concentrate development in towns and cities as a priority, promote well-designed housing developments that do not waste land, and have a more sustainable approach to housing. We recognise the need to consult on changes to PPG3. My right hon. Friend the Minister for Housing and Planning announced on 17 July that we would consult on changes to PPG3 in order to widen the range of housing in terms of size, type and affordability. I will ensure that the points raised by the hon. Member for Torbay are fed into that consultation process. We must do whatever we can with the planning and housing systems to ensure that we deliver more affordable housing while improving overall housing numbers and better matching communities' housing needs with supply.

The hon. Member for Torbay also discussed section 106, and the hon. Member for Totnes (Mr. Steen) raised issues about planning gain and the impact of the approach to land value. Again, the Government are alive to those issues, and discussions are under way on section 106 and what more we could do. We recognise that complex issues are involved and that various approaches are being advanced.

The Government also want very much to support greater regional debate, because many decisions about housing allocation and housing support are better taken at the regional level. That is why we set up the regional housing boards. Each region has had the opportunity to identify its key housing priorities and to create its own response within a coherent national framework. One size cannot fit all; we cannot decide in London what the approach should be in every region. The south-west housing body has just prepared its first housing strategy for the region, and we shall be responding formally to that document. I am pleased that the south-west housing body has promoted a debate on the future of housing in that region with an impressive range of stakeholders across the south-west.

The hon. Member for Torbay raised his concern about the private rented sector. We also have some concerns about the nature of that important sector. We want to promote its growth in many areas of the country. However, we must deal with problems such as absentee landlords—they may even be out of the country—not enforcing tenancy agreements, particularly in areas with antisocial behaviour.

We have put proposals for the selective licensing of private landlords in the draft housing Bill. Under that legislation, landlords would need to meet particular standards for housing management and dealing with antisocial behaviour. If they are not licensed but continue to rent out property in a licensed area they will be liable to a penalty of up to £20,000. We believe that private landlords need to recognise their responsibilities. As the hon. Member for Torbay rightly said, many organisations and landlords across the country are keen to do that, but some are not. The issue needs to be addressed.

It is important that regional needs are recognised, and that every area sets its own priorities. We also need to consider the overall position of housing supply and the nature of the housing market across the country. That is one area being considered by the Barker review, which will report on the housing market across the country. Following that review, we will need to consider the regional consequences.

Again, I congratulate the hon. Member for Torbay on raising those important issues.

11.29 am

Sitting suspended until 2 o'clock.

Tenancy Deposit Scheme

2 pm

Mr. Andrew Love (Edmonton): A viable national tenancy deposit scheme is critical for the one in 10 of all households—accounting for approximately 2.2 million people—that are in the private rented sector, which is characterised by relatively poor conditions. The most recent survey shows that in one in five houses in multiple occupation people are living in dire circumstances, and many of those are young people under the age of 30. The sector is also characterised by an appallingly low standard of management and highly fragmented ownership of properties, with most landlords owning no more than a couple of properties and very few belonging to the professional associations that can help to drive up standards.

Comprehensive action is needed to deal with the problems in the sector, and that must include a tenancy deposit scheme. Research shows that 70 per cent. of all private tenants pay a deposit to secure a home, and for assured shorthold tenants that figure rises to more than 80 per cent. The deposit is usually around one month's rent, and the national average is just over £500. However, according to the survey of English housing, one in five tenants whose tenancies ended in recent years were unhappy that their deposit was unreasonably withheld. Half of all tenants whose deposit was withheld were not given a satisfactory reason.

That is a significant problem and must be addressed. It is compounded by the fact that research also shows that it impacts disproportionately on the less well off. The National Association of Citizens Advice Bureaux carried out research and believes that about half of private tenants believe that they have had a deposit unreasonably withheld. Of those, around two thirds lose either all or part of the deposit, which many of them simply cannot afford to lose.

According to Shelter,

"Tens of thousands of people lose out to this scam or rent rip off and are often forced into crippling debt to pay the next deposit. A few face the even more extreme outcome of becoming homeless".

Work by organisations such as Shelter suggest that many of those who have difficulties, face homelessness and lose their deposit find that if they try to regain that deposit through the available legal remedies, proceedings in the small claims court are expensive, take time and are often subject to delay. They also often prove unsatisfactory. Middlesex university wrote to me about tenancy deposits and the experience of its students, as follows:

"It is daunting, time consuming and expensive to those on a low income. Every penny counts for a student and so the idea of spending money to try and get their entitlements back is very off-putting."

Mrs. Anne Campbell (Cambridge): I congratulate my hon. Friend on securing this important debate. More than 7,000 students at Anglia Polytechnic university, in my area, seek accommodation in the private sector each year, and I hope that my hon. Friend will agree that unreturned deposits are a real problem for students, who are often about to start off on their careers with little money, and do not wish to hang around after they have finished their courses. It is particularly difficult for students to fight when deposits are not returned.

Mr. Love: That is undoubtedly the case. Students, many of whom live on low incomes, are particularly badly affected by the loss of a deposit because it makes life so much more difficult when they move on to further accommodation.

As a result of the experiences of students and others in the private rented sector, the Government introduced a voluntary tenancy deposit scheme in 2000. I congratulate them on that. The scheme was primarily aimed at dealing with two issues. First, it was intended to ensure that deposits were held safely and were distributed to the tenant or the landlord, depending on the circumstances. Secondly, the scheme was intended to set up some form of independent arbitration machinery that would decide whether the deposit should be returned to the tenant or to the landlord.

Mr. Kelvin Hopkins (Luton, North): Is it not the case that the well behaved landlords have participated in the voluntary scheme and the bad landlords have avoided it?

Mr. Love: There is some evidence to suggest that—but the real problem is that most landlords have not taken part. Only a small section of landlords have been involved. I suspect that my hon. Friend is right and that that section already comply with good practice.

Mr. Eric Pickles (Brentwood and Ongar): Is the hon. Gentleman as disappointed as I am to learn that only a quarter of letting agents belong to professional bodies? Having considered the pilot scheme, he expressed his disappointment at the relatively small number of organisations that have joined. How long does he feel the pilot scheme should continue before a definitive decision is taken on whether to develop it nationally?

Mr. Love: As the hon. Gentleman will know, the pilot scheme was adapted to make it more attractive. That is especially true of the insurance option. Moneys that should have been due were not taken, and bureaucracy was reduced to a minimum. Even with those additional features, the scheme did not manage to attract many outside the organisations of landlords and agents to join. One of the lessons is that in such a fragmented market, it is extremely difficult to reach out with a voluntary scheme. That is one of the reasons why many people present believe that we need to move to a statutory base and ensure that all landlords come into the system in some way or another.

Ms Oona King (Bethnal Green and Bow): I have received many representations from constituents on this point, which is why I strongly support the introduction of a statutory scheme for the tenancy deposit. Does my hon. Friend agree that, given the urgency of the issue and the scarcity of parliamentary time, the draft Housing Bill that is to come before Parliament soon would present the Government with the best and swiftest way of dealing with the problem?

Mr. Love: I agree with my hon. Friend. I will deal with that point in detail later.

The aim of the pilot scheme was to test two things: first, whether a voluntary scheme could be self-financing, and, secondly, whether legislation was necessary to ensure the compliance of everyone involved in the private rented sector. Sadly, the response of agents and landlords proved disappointing. Even when we made the scheme more attractive to them and less onerous in terms of bureaucracy, there was a slow take-up. As a result of that—and, I suspect of some frustration—the Minister with responsibility at the time, the present Lord Chancellor, said in February 2002 that there was

"a strong case for legislation".—[*Official Report, House of Lords*, 13 February 2002; Vol. 631, c. 1090.]

Let us consider the experience in other countries, including Commonwealth countries such as Canada and Australia. Admittedly, circumstances are different from those in this country, but experience shows that a statutory tenancy deposit scheme can deliver fairness between landlord and tenant at a reasonable cost and can be self-financing. That is what the Government intended to happen.

What of the case for such a scheme in the United Kingdom? The evaluation of the pilot scheme drew several conclusions. First, it suggested that the fear of the deposit being withheld was much greater than the abuse of the system. I was mystified as to how it reached that conclusion, given the experiences in my constituency.

One of my constituents, Mrs. X, a lone parent with two children, was an assured shorthold tenant who paid £1,600 to her landlord, £800 in advance rent and £800 as a deposit. The landlord started possession proceedings in August 2002. During the court proceedings to evict her, she mentioned that she was concerned about the fate of her deposit, and the local council contacted the landlord to ask him when he was likely to return it.

Following a further intervention in January this year, the landlord would not confirm how much of the deposit he was willing to return. In February, he had still failed to return anything, and the local council pursued him on behalf of the tenant and suggested that she take up legal remedies. In June she started proceedings in the small claims division because she was so unhappy and wanted to get her money back. Today she is still waiting, and nothing has been done to return her deposit. Such experiences lead independent advocacy services, voluntary housing groups and local authorities to believe that we need the statutory backing of a national tenancy deposit scheme to ensure that there is justice and fairness not only for the tenant but, in certain circumstances, for the landlord.

The evaluation's second recommendation stated that the consultation was evenly balanced. Tenants were strongly in favour of a national statutory scheme while landlords, who felt that the present system worked reasonably well, were not minded to support one. Examined superficially, that seems all right—as far as it goes. A more careful examination, however, reveals that the scheme's opponents were overwhelmingly from the landlord sector and that other organisations did not oppose it. Indeed, most of the organisations that submitted views—the National Association of Citizens Advice Bureaux, the National Consumer Council, Shelter and other housing organisations, and local authorities, which are all involved with the issue—overwhelmingly supported such a scheme. I must therefore ask the Minister this question: should the landlords, who appear to be the only sector opposed to a scheme, be able to veto its introduction?

It has been suggested that such a scheme would not be good value for money. In June 2002, the winding up of the voluntary scheme was announced in a ministerial statement, which suggested that the scheme's benefits in deposits returned to tenants would be about £20 million, while its estimated costs would be £19 million. The wording of the evaluation was finely balanced, and although almost everyone accepts that the estimate of the rent that would be returned to tenants was fairly accurate, the estimate of the cost of the adjudication system was based on a flawed assumption. The evaluation calculated that the 127,000 tenants who expressed a grievance would all have gone to appeal, but we know from the experience of the systems that are already up and running in Australia and Canada that only 2 to 3 per cent. of completed tenancies end up at the appeal stage. Indeed, only 1.5 per cent. of completed tenancies in the pilot ended up on appeal. It is not credible to assume that the 20 per cent. who complained would all end up going to appeal. Furthermore, no estimate has been made of the savings that would arise from not using the small claims court for that purpose.

Importantly, evidence from abroad suggests that a tenancy deposit scheme deters people from bad practice in the private rented sector. That is a strong feature, and would make a significant difference. As a result, the £19 million figure is undoubtedly inaccurate and should be much lower.

Additionally, with a custodial scheme in which deposits were handled independently, the interest from the £790 million to £800 million in deposits held nationally at any time, which would amount to about £30 million, would pay for a self-financing scheme. I was pleased to read that the Office of the Deputy Prime Minister was reviewing the cost element, and I ask the Minister to update us on how far it has got in estimating the benefits and costs of introducing such a scheme.

It was recently suggested that a tenancy deposit scheme would more appropriately be dealt with as part of the Lord Chancellor's review of tenure reform. I disagree with that for several reasons. I am not a lawyer and I do not know the intricacies of tenure reform, but one concern is that compulsory written tenancy agreements do not, and cannot, ensure fairness and equity for the tenant. The agreements do not address how the tenant's money should be held, give them confidence that it will be returned, or address how disputes should be resolved. Under the scheme, taking court action would remain the only remedy.

The present barriers to small claims court action would continue to exist in the future. Those barriers are the costs, especially for people on very low incomes, the delays, which are inherent in the system, and the doubt about whether the agreement could be adequately enforced to the satisfaction of the person who had lost their deposit.

As has been said, there is likely to be a lengthy consultation on tenure reform, with no guarantee that at the end of consultation, parliamentary time will be made available. We know from past experience that waiting for time to become available can cause significant delay.

[Mr. Love]

By way of contrast, as several Members have stated, the draft Housing Bill has already been discussed in Parliament. The Select Committee on the Office of the Deputy Prime Minister: Housing, Planning and Local Government comprehensively examined the Bill and made several recommendations, which included its support for the inclusion of a tenancy deposit scheme. It is also important to tap into the experience that we have gained from the voluntary scheme. It has several features which, if taken into account, would make a national scheme so much better.

If we were to include the tenancy deposit scheme in the new Housing Bill, which we hope will be introduced in the next Session, the Bill would be more comprehensive. It would be ready for immediate enactment, so people in the private renting sector would not face further delays, problems, complications and difficulties. The scheme would fit in with the other provisions in the Bill to address all the problems faced in that sector.

There would be no need for further consultation, although I accept that there could be pre-legislative scrutiny. When the Leader of the House came before the Select Committee on the Office of the Deputy Prime Minister: Housing, Planning and Local Government, he said that that might be the case. The scheme would not only protect tenants from the worst conditions, but protect their money, so that they would get a fair deal on their tenancy deposits. Overall, that would promote better value for money and more affordable accommodation. One of the greatest difficulties faced by my constituents is that without a deposit, they can access only the worst of the private rented sector. If they can protect their deposit, they are likely to get better quality accommodation.

I hope that the Housing Bill will encourage and stimulate more institutional investment in the private rented sector, which is the most important factor for the future. That would do two things. First, it would reverse the decline in the private rented sector. During the last 50 or 100 years it has decreased from accounting for more than half of all dwellings in this country to covering only 10 per cent. today. Secondly, and more importantly, at a time when we know that there is not enough social housing on the market to address our problems, it may be able to make a significant contribution to the supply of accommodation at reasonably affordable costs. We should be looking towards that, but if we are going to achieve that institutional investment, a tenancy deposit scheme—along the lines that have been outlined many times by many people—is absolutely essential to give trust and confidence to the tenant and the reputable landlord, and to the institutional investors that will make such a difference in the sector.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Frank Cook): Order. It may be advantageous if I remind all hon. Members that it is customary to commence the winding-up speeches 30 minutes before the conclusion of the debate. I see that, although only two hon. Members have given prior notice of their intention to intervene, four are seeking to catch my eye now. I appeal to all hon. Members present, when making their contributions or accepting or responding to interventions, to bear in mind the fact that we need to move to the winding-up speeches at 3 o'clock.

2.21 pm

Vera Baird (Redcar): I congratulate my hon. Friend the Member for Edmonton (Mr. Love) on securing a debate on this issue, which is of the highest importance to a relatively poor and excluded sector of society, and finds strong echoes in Redcar and Cleveland, where my constituency is located. There are about 3,500 privately rented tenancies there, and deposits and bonds are anywhere between £50 for a bedsitter and about £400 for a house. Although he accepts that landlords have to safeguard their properties from damage and obtain recompense if it occurs, it is the view of the Teesside Homeless Action Group's organiser Francis Owens that deposits have now become a "perk" for unscrupulous landlords. He describes the problem of non-return of deposits in Redcar and Cleveland as pretty bad, and he hears of cases of deposits and bonds being withheld almost weekly.

Typically, a person is asked to leave a property because housing benefit is not paid on time and the deposit is held to replace the lost rent, but when the benefit is made up, it is rarely returned to the tenant. The landlord will claim damage has been done to the property or furnishings, despite protests from the tenant. Often the damage was there, although not necessarily noted by the tenant, when the tenant moved in. People moving in and out of substandard property will often be paying out of their bond or deposit for "damage" that has been paid for by several previous tenants in exactly the same way.

If people are evicted or asked to leave before their tenancy is up, landlords frequently keep the deposit as compensation for their trouble. Some landlords simply do not return it. Francis Owens told me of one person he is chasing—and has been chasing for several weeks—who will not return a deposit to a couple who are now homeless. That person will not even reply to letters.

It is quite clear that, exactly as my hon. Friend has said, most people who lose their deposits just give up. The local authority, although it has power to act in cases of illegal eviction and has some protective powers to deal with cases of harassment by landlords, has very limited powers to intervene over the loss of deposits, so tenants have recourse only to the courts, and they frequently do not want to go to the small claims court.

We are talking about relatively poor people, whose first language is often not English, and who will not necessarily know how to go to law, or have any confidence in doing so. There is much research that shows that it is the relatively socially excluded who do not enforce their rights, but that is obviously going to be the case. I can say, as many cannot quite say quite so strongly, that the image of the justice system—full of middle-class people with funny clothes talking in-crowd language and using procedure that immobilises those not in the know—is not a friendly, welcoming, sympathetic one to people who feel that they have been wronged.

Let us be practical: the small claims court costs money. It costs at least £50 to recover a deposit. If the landlord does not respond, the process becomes wearisome. If he does answer and appears, that involves a daunting face-to-face experience—and if people get a judgment they have to pay even more to enforce it if the landlord does not pay up. Mostly, tenants just give up. That is a pity, is it not?

That example demonstrates the wickedness of stealing from the poor. It is not only that they cannot afford to enforce their rights, which is partly our fault as legislators, but they adjust more and more to going without things that they need for their well-being. Such situations disempower the already disempowered, so that they become even more like inert sitting ducks for the next exploiter or, as Francis Owens, with his feet more on the ground, puts it more specifically, they become used to being pushed around by landlords and just give up.

At present there is no tenant deposit scheme in Redcar and Cleveland, although an organisation called Junction was involved with a bond guarantee scheme until last spring. By guaranteeing a deposit, the scheme allowed landlords to let dwellings without charging one. It cost some £30,000 a year. It checked out tenants and supported them in being good tenants, so that the landlord rarely had a legitimate claim for holding the deposit back. It is believed that that scheme helped hundreds of vulnerable people find somewhere to live.

The housing strategy manager at Redcar and Cleveland, Roger Kay, to whom I am indebted, tells me that the termination of shorthold tenancies in the private sector is the third most common cause of homelessness in my local authority area, and accounted for 11 per cent. of cases last year. He feels that for many of those households, the requirement for deposits acts as a barrier to accessing further private rental accommodation. The local voluntary scheme, like the national one, struggled to attract private landlords. Partly because of a shortage of funds, it was wound up, reflecting very much the experience of the Government's national tenancy deposit scheme.

I support what has been suggested. It is likely that landlords who voluntarily join such schemes are those with higher management standards anyway. It is plain from my local experience and from the Government's national experience that there is every argument for a national scheme of that kind, which should be mandatory.

Such a scheme would be multi-faceted. There would have to be an independent deposit holder to protect tenants against landlord abuse. Shelter says that £790 million of tenants' money is held by landlords nationwide. As has already been said, between 30 and 50 per cent. of tenants experience difficulty in getting their money back. The scheme would also guarantee landlords' rights. It would have to have a mediation arm to deal with disputes, thereby taking them out of the courts. That would be better for poorer, disempowered people. It is also part of the aim of the new Department for Constitutional Affairs to take disputes out of the courts.

The second facet is that such a scheme would be part of a homelessness strategy. It would provide a guarantee to a landlord for those who do not have deposit moneys and would be able to assist in the prevention of homelessness by enabling those on low incomes to get into private rented accommodation.

It seems that the Government have seen the potential benefits of the scheme, because they have had a voluntary one. They have also seen the prospects for righting those wrongs, and have seen such a scheme as part of their policy for wider social inclusion of relatively powerless groups that are now exploited. However, the national voluntary scheme has not worked, and it seems that the voluntary scheme in Redcar and Cleveland is not capable of working, either. Frankly, it is hard to come up with disinterested arguments for not having a mandatory scheme and for not adding it to the next Housing Bill. I, too, suggest that delay while tenure is reformed is not justifiable; that is almost beside the point, and the issue is critical for many people.

The question of cost has been rehearsed. I would hope that deposits earning interest subject to a liquidity ratio could cover many of the revenue costs once such a scheme is established. I congratulate my hon. Friend the Member for Edmonton on raising the issue, and on behalf of private tenants and those who are trying to tackle homelessness in Redcar and Cleveland, I urge the Government to add a scheme to the next Housing Bill.

2.29 pm

Geraint Davies (Croydon, Central): I, too, congratulate my hon. Friend the Member for Edmonton (Mr. Love), on raising this important issue. I thank the National Association of Citizens Advice Bureaux and Shelter for pushing the issue forward. I have a long-standing interest in tenancy deposit schemes. Before becoming an MP, I was leader of Croydon council and at one point chaired the London boroughs housing committee. I also thank Lord Falconer for keeping the pilot scheme going and for saying that there is a strong case for legislation.

We have had a voluntary scheme but, predictably, it has not been very successful because the people who have volunteered to be in it are the good landlords, not the rogue landlords who are ripping off something like one in five tenants in Britain. This is a massive issue. There are 2.2 million tenants, of whom 70 per cent. pay deposits, and it is estimated that between one fifth and half of those people are ripped off. If the deposits being held total something like £790 million, that money, placed in a separate bank account at the current Bank of England base rate, would generate some £32 million—far in excess of anyone's estimate, even the Government's overestimate, of the costs of running such a scheme.

We are talking about protecting the weakest and poorest, often the fast-moving tenants who can be exploited by powerful landlords who simply sit on their hands and avoid the legal system and small claims court, which is already massively overburdened and clogged up with people taking up disputes. Many people give up, for reasons that have already been outlined, so landlords are in a strong position. The Government must live up to their pledge of five years ago and act.

The scheme that we are discussing would be cost-effective. The Government have suggested that the costs and benefits are evenly balanced but in fact they are not.

[Geraint Davies]

They assume that the costs would be in the order of £19 million, but that presupposes that all disputes—namely, the 20 per cent. that are known of—would go to an adjudicator and each adjudication would cost about £150. In fact, where we have seen tenancy deposit schemes working in real life, particularly in Australia and New Zealand, the take-up rate of disputes is between 2 and 3 per cent., so the estimated cost would be more like £2.4 million—against, as I have said, a revenue stream of more than £30 million. Other benefits have already been estimated by the Office of the Deputy Prime Minister: £20 million in savings from court costs, and so on. The scheme would be an opportunity for fundraising to provide extra services to make the quality of the private sector market better for landlords and tenants. It would not be an opportunity for losing money, unless there were gross mismanagement.

Looking at the legislative timing, I would suggest, as have others, that we should take advantage of the forthcoming Housing Bill, partly because it is at the tail end of the pilot and largely because the whole aim of that Bill is to raise standards in the private sector, so it is uniquely appropriate. It has already been made clear by my right hon. Friend the Leader of the House in his interviews with the Select Committee that the inclusion of such a scheme in the Housing Bill would not jeopardise that Bill. I therefore urge the Minister to consider including it.

The alternative being considered, which I think would cause uncertainty and prevarication, is to introduce the scheme in the Law Commission's report, which is refocused on something quite different: simplicity and transparency. The consultation on the Law Commission's report already runs to two volumes and 300 proposals. This important scheme could be lost in all that. We need to grasp the nettle and get on with the job of protecting the millions of people who are under threat.

The consultation that has taken place was said to be evenly balanced, but if we take out the groups with a vested interest—those who let, landlords and others who make a profit—the overwhelming impact of the consultation is that there should be a statutory scheme and that we should make progress on that. The Government should take decisive action now to protect weak consumers in an imperfect market and to improve the market, rather than prevaricating, which would lead to the abuse of thousands more people by unscrupulous landlords. This Government are best when they are boldest, and they said five years ago that they would deal with the problem of tenants being ripped off. I urge my hon. Friend the Minister to advance in that spirit.

2.35 pm

Ross Cranston (Dudley, North): I, too, congratulate my hon. Friend the Member for Edmonton (Mr. Love) on having initiated this debate on a national problem. It is acute in certain parts of the country, and bears particularly on those on low incomes. The presence of a significant number of my hon. Friends shows the weight of support for a compulsory measure, and I am sure that my hon. Friend the Minister will report that.

My hon. Friends have already described the problem that we face, and I shall not go over it again. I have not had a huge number of constituency cases, but there has been a trickle, some of them involving students who are going to other parts of the country. As my hon. Friend the Member for Cambridge (Mrs. Campbell) said, those people will not stay in London, but will return to the west midlands and will not bring cases before the small claims courts.

I want to raise three issues. The first is that of access to justice. My hon. and learned Friend the Member for Redcar (Vera Baird) referred to the problems, delays and disincentives associated with bringing a case in the small claims courts. People have to know that that is an avenue. In Dudley, there has until recently been a problem with housing. There is no law centre, and people have not had housing advice. There is access to advice about welfare, law and family matters, but the regional office of the Legal Services Commission has identified a gap in relation to housing. People have to get advice before they can bring a case. The citizens advice bureau does sterling work in Dudley, but people have to find it in order to access its advice.

Then there is the problem of bringing a case before the small claims court. To those of us who have some association with the law, that might seem to be relatively easy, but for the ordinary person it is far too complicated. In addition, a fee has to be paid. It might be recoverable—the district judge can order that the fee is recovered if he finds in a person's favour—but, as my hon. and learned Friend the Member said, even if someone is successful, they have to pay another fee for enforcement. That is why there is a problem; tenants who are ripped off do not pursue their legal remedies.

The second point I would make about the need for the scheme touches on the argument put by my hon. Friend the Member for Croydon, Central (Geraint Davies). He pointed out that one has to take into account the change in behaviour that the introduction of a compulsory scheme would bring about. The Government's calculations of cost were made on the basis that there would be no change in behaviour; and that there would still be the same number of disputes about deposits in future. That is not so. When new systems are introduced, people change their behaviour. The evidence—my hon. Friend the Member for Edmonton referred to the issue in the Australian context—is that disputes run at 2 to 3 per cent. of tenancies. Therefore, there will be far fewer disputes than there are now.

There is also the possibility of raising income on the basis of the amounts deposited. My hon. Friend the Member for Croydon, Central argued very effectively for that. That used to be done in other parts of the world, and it is unfortunate that we never took that path in this country with respect to funding legal aid. In other jurisdictions, the client accounts of solicitors are used to generate money for legal aid schemes. However, what I am describing is a parallel system enabling the use of deposited money to generate income to support the administration of the scheme.

Experience in other jurisdictions, such as New South Wales, is that the amount generated from the deposited moneys is sufficient not only to cover the administration of the scheme but to provide effective housing advice services: the surplus can be used to assist tenants in other ways. I am not persuaded by the Government figures that have been presented in the past. I understand that they are to be reworked.

My third point is that we should consider not only the operation of the pilot scheme but experience elsewhere. My hon. Friend the Member for Edmonton talked about the pilot scheme and I will not go over that ground. However, the experience in Canada, New Zealand and the Australian states shows that such schemes can run.

Interestingly, some years ago the Department collected information on the operation of schemes elsewhere. Some jurisdictions set an obligation for the return of deposits. However, we are not talking about that. In some jurisdictions, the tenants' deposits must be put into separate trust schemes. However, we are talking about a centralised scheme. In places with centralised schemes, such as New South Wales, the number of disputes declines. Landlords compromise in disputes, even when tenants complain to the boards, and there is widespread—almost universal—support for the scheme. Landlords come on side; the good ones see that there are advantages to them and some of the bad ones are driven out.

Mrs. Campbell: Does my hon. and learned Friend agree that, because of the fear and suspicion surrounding many tenancy agreements, tenants often withhold the last month of their rent before they leave, because they are concerned that the landlord may not return their deposit? That may mean that landlords do not receive the money that they need to make good the damage and to repair the property. The schemes are in everyone's interest, to increase confidence in the system.

Ross Cranston: My hon. Friend is right. Such schemes have advantages for everyone. Landlords benefit in the long run. As I mentioned, in other jurisdictions such as Australia and the one Canadian province with a compulsory custodial scheme, real estate agencies and landlords' associations widely accept the need for these schemes. In New South Wales, the scheme has led to a valuable introduction of new technology, giving landlords the opportunity for direct viewing of the rental bond records for properties managed by their agency. My hon. Friend the Minister might want to take note of that, with reference to advancing e-government.

I wholeheartedly support the introduction of a compulsory centralised scheme. I acknowledge the problems of drawing analogies with much smaller jurisdictions such as New South Wales, New Zealand or the Canadian provinces. We have a much larger jurisdiction and many more properties to cover. Perhaps the scheme will have to be introduced on a regional basis, and it may have to be phased. If that were the case, I would want the west midlands to be considered at the top of the tree for the introduction of a compulsory scheme.

2.44 pm

Mr. Kelvin Hopkins (Luton, North): I congratulate my hon. Friend the Member for Edmonton (Mr. Love) on securing this important debate. I agree with what he has said, and with the additional supportive comments made by other hon. Members. I will try to make some different points about the landlord-tenant relationship, which historically has been fraught.

In the past, bad landlords were, as we all know, the scourge of many poor families. It was necessary for Governments to intervene to regulate the market and to provide alternative housing to overcome the problem. That was perhaps a contributory factor to the formation of our own party. We have a duty to ensure that the poorest people, who often live in private rented property, continue to be protected and supported.

There have been different waves of liberalisation and regulation in housing as political fashions have changed and Governments from different political parties have come and gone. In the 1950s—perhaps that is a little before most people's time, but I certainly remember it—there was a period when the Conservative Government liberalised renting, after the stricter controls of the war and post-war eras. That led directly to what became known as Rachmanism and the terrorising of tenants by bad landlords. Subsequently, the 1960s Labour Government introduced legislation to regulate private renting, and tenants had more protection.

We have to remember that Governments have a duty to protect tenants from exploitation. Even though the problem is perhaps not as big as in the past, it is still significant. Unfortunately, liberalisation gives the whip hand to landlords. The relationship between landlord and tenant will always be difficult, because there is a direct and sharp conflict of interests, and that is often very personal.

The Government have apparently prayed in aid the idea that there is not sufficient parliamentary time for such legislation. I am afraid that I have heard that excuse so often in the past on so many issues that I think it is rather thin, especially when a simple section could be added to a current Bill to overcome the problem. Indeed, a short new Bill could be introduced. I do not think that it would be difficult, and it might even have support among Opposition parties.

Resistance to regulation has unfortunately become the modern zeitgeist: the ideological spirit of our times. We are at a turning point. The ideology of deregulation and liberalisation is wearing thin. People are looking for a more interventionist approach by Government. I welcome that as a traditional democratic socialist; I think that Government's role is to intervene in a market, to ensure that it does not have damaging effects on the less well-off in particular.

Unfortunately some people hold to the 19th-century dogma that laissez faire—leaving the economy to itself as far as one can—benefits people, and that interfering with the market will distort it and reduce the benefits it can bring. I think that that is mistaken and wrong and so do many others, particularly when it comes to essential areas of life such as housing. Not long ago, John Kenneth Galbraith said, as others have said before, that at least a third of the population of developed societies needs Government intervention to ensure that those people have decent housing conditions. The market will not provide for them; either they should have houses provided for them or the market should be strictly regulated to ensure that they have decent housing conditions and are fairly treated by landlords, whoever they may be.

In the past our party in particular, and other parties too, built millions of council houses. Many millions of families have had decent lives only because of the building of council houses. We need legislation on the issue, and we need it now. It is vital, and voluntarism clearly still does not work.

[Mr. Kelvin Hopkins]

The reality of many private landlords is that they too are poor. They are not wealthy exploiters, but poor people who perhaps have only one or two houses and, to a large extent, live on that income. They might be elderly people whose modest pensions are supplemented by rent from a private property. They are concerned about such sums of money, which may be significant to them, although they appear small to some people. Some poor landlords may be hard pressed to hold on to deposits and may spend them as part of their income. When it comes to paying them back, they may not have them to hand. That is the real world. We are not talking about big companies, but about poor people who perhaps have one house to rent that they may have inherited from a relative. That is a factor to bear in mind: we want to help those landlords as well as their tenants.

I have read the briefings from the CAB and Shelter, and the costs are usually tiny sums of money, which many local authorities would not even blink at. The difference between cost and income might be £1 million across the whole economy. The sums are infinitesimal in relation to our total economy, so the cost argument is not great. If a small cost were incurred by the landlord, no doubt he or she might increase the rent slightly to cover that cost. That will not be a big disincentive to the landlord or the tenant, as it would only be a small sum. If the new regulation were a disincentive to some landlords, we should look beyond that to try to ensure that their property stays in housing use in the rented sector, or is bought and municipalised by the local authority and used to house tenants on the long waiting lists in constituencies such as my own.

I was an enthusiastic supporter of municipalisation in the 1970s, which was something of a golden age in house building. Millions of houses were built in that era, including some by my local authority. I only wish that we could build as many houses now as we did then and municipalise some, particularly those that are in bad condition because their poor, private landlords have not kept them up to scratch, and have not repaired or renovated them. When houses are municipalised, the local authority can bring them up to standard. They are often good sound houses with a long life ahead of them if they are looked after, which local authorities should be in a good position to do. Some might suggest that housing associations should do that, but I believe that local authorities should do so, as they are democratically accountable.

Many issues arise from this debate. Housing is obviously still in desperately short supply. We want to encourage as much housing as possible to be presented to the market for rent by less well-off people. Supporting poor landlords with a bit more regulation and support, or perhaps through local authority involvement, would help them and their tenants. I strongly commend the proposals made today by my hon. Friend the Member for Edmonton, and I hope that the Government will act soon.

2.53 pm

Matthew Green (Ludlow): I congratulate the hon. Member for Edmonton (Mr. Love) on securing the debate. With the possible exception of the Minister, I expect that everyone will be singing from the same songsheet.

It is clearly a national problem, which will not go despite the introduction of some voluntary schemes. It affects all constituencies, both urban and rural, particularly those with students. Every constituency in the country will have tenants who have been ripped off—to put it simply—due to the way in which the deposit system works.

I do not want to go over the same ground, but we have heard about the scale of the problem five times: there are some 2.2 million tenancies, and some £790 million held in deposits. Why do such problems arise? Often there are disputes—genuine or not—over cleaning costs and whether deterioration can be attributed to reasonable wear and tear. There are cases in which the deposit is withheld at the end of the tenancy without a reason being given, or where cheques are issued and then stopped. We heard about the difficulty of pursuing a landlord in the small claims court. Sometimes the landlord simply never pays, or gives no indication that he will pay or that he believes that he should pay, and the tenant fails to get any answer out of him. These problems are commonly experienced and are regularly reported to MPs, to the CABs and to organisations such as Shelter.

Hon. Members have spoken today about the Government's reasons why the scheme should not be included in the Housing Bill. We have heard excellent explanations of why all their arguments are deeply flawed. I hope that the Minister will not repeat those arguments. Roughly surmised, they are that the tenancy deposit scheme should not be included in the Housing Bill because it will not be cost-effective. Some very strong arguments have been advanced about why that is completely fallacious. I welcome the fact that the Office of the Deputy Prime Minister is considering the possibility of reworking its costings, given that they have been so clearly shown to be inaccurate.

Another Government argument is that the scheme lacks sufficient support. I believe there to be widespread support for it from members of all parties. There is certainly support for it among any organisations dealing with tenants. As we heard, some 50 per cent. of organisations representing landlords support it. It is only the other 50 per cent. of organisations representing landlords that have not supported the idea of a national scheme. Far from a lack of support for the scheme, there is a lack of support for not implementing it.

It has also been argued that there is insufficient parliamentary time, but only a couple of clauses would be needed to include the scheme in the Housing Bill. I hope to serve on the Committee that will consider the Bill, and I assure the Minister that we will seek to move through our deliberations at some pace to ensure that time can be made to accommodate any extra new clauses. I hope that the Conservative spokesman agrees so that we can deal with it in the Bill. The argument that there is insufficient parliamentary time is incorrect.

The final Government argument is that the protection of tenancy deposits is better addressed by the Law Commission's forthcoming proposals on tenure reform. The worrying word is "forthcoming", because the legislation that might result from the Law Commission's work could be a very long way off and tenants will lose out in the interim. It may be that the end of the commission's deliberations, the Bills that it proposes are

not even suitable vehicles for dealing with the issue. That is an argument for saying, "Let's put it on the shelf and hope that it goes away."

The hon. and learned Member for Dudley, North (Ross Cranston) and the hon. Member for Cambridge (Mrs. Campbell) touched on the fact that the scheme is in the interests of landlords. There are two reasons for that. First, as has already been explained, landlords often find that tenants, especially those who are a little more clued up than others, simply withhold their last month's rent. Consequently, if damage has been done, the landlord seeks to chase the tenant to recover the money through the small claims court, which they fail to do. The landlord is therefore the loser.

Secondly, some tenants have so little expectation of their deposit being returned that they do not look after the property as well as they might if they believed that they might get the deposit back. That may affect student areas more, but certainly I know of cases where that has happened. The deposit ceases to have any effect because they assume that they are not going to get it back, so they might as well not look after the property. Greater damage is therefore done to the property than would otherwise be the case, so a national scheme would work in the interests of landlords, not just tenants.

I shall be intrigued to listen to Minister; perhaps she will show a welcome change of heart and give an announcement that the proposal will be in the Bill after all. I struggle to see how the Minister can justify not including the idea in the housing Bill, but if she does not do so, we shall bring forward the appropriate clauses. That way, the Minister will have to justify in debates on the Bill why the scheme should not be introduced.

3 pm

Mr. Eric Pickles (Brentwood and Ongar): I congratulate the hon. Member for Edmonton (Mr. Love) on his success in raising this important issue. I am also grateful to the hon. Member for Luton, North (Mr. Hopkins), because for one dreadful moment I thought that I was in consensus hell. No one had said anything that I disagreed with, so I am pleased that the Chamber has at least retained some degree of normality.

The hon. Member for Edmonton was right to say that the problem relates to a relatively small number of landlords, particularly those with a relatively small number of properties. I, like many others, am disturbed and disappointed to learn of the number of tenants who hand over their keys at the end of their tenancies to find their damage deposits withheld for no real reason.

Hon. Members have picked their favourite state in Australia to show how the proposed system runs, but I shall leave New South Wales to one side and commend to the Chamber the system that operates in Queensland, which has a very small number of disputes and seems to function within a light regulatory framework.

It behoves the House to recognise that the report that the National Association of Citizens Advice Bureaux and Shelter issued and the figures that it contains are a matter of dispute, particularly as no one has said anything to the contrary. In order to understand the problem fully, we cannot ignore the Small Landlords Association, the secretary of which suggests that the National Association of Citizens Advice Bureaux's report is misleading and verges on the irresponsible. The association cites a recently conducted professional survey that shows that only 5 per cent. of private tenants said that the relationship with their landlord was bad. Moreover, that example concerned only a particular type of tenant, so the incidence of dissatisfaction seemed very high.

The association made the point, which we would do well to listen to, that a massive, unwieldy quango would be necessary to administer such deposits, where there is only a minor problem. Therefore, before we take a decision to move further on to something, we must be clear that it will not create another problem.

Almost in contradiction to that point, however, I note that the chairman of the Small Landlords Association, a Mr. David Salusbury, has proposed some degree of regulation in a letter to a number of periodicals. He suggested to the Government that

"provision for redress could be included in tenancy agreements whereby aggrieved tenants could pursue a claim against their landlord with an independent adjudicator. Such a body would have the authority to require the landlord to lodge an appropriate sum pending resolution of the dispute."

I suspect that that would work extremely well for reasonable landlords. We must bear in mind that those entering into such agreements will not necessarily be on an equal level; they may not be in a position to negotiate a tenancy agreement or to have a clause inserted stating a particular amount. However, it is precisely that kind of tenant whom we seek to protect.

Deposits are required for several reasons. They are necessary to assess the financial standing of prospective tenants, and to ensure that tenants understand the value and importance of the property. They are necessary because the landlord needs protection against tenants doing damage beyond fair wear and tear. Lastly, they are necessary to cover possible arrears of rent.

The Small Landlords' Association has taken great pains to say that deposits are to cover only damage that goes beyond normal wear and tear at the end of a tenancy; it says that it is important that tenants should know that such deductions would be the norm. The association says that it is relatively easy for a tenant to make a claim against a landlord through the small claims court, but I thought that the arguments put by the hon. and learned Member for Redcar (Vera Baird) were very persuasive. I may not have had experience of the small claims court, but I understand the system, and I know that those who have pursued cases through the small claims court, as many of my constituents have done, know just how hard it is to get a judgment. Indeed, many such people do not have the necessary financial resources to put a case together.

I appreciate and understand the Government's reluctance to introduce further regulation. Much depends on the facts and on the size of the problem, so I hope that the Minister will be in a position to put it right—and I intend to ensure that she has adequate time to respond to the debate.

We are concerned about the Shelter report, which suggested that a fifth of private tenants believe that a part of their deposits had been unreasonably withheld. Particularly worrying, given the strains on student finance, is the fact that as many as 35,000 students face that problem at the end of term. My right hon. Friend the Member for Haltemprice and Howden (David Davis), the shadow Deputy Prime Minister, said on the publication of the report

[Mr. Eric Pickles]

"Shelter's report shows that some abuses are little more than legalised theft. Conservatives will consider any intelligent and light regulatory regime and will examine Shelter's report in detail. We would want to ensure that the majority of landlords and letting agents who are doing the right thing are not burdened with red-tape."

As I suggested in an intervention on the hon. Member for Edmonton, we know that the pilot schemes have been anything but a success. It was inevitable that those landlords who are good and reasonable, and who, as my right hon. Friend said, wanted to do the right thing, have had no problem in joining the scheme. However, the landlords who have not joined the scheme are those whom we wanted to change their attitude and their practice.

Common practice in other jurisdictions is different, most notably in Germany. There, deposits cannot equal more than three months' rent, they must be held in special accounts and generally returned with interest within one year after the end of the tenancy. Similar regulations apply in France, where deposits are limited to between two and three months' rent and are returned within two months of the tenant handing back the keys. A rather different approach is taken in Belgium, with an end-of-tenancy cost being guaranteed by the country—landlords are not allow to hold deposits. We have heard also of schemes in Canada and Australia, and I am very taken by the Queensland model, which lays down a clear way of dealing with disputes.

Mr. Love: Given that the pilot scheme clearly showed that the vast majority of landlords were reluctant to be involved in a voluntary scheme, and given the significant abuse of tenants' deposits, despite the publicity raised by the voluntary scheme, is there any alternative to a national statutory scheme that would work for landlord and tenant?

Mr. Pickles: If such a scheme exists, I am not aware of it. However, we are beginning to move down that path. The hon. Gentleman may understand the reluctance of the Conservative party to commit itself to further regulation. However, Members on the Opposition Front Bench will doubtless be aware of such cases in their constituencies. In truth, they are not entirely unaware of such cases in relation to those whom we employ. The nature of this place and working for a political party means that young people tend to be here at the beginning of their career, and I am aware of a number of cases where a lot of effort and intellectual muscle had to be put into getting their deposits returned.

Geraint Davies: For clarity and for the record, will the hon. Gentleman make clear whether he is in favour of a mandatory national tenancy deposit scheme, to be applied through the Housing Bill?

Mr. Pickles: I was dancing delicately on the end of a skewer.

Geraint Davies: That is what I thought.

Mr. Pickles: I realise that the hon. Gentleman wanted to give the skewer a thorough jerk in order to see me well and truly impaled. I hope that he will allow me to dance a little longer.

My party is in the process of looking into the detail. I was about to mention some of our research. However, to be frank, we are moving close to the hon. Gentleman's position. We want to ensure that the Government do not introduce a regulatory regime that will use a sledgehammer to crack a nut. We want the regime to be light and reasonable; we want it to be timely and we want it to ensure that it has no detrimental effects on the amount of property that is available in the private rented sector. I hope that the hon. Gentleman will not push me.

Mr. Love: We on the Government side of the House sympathise with the hon. Gentleman's dilemma. The Government tried the voluntary scheme approach to avoid the concerns that he expresses, but if he is concerned about the national deposit scheme it would help if he indicated where those concerns lie—and what alternatives might be available that would act in a similar way but without the onerous bureaucratic burden that concerns him.

Mr. Pickles: I suppose that I should refer the hon. Gentleman to the reply that I gave earlier. If there are other schemes available, I am not aware of them.

I do not think that I shall give details of the Queensland system, because I want the Minister to have time to reply to the debate. *[Interruption.]* The hon. Gentleman would miss a rare treat.

It behoves the Government to give us a clear indication of what they believe the true figures are. I shall be interested in what the Minister has to say. If the Government say that it is a question of parliamentary time, I can understand that, but who controls parliamentary time? The Government control it. The Government lay down the guillotines. If they want to include the matter in the Housing Bill, the official Opposition have no objection.

3.15 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I, too, congratulate my hon. Friend the Member for Edmonton (Mr. Love) on securing the debate and choosing to discuss the tenancy deposit scheme. This debate follows from a debate that took place on 4 December last year, and concerns an issue that many hon. Members feel strongly about.

Hon. Members have set out the difficulties that many of their constituents have faced. Those constituents have been exploited and ripped off, or have had frustrating experiences with deposits going missing or being unfairly withheld. My hon. Friend the Member for Edmonton described the experiences of Mrs. X in his constituency, and my hon. Friend the Member for Cambridge (Mrs. Campbell) referred to the difficulties experienced by students. My hon. and learned Friends the Members for Dudley, North (Ross Cranston) and for Redcar (Vera Baird) pointed out clearly that often the most vulnerable tenants are highly unlikely to pursue their claims in court and, no matter how great the injustice done to them, are unlikely to get the remedy to which they are entitled.

There are different estimates of the extent of the problem. Previously, in the consultation documents, we used the figure of 20 per cent. of tenants being involved

in disputes over deposits. It is clear that this is not simply a problem for tenants. It is also a problem for the private rented sector as a whole and for landlords, as the hon. Members for Ludlow (Matthew Green) and for Brentwood and Ongar (Mr. Pickles) pointed out. My hon. Friend the Member for Luton, North (Mr. Hopkins) was right to argue that we need proper safeguards for tenants, and we also need to consider the wider relationship between tenants and landlords. However, I disagree with his claim that the interests of landlords and tenants will always be in tension. Both landlords and tenants have a long-term interest in the future of the private rented sector and in having a proper, professional, reputable private rented sector, so they would have interests in common.

This issue tarnishes the image of the private rented sector at a time when it is widely recognised that the sector may have a much bigger role to play in achieving housing targets, providing housing and addressing problems of homelessness, particularly in high-demand areas. That idea was raised as part of the London housing strategy, which was published just a couple of months ago. The sector provides needed flexibility in the housing market. For example, it responds to the needs of the growing student population, those who need to be mobile and those who are not in a position to buy their own homes. The sector is increasingly seen as an important resource by local authorities dealing with the needs of the homeless. Resolving the issue and addressing concerns about unfairly withheld tenant deposits is in the interests of tenants and landlords across the country and has wider repercussions affecting our ability to tackle homelessness and housing demand.

As hon. Members have said, we have tried voluntary pilots, alongside considerable research and information gathering. The pilots were set up in March 2000 and were managed by the independent housing ombudsman with Government funding for their costs. The pilots had the two elements that my hon. Friend the Member for Edmonton identified. First, they needed a way to keep the deposit safe. Two ways were tried: a custodial and an insured option. Secondly, there was independent adjudication, in this case by the independent housing ombudsman.

The scheme told us some useful things about mechanisms by which deposits can be safeguarded and ways to deal with disputes. However, it also showed that, even with all the costs being met by the Government, only a minority of the most professional landlords were likely to participate. The pilot clearly offered no prospect of a national scheme that was voluntary and self-financing. We should be clear about that. The failure of the pilot schemes powerfully makes the case that legislation is needed.

Last year, we launched a consultation paper on options for the way forward, including looking at the Australian and Belgian schemes and a series of other models. There was a wide range of responses to that consultation. Some opposed action altogether. We will publish the results in due course. Many hon. Members have mentioned the different costs and benefits. There have been different views on the costs and benefits of such a programme, and we are looking at that further. The cost and benefit analysis produced for the consultation showed quite a close balance between the costs and the benefits. Hon. Members have raised concerns about that, as have other organisations. We are looking further at those issues.

The Select Committee has now recommended that the measure be included in the Housing Bill. Many hon. Members have made that point, including my hon. Friend the Member for Croydon, Central (Geraint Davies). My right hon. Friend the Minister for Housing and Planning will respond to the Select Committee shortly. We have said that we want to consider the scheme as part of the Law Commission's review of tenancy. My hon. Friend the Member for Edmonton raised some concerns about that approach, so I shall explain a little further why we think that it would be valuable.

The Law Commission is due to publish proposals later this month, particularly on written tenancy agreements. My hon. Friend rightly said that written tenancy agreements do not themselves solve tenancy deposit problems. That is clear, but we think that it would be helpful to examine the issues together. The problem of written tenancy agreements is significant. Many tenancies have no written agreement; there is nothing more than the rent book to establish entitlement. There is a strong case for compulsory written tenancy agreements. The Law Commission is expected to recommend that tenants' rights, including security and rights of repair, should by law be contained in the agreement in compulsory terms.

If we go down that route, which the Law Commission is expected to recommend, it may be possible to consider the tenancy deposit scheme in parallel. One approach that we have been exploring in the Department is the possible introduction of compulsory terms in the written agreements to say that any deposit must be held in a scheme. That could allow all kinds of different schemes, provided by different organisations, perhaps on the condition that they are Government-accredited or approved, and that they address the two issues that my hon. Friend raised—safeguarding the deposit for the tenant and allowing independent adjudication in disputes. Again, the use of the independent housing ombudsman might be one approach. That would link the structure of the scheme quite closely with the written tenancy agreement, so we have been keen to explore those issues together to see if that is a workable way forward. Obviously, with such an approach, a series of matters would have to be explored and discussed with stakeholders.

I recognise that all Members are interested in including provisions in the draft Housing Bill. They will know that the Government always have to take into account a range of considerations, including how quickly we can develop good, effective legislation, and issues of parliamentary time. I noticed the suggestion of the hon. Member for Brentwood and Ongar regarding Government control of parliamentary time—but my experience is that the length of time we spend debating particular issues often has an awful lot to do with the decisions of Her Majesty's Opposition, so obviously it would be helpful to know his view on the issues, and the length of time he thinks is needed to discuss them.

I should also say that we have seen Shelter's proposed draft clauses on the matter. Shelter has campaigned on the issue, and drafted clauses relating to it. We are looking carefully at the matter, but there are some

[Yvette Cooper]

difficulties with the approach taken in the draft clauses proposed by Shelter that we will consider further. The hon. Member for Ludlow suggested that we would only need a couple of clauses, but I would be very cautious about such a claim; in fact, those proposals would mean putting an immense amount into secondary legislation.

Very often in Parliament we discuss concerns about how much is put in secondary legislation and the effect of that on the opportunities for proper parliamentary scrutiny. We have to be careful about the balance of what is in primary legislation and what is in secondary legislation. Scrutiny in this area is very important. As a result, I would caution hon. Members about the logistics of achieving immediate legislation that is also good legislation.

I take very seriously the points that hon. Members have made. We will respond to the Select Committee and its recommendations shortly, and we are also looking forward to considering the Law Commission's relatively imminent proposals. As my hon. Friend the Member for Luton, North pointed out, it will be important to consider that in the context of the wider relationship between tenant and landlord. I was interested in the point made by the hon. Member for Brentwood and Ongar about the recognition by many landlords' groups of the importance of the issue.

Mr. Love: Will my hon. Friend also take into account the consensus that seems to be developing throughout the House, and the good will that exists towards finding a way forward that suits both landlord and tenant?

Yvette Cooper: I certainly will. I have listened very carefully to the points made by hon. Members from all parties today, which I take very seriously indeed. I want to assure hon. Members of the Government's concern about the issue, and our recognition of the important points that have been made this afternoon.

Geraint Davies: Is my hon. Friend reassured by the unanimity in this Room that the discussions on the Housing Bill will be rapid and effective so that we can move forward quickly, even given the points that she made about the Law Commission? There is a real opportunity to get a result quickly.

Yvette Cooper: As I have said, I recognise the wide range of support on this issue, and we all agree that there is a problem that must be resolved. We also agree that a voluntary approach does not work.

Matthew Green: Will the Minister confirm that the Law Commission is unlikely to report in time for any proposed legislation emerging from that to be announced in the next Queen's Speech? Conceivably, then, we are looking at the legislative year following that. Any Bill following that report may become law in about two years' time, whereas the draft Housing Bill offers an opportunity to deal with the issue in a matter of months.

Yvette Cooper: I recognise hon. Members' concern about that. The Law Commission will make proposals this month. Detailed legislation will then be drawn up, which does take further time. The hon. Gentleman will recognise that I cannot make commitments about the Queen's Speech in any respect; that is the way in which the parliamentary system works. I would again caution Members who think that the matter can be dealt with swiftly. We shall of course consider all the points made by hon. Members and respond carefully to the Select Committee. I assure hon. Members that we are concerned about the issue. The failure of the pilots has shown a strong need for legislation, but we must ensure that we get it right and that it is effective. That is not always possible within as swift a timetable as we would all like.

Consumer Protection (Unsolicited Mail)

3.30 pm

Mr. Ben Chapman (Wirral, South): I am delighted to have secured this debate this afternoon and to have the opportunity of raising an issue of considerable concern to my constituents and others. Members of Parliament receive a phenomenal volume of mail, both junk and other, which we effectively solicit because of the nature of our work. As well as being a Member of Parliament, I am also a consumer and private citizen and in that context I receive my share of the 21 billion pieces of unsolicited mail that are sent to British citizens every year and the 14.5 billion spam e-mails that are sent every day, apart from countless telephone calls and text messages. Those constant intrusions have become part of our everyday life.

When picking up the post in the morning or checking our e-mails, we are accustomed to filtering out countless unsolicited adverts and offers. I have with me just one unsolicited offer that I received this morning telling me that I have reached the third and final stage of a £130,000 prize draw and that all I have to do to claim my winnings is to send the form back and do the necessary. We have become used to filtering out paper mail, but that applies less to e-mails and text messages. The barrage of junk correspondence constantly arriving in our homes constitutes an invasion of privacy. Now that text messaging has fallen prey to the same misuse, unsolicited messages and interruptions are sent not only to our homes but to our person.

People shy at the thought of their names, addresses, employment details and retail patterns being sold between companies and find that abhorrent. The sheer volume of unsolicited mail that is delivered in the post should not be underestimated. Last year, more than 78,000 tonnes of such mail ended up in landfill sites throughout the country. Most of it was probably never read. The industry is based on the premise of extreme over-production and if one in 1,000 recipients takes note of the mailing, the exercise is probably worth while. Mr. Colman may have made his money from the mustard that was left on the side of the plate, but wastage from ill-targeted junk mailing is uneconomic and poses an environmental hazard. With due regard to environmental concerns in 21st Britain, I do not believe that it is sensible or sustainable for the cycle of self-serving over-production and waste to continue.

There is a difference between direct mail and junk mail. Many UK charities use direct mail to generate much-needed awareness and to raise funds. The umbrella term "direct mail" incorporates many an enterprise of great substance and moment. As a sales medium, direct mail accounts for an estimated £25 billion of goods and services purchased by British consumers each year. That is why it is on the increase. Many reputable banks and businesses operate a direct mail system on entirely legitimate terms. Clearly, direct mail has a valid role to play, but it is the prevalence of junk mail that obscures its worth and blurs the lines of recognition for consumers.

Greater targeting of direct mail is necessary, as are improved measures to eliminate junk mail. Eliminating junk mail is relatively complex, as one man's—or woman's—junk mail is another person's important bit of correspondence. Direct mailers do not aim to send junk mail. It is, however, in the nature of the industry that marketing pitches are based on speculation, so although targeting is positive, wastage will always occur.

Apart from the industrial waste and hassle that unsolicited mail can cause, numerous other consumer protection issues arise from it. Misleading advertising, offers and prize draws are often delivered through direct mail. The Office of Fair Trading has issued warnings regarding unsolicited promises of cash and prizes, but its substantive involvement is relatively rare. The standard scam involves sending letters, texts or e-mail containing announcements of cash prizes to individuals, often the vulnerable. They are always personalised in a way that gives them a pseudo-legitimacy. They are, for example, addressed to the individual at their home address and make references to the area in which they live.

One becomes familiar with such scams and quickly learns to put them in the waste bin. With newer forms of communication, however, that familiarity is not yet established. Even direct mailers need to cater for the people who are vulnerable to these scams. People are often urged to send a small processing fee so that their good fortune can be realised. Of course, it is not good fortune but the opposite. Individuals who respond are not only fleeced of their money but are put on hit lists of the gullible so that they can be targeted again, no doubt with promises of bigger prizes or free gifts.

A variation on the scam is that the recipient must ring a premium line phone number to claim their prize. They are put on hold while they listen to various announcements, perhaps answer one or two questions and, I imagine, listen to music while they are waiting. They are on the line for minutes at a time and the cost soars. The person responding often does not know that they are incurring costs as they do so. They are certainly unaware of the level of those costs. Some scams even have people signing up to hospital insurance plans or transferring money to Nigerian bank accounts. Others simply require them to fill in a form to claim their winnings. I received one such form this morning.

The stop now orders, which came into force in June 2001, facilitate EU-wide action against the problem. However, misleading mail emanating from outside the Union is still almost impossible to act on. The Consumer Protection (Distance Selling) Regulations 2000 provide for protection of the consumer when involved in transactions that do not involve face-to-face contact. However, individuals rarely pursue the offending companies via this mechanism, perhaps because of the size of the losses or embarrassment at their foolishness.

Credit cards are another favourite of direct marketers. Although much of this trade is legitimate, there have been numerous cases of companies duping consumers into taking on an account without knowing about the various strong repayment clauses that are hidden in the small print. The Department of Trade and Industry has recognised the problem, as have industry leaders, and the Association for Payment Clearing Services is co-ordinating work on behalf of the industry on transparency initiatives such as the new honesty, or summary, box.

[Mr. Ben Chapman]

All this serves to highlight the problems inherent in distance selling, which can be exploited by anyone wanting to make a quick buck. The issue of companies sending unsolicited credit card cheque books to consumers remains, and I appreciate the fact that the Minister acknowledged the problem in the House. We await moves by the credit industry to address the issue.

British consumers currently owe £48 billion in outstanding debts to credit card companies. That is twice the public sector borrowing requirement. Consumer credit also feeds into the problem. There are currently 215,000 licences for traders to lend money under the Consumer Credit Act 1974, although I understand that the legislation is under review.

Household debt is an increasingly huge problem in the UK and across the developed world. Currently, hundreds of debt collection businesses are operating in the UK. It is perhaps unsurprising, therefore, that one of the most common services advertised in junk mail is personal loans. In my constituency it is not uncommon to receive leaflets advertising loans at an APR of 445.7 per cent. The concept of payday lending, to bridge the gap to the end of the month, is newly revamped. There was a time in my life when I needed such things, although, thankfully, I do not so much now. However, there are people who fall prey to the scam, and phenomenal rates of interest are involved.

The organisations concerned sidestep consumer credit regulations and their actions are controlled only by codes of conduct. Going down the path of debt, as many junk mailings would have us do, can lead to a person's being tarred with a bad credit rating—something that can stick for life. They then enter the murky world of the credit agency, of which I have had some experience, although I assure hon. Members that it was for no bad reason. If one has been given a black mark, it is very difficult to find out why. Sometimes it is given erroneously and unjustly, but correcting it is a difficult job.

In my opinion, junk mail is responsible for a multitude of sins. It provides daily access to a wilderness of rip-off loans, scams and extortion, most of which people could well manage without. Consumer protection from those dangers is provided through, for example, the OFT, the Financial Services Authority and the Advertising Standards Authority, but often scams are engineered—as they would be—to meet all legal criteria, and the consumer is left without recourse.

Encouragingly, there has been a great deal of action on direct mail in recent months. New measures derived from article 13 of the EC directive on processing of personal data and protection of personal privacy in the electronic communications sector, on which the DTI consulted early this year, will come into force in December. That will require senders of advertisements via e-mail and text to have the prior consent of the recipient. Without that, offenders will be liable to a fine of £5,000. However, it will remain legal to send unsolicited mail unless the material is obscene or threatening. No legislation exists that can protect a householder from receiving it. Nor, to my knowledge, are there plans to develop such legislation.

The only option for besieged consumers is to register with the Mailing Preference Service, which is an effective and very worthwhile initiative. I urge people to join the 1.1 million people who are already registered. Its scope should be broadened. At present the MPS deals only with those who are responsible—scrupulous companies that want to subscribe. Why should not direct mail companies be placed under an obligation to subscribe? It will always be difficult to prevent unsolicited mail from abroad from reaching consumers here, but we can at least act to protect those consumers who do not want to be targeted from the advances of companies in the UK.

A major publicity initiative has just been launched by the environmental pressure group Planet Ark, in conjunction with the Direct Marketing Association, and with the support of the Government. It concentrates on cutting down junk mail through increased awareness of the MPS and increased emphasis on recycling. The MPS operates a strict code of practice and is essentially good for business, in that it allows companies to target only those people who want the mail.

Firmer action is required, in my view. A positive example is set by the new regulations on e-mails and text messages. Could not such a system apply to unsolicited postal mail as well? The plan of a default customer opt-out would put the responsibility in consumers' hands to opt into mailings that they wanted. Enforcement could be carried out on an EU basis. There is an EU-wide agreement on the prevention of obscene or misleading advertisements and the pursuit of those who send them. The next step might be to introduce an EU-wide version of the MPS, covering all EU direct mailing firms.

I call for more responsibility and more power to be placed in the hands of consumers. The new agreement on producer responsibility is very welcome, but consumer choice and control should come first. Companies' ability to write to individuals without their prior consent constitutes an invasion of privacy, a hassle, an environmental threat and, sometimes, just plain fraud. It should be tackled and narrowed. I call on my good friend the Minister to address the problem as forcefully as he can in the interests of my constituents and the wider public.

3.45 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I congratulate my hon. Friend the Member for Wirral, South (Mr. Chapman) on his success in obtaining a debate on a matter about which I share many of his concerns, not only as the Minister with responsibility for consumers but as a constituency MP with a mailbag similar to the one that he mentioned. I am pleased that he dealt with the breadth of the issues that consumers face.

Direct marketing is a legitimate and valuable method for companies to promote products, services and special offers, but it can be regarded as a nuisance. For that reason, the Direct Marketing Association operates the Mailing Preference Service, which provides a means whereby consumers can have their names removed from the lists of legitimate marketers.

Consumers can also reduce the volume of unaddressed mail such as leaflets by registering with the Royal Mail "Door to Door" service. In addition, the

draft code of practice launched by the DMA in May requires its members to have in place a structure to enable every effort to be made to respect a householder's wish not to receive unaddressed items.

A national campaign launched by the DMA this month aims to promote the recycling of direct mail and the MPS as the means for consumers who view all direct mail as junk to exercise their choice not to receive it. The MPS cannot function as it should if consumers are not aware of its existence. Consumer awareness of the MPS is not as high as it should be. I commend the DMA's initiative.

The DMA code of practice makes registration with the MPS obligatory for its members. It is also a condition of the British code of advertising, sales promotion and direct marketing, which is administered by the Advertising Standards Authority. Nearly all such suppliers are DMA members and, if marketing companies act on a supplier's behalf, they will use the MPS because it is an efficient way of approaching customers.

The DMA has global links and the MPS operates globally. The latter is regularly accessed by overseas companies, either directly or via their local trade associations. There is wide compliance with the MPS. Nevertheless, the DMA regularly researches consumers' views on the service. According to the most recent survey, consumers appear to be satisfied with it. The DMA continues to monitor their views regularly.

Of course, new communications technology means that unsolicited mail now appears in other forms, as my hon. Friend the Member for Wirral, South said. Regulations implementing the EU directive on privacy and electronic communications regulations will give individuals more control over the marketing that they receive through electronic communications networks such as e-mail or text messages.

However, to some extent, the new measures reflect the particular nature of the new marketing media. In a competitive market, the contact data used—e-mail addresses and mobile phone numbers—change very quickly. That is generally not the case with postal addresses. There needs to be a fair balance between the interests of consumers and the interests of business in this as in other areas. As my hon. Friend pointed out, consumers spend £25 billion per annum via the new media. The MPS, in conjunction with the Data Protection Act 1998, which ensures that consumers are able to prevent their details being passed on to other companies, provides the balance at present.

The real risk to consumers comes from mail, frequently from abroad, which aims to persuade them to part with their money through misleading claims or promises. Unfortunately, once a consumer replies to such an approach, contact details are passed among scam operators and more mailings follow.

Scam mailings can present particular problems because most are sent from outside the UK. However, we have started to address that—we are not powerless. The Office of Fair Trading European enforcement team investigates scam mailings from outside the UK. The OFT can now pursue injunctive actions in other EU member states against scams based there by ultimately seeking enforcement orders under the Enterprise Act 2002.

The OFT currently has under review more than 420 different mailings from overseas and is gathering intelligence on each deceptive mailing in order to trace the originators and pursue those responsible. It has taken a lead in Europe in using the new powers. That has been acknowledged by the European Commission and even featured in a report by the European Consumer Centre. The OFT also works with the European branch of the International Consumer Protection Enforcement Network. ICPEN-Europe co-ordinates Europe-wide action against cross-border scams and supports fast and effective communication between enforcers.

My hon. Friend touched on mailings that originate from countries outside the EU, which represent a more difficult problem. However, the OFT also works with ICPEN-Main, which supports communication and enforcement in the same way as ICPEN-Europe, but on a global scale. Member countries include the US, Canada, Australia and Japan. Complaints from UK consumers are regularly sent to ICPEN for investigation. For example, the Canadian authorities have initiated several successful civil and criminal investigations and the OFT continues to assist with the preparation of evidence to ensure that it can act against the perpetrators.

The Advertising Standards Authority also investigates misleading mailings, and when they originate outside the UK, it liaises with overseas regulatory bodies via the European Advertising Standards Alliance. The Royal Mail cannot intercept or open mail that quotes or is addressed to a UK post-office box. It can, however, withdraw individual UK PO box contracts when complaints are upheld and mailings are not corrected. The ASA and the Royal Mail work together closely on that.

This week, the Chairman of the OFT and I are announcing new arrangements to strengthen international co-operation between consumer law enforcers. We have concluded two memorandums of understanding, one with Canada and one with Australia and New Zealand. They follow arrangements that we have already implemented with the United States. The memorandums provide practical frameworks for day-to-day enforcement, liaison and information exchange. That reflects a shared determination to tackle global abuses that harm consumers.

This summer, the Organisation for Economic Co-operation and Development announced the publication of new guidelines for international co-operation to combat international scams and internet fraud. The guidelines seek to ensure that every country has the necessary authority and powers to take action in cross-border cases. They also set the stage for future work on consumer redress.

The European Commission has proposed more formal co-operation between member states. We are currently negotiating a regulation on consumer protection co-operation to strengthen the ability of EU enforcers to share information and co-operate effectively to challenge cross-border scams. We hope that the regulation will reach the statute book in the next couple of years.

My hon. Friend made some serious points about the use of credit cards. Some 30 years ago, one credit card was available, but now there are 1,300. The industry has

[Mr. Gerry Sutcliffe]

grown tremendously, which has created some attendant problems. He will be aware of the work of the Select Committee on the Treasury. Hopefully the consumer credit White Paper, which is the result of a lot of work, will appear in the next few days.

I welcome moves by the credit industry to address credit cards. I commend the Association of Payment Clearing Services on its best practice guidelines, which it recently issued to its members. The guidelines cover the responsible assessment of a consumer's ability to handle new credit and improving the information on charges, costs and other important features.

I hope that that action sorts out the current problems, but I stress that enforcement authorities stand ready to intervene when the industry does not adopt the necessary high standards. For example, the OFT recently acted promptly to stop Marks and Spencer from mailing unsolicited credit cards to store card holders. The OFT took the view that that clearly breached section 51 of the Consumer Credit Act 1974, and Marks and Spencer has agreed to stop such marketing methods.

Legislation and enforcement are important in combating rogue trading practices of all kinds, but they are only part of the answer. Legislation may create loopholes, which the unscrupulous can exploit. Enforcement action can be taken only when bad practices have come to the attention of the authorities, by which time consumers may have suffered detriment. The most effective weapon against bad trading practices of all kinds is greater awareness on the part of consumers. The Government's objective is to place informed and protected consumers at the heart of an effective competition regime.

My predecessor, now the Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), launched a public awareness campaign on postal scams last summer that aimed to raise consumer awareness of the risks and warning signs associated with scam mailings; help consumers to avoid becoming scam victims by ignoring bogus promises and claims, and encourage consumers to send suspect mailings to the OFT for investigation. That campaign received wide media coverage. The campaign posters and leaflets are much in demand, and the OFT is investigating substantially more suspect mailings.

Public awareness is vital to putting the scam merchants and rogue traders out of business, and I want the work of increasing that awareness to continue. Like my predecessor, I want consumers to be informed and empowered. My Department will work closely with the OFT and other authorities to achieve that objective. It is important for us, as Members of Parliament, if we are aware of scams, to make sure that the OFT knows about them and to work with the other agencies involved.

Tackling mail scams in the form of unsolicited approaches, in a variety of forms and via a variety of media, is a challenging task. However, the level of detriment suffered by consumers necessitates an appropriate response. The OFT estimates that UK consumers lose about £100 million a year to postal scams alone. Legislation and effective enforcement play an important part in tackling the scam operators. Close co-operation with overseas authorities to form effective cross-border partnerships and tackle the scam operators is also vital and will continue.

For the measures to achieve optimum affect, we must have informed and empowered consumers. I am grateful that my hon. Friend has brought the issue to the attention of the Chamber today and that he and other hon. Members are working to make sure that we put the right mechanisms in place to prevent people from being exposed to scams. We must ensure that consumers have the confidence of knowing where to go to complain. As has been said, it is usually the vulnerable, particularly the elderly, who are the targets of unsolicited mail and who are tempted to respond. Once they have responded, they are hit with many more scams and end up worse off. In many cases, they feel so embarrassed that they do not report the matter.

I look forward to working with my hon. Friend and other hon. Members to ensure that we put a stop to such exploitation.

3.57 pm

Sitting suspended.

Dartmoor National Park (Military Exercises)

Mr. Deputy Speaker: We come to the final topic for our consideration today.

4 pm

Sitting suspended for a Division in the House.

4.17 pm

On resuming—

Mr. Anthony Steen (Totnes): I am grateful to have the opportunity to raise the matter of environmental damage to Dartmoor national park from military exercises, and I should also like to highlight the damage from military litter.

My credentials as a champion of Dartmoor national park are, I hope, well known in the House. Dartmoor is one of the last great wildernesses remaining in the United Kingdom and fortunately part of it lies within my constituency. I piloted the Dartmoor Commons Act 1985 through the Commons, which was a watershed for environmentalists and farmers, as well as for walkers and riders. It gave them a statutory right to walk and ride over all the national park, and set up the commoners council to administer, manage and enforce against those commoners who exploit and overuse common land.

Although the national park authority, in conjunction with the commoners council and the Dartmoor Preservation Association, has done a sterling job in preserving and conserving the landscape, flora and fauna, the military's record is not quite as impressive, certainly if the activities of recent months are anything to go by. In 1991, the Duchy of Cornwall gave the Ministry of Defence a 21-year lease with no break clauses, unlike all previous leases. Although I realise that the importance of the defence of the realm was uppermost in people's minds, I suggest that they were also extremely conscious of the sizeable sums that the Government pay annually for the use of the moor by the military, although the Government have not disclosed the amount to date.

The Government and I are both fervent supporters of the right to roam, and we believe in the importance of an unbroken footpath along the length and breadth of the west country coastline. Despite that fervour, the Government remain silent on why they permit one of Great Britain's 13 national parks to be closed for at least eight months a year while live firing and military exercises take preference over walkers, ramblers and others who seek to enjoy the national park. It is as if the Government are suffering from amnesia over the reasons why national parks were established in the first place: to provide places of peace, solitude and recreation for the public, especially urban dwellers. There are only 13 in the whole country.

This debate is about not live firing, however, but dry training and the damage done by the most recent military exercise on Dartmoor, which took place in July, when 600 commandos and 18 BV206 tracked vehicles caused extensive damage to the moor. It is also about the disregard by the military command of basic rules. That cries out not only for an explanation but for recognition that it must not happen again.

Let me make matters plain. I am as patriotic as the next man and as committed and loyal to our forces as anyone. I recognise the important job that they do and the immense debt of gratitude that we owe them. I realise the importance of training, but I have some difficulty in squaring the objectives of the National Parks and Access to the Countryside Act 1949 with the military objectives of live firing.

Heaven knows why exercises cannot take place off the moor. Bodmin moor is nearby and is not a national park; Dartmoor is. I realise that exercises cannot be moved to Scotland or Ascension Island and that the south-west must have its own training ground.

Mr. John Burnett (Torridge and West Devon): Does the hon. Gentleman concede that, rightly in my view, the cornerstone of this country's defence policy is the ability to conduct expeditionary operations, which invariably means amphibious operations? Does he understand that it is essential for the Royal Marines and other troops to be near the fleet? Those commando troops must train under realistic conditions, including live firing, or their lives will be put in jeopardy. We owe them no less than the opportunity to undertake their training. If they cannot train on Dartmoor, where else can they go?

Mr. Steen: The answer is that they can go to Bodmin moor. We have a national park in Dartmoor—one of the 13 in Great Britain. There are no other national parks in the whole European Union where military exercises are allowed. This debate, however, is about not live firing but military exercises. I hope that the hon. Gentleman will recognise that there is a distinction between military exercises that can take place outside the national park, on Bodmin moor just down the road, and live firing.

The hon. Gentleman ought to recognise that the Ministry of Defence recently told campers that they should not dig their tents too deeply or build latrines because they may blow themselves up. Again, that is a live firing issue, but there are serious implications if we have a national park where campers cannot dig tents and latrines. That is a serious issue, but my point is that Dartmoor is not a national military park—or perhaps it should be renamed. Bodmin moor is not a national park, and exercises could be conducted there. On one occasion, Bodmin moor was partly used; I am suggesting that it should have been completely used. I digress. I am grateful for the hon. Gentleman's interest and I do not disagree with him, except to say that that should not happen on Dartmoor.

I do not object to dry training, even though it is a little disconcerting for those picnicking on the moor to get mixed up in training programmes, especially when smoke mortars are fired and dozens of commandos appear out of puffs of smoke. As one is enjoying one's thermos of hot tea, one suddenly finds 200 commandos coming down—the Assyrians coming down like a wolf on the fold. That can be disconcerting, but I am not complaining about that. What I am talking about is that, at the end of June this year, a two-week military exercise was ordered on the higher moor above the 1,400 ft contour. As part of that exercise, it is understood that the training area commandant authorised the movement of 18 BV206 tracked vehicles between the Okehampton range and Ringmoor on southern Dartmoor. Those vehicles are permitted under the terms of the Duchy of Cornwall licence to conduct military training on its land. The national park authority had no prior notice of the nature of the exercise.

When the general use of such vehicles was proposed six years ago, the authority expressed serious reservations and said that they should not be permitted to travel off hard

[Mr. Steen]

tracks. It is fair to say that, in the interim, despite some use of the vehicles, the ranger service of the Dartmoor national park authority reported only one incident involving a BV206. The scale of the most recent exercise and the manner in which the BV206 was deployed have clearly had a major visible impact and have serious ramifications for Dartmoor national park.

The new tracks in the Hare tor and Lynch tor areas were inspected on 8 August 2003. I might mention that they are high tors, well over 1,400 ft. They are dramatic tors, and are often used by ramblers and walkers. In some areas, several tracks run across the same general area, but in others there are only single tracks. The number of BV206s that used individual tracks varied: there have been single passes as well as passes by as many as 18 vehicles.

As expected, damage to vegetation has tended to be greater in areas of blanket bog and heather, and less in areas of purple moor grass. A combination of the vegetation and the number of vehicle passes has determined the damage that has been caused on individual tracks. A noticeable additional factor is the number of sharp turns made on slopes. Those invariably produce bare patches of ground where the vehicle tracks lock and twist.

In areas of blanket bog and mire, the tracks tend to cut into the peat in short sections only. That may take several years to recover, although it is heavily dependant on future track use. Young heather plants are not damaged, but wherever the growth is old enough to include woody stems they have been abraded. That has led to desiccation, which is likely to cause the death of many plants. Recovery in those areas will be slow, dependent on seedling regeneration, and perhaps the re-growth of plants that have not been too badly damaged.

The greatest number of tracks around Hare and Lynch tors were on purple moor grass. The vegetation in those tracks is likely to recover provided that the tracks are not used further. The new tracks are mainly in areas of lightly grazed vegetation through which it is difficult to move. There are signs that many of the tracks produced by the BV206s have subsequently been used by people for walking, stock grazing and for some stock movements, and by other vehicles such as Land Rovers and quad bikes. That factor is of most concern, as it is likely to determine the length of recovery, and it could lead to permanent tracks and paths being established in some areas. Many of the tracks are still highly visible across wide sweeps of the most beautiful open landscape.

The areas most notably affected are those south of the existing Dinger tor hard track, through the Brim brook up to the western side of Great Kneeset, west of Little Kneeset, the east and south flanks of Great Amicombe, the western side of Fur tor, which is nearly 2,000 ft high, over the meads, north-east and south of Lynch tor, west of Cocks hill, and parts of Langstone moor towards Roos tor. Other tracks from the Willsworthy camp, on the west of the moor, exist around Hare, Sharp, Doe and Chat tors and through the Rattle brook below Deadlake Foot. The head ranger of Dartmoor national park has recorded the general extent of those tracks, and photographic illustrations have been presented to the national park authority.

The authority's ecologist has visited a number of locations in the company of an ecologist from the Department for Environment, Food and Rural Affairs' rural development service. Initial reports of the damage were received from DEFRA in connection with the forest of Dartmoor's recent entry into the environmentally sensitive area scheme and the accommodation of military use within the scheme's objectives and achievements. Although recovery is expected, its speed and permanence is heavily dependent on deterring all potential moor travellers, walkers, commoners, military personnel and others from following the tracks created, which is no mean task given the temptation and convenience that they now provide.

Since the Duchy of Cornwall renewed the licence for military training on the estate in 1991, some very positive MOD conservation activities have benefited both the historic environment and the wildlife. The general standards of care and range maintenance have improved. That damaging incident is, therefore, all the more regrettable.

The Dartmoor national park authority has expressed concerns that a new contract recently awarded to Landmarc to deliver various aspects of range maintenance and operations may be affecting standards and may have been a contributory factor in that instance. Whether the impact of the BV206 exercise is long term or not, the complaints and dismay expressed in various quarters are sufficient to justify an investigation, this debate and whatever action is needed to avoid any repetition of the incident. The Dartmoor national park authority has made robust representations to the MOD, the Duchy of Cornwall and the Dartmoor steering group.

Will the Minister confirm that the use of BV206 vehicles away from hard tracks will now be prohibited? Will the MOD monitor recovery and carry out at the Government's expense any restoration agreed necessary by DEFRA and the authority's ecologists? Will the MOD bear responsibility for discouraging commoners, the public and service personnel from following the routes created until recovery is complete? Finally, will he confirm that standards will not be diminished by the engagement of Landmarc?

As a life member of the Dartmoor Preservation Association, I cannot allow this opportunity to pass without raising the matter of military litter. In a letter, the splendid chief executive of the association, John Bainbridge, told me of an ex-soldier who, on 4 September, led a walk around Gutter tor mire and Ditsworthy farmhouse and encountered untold rubbish, probably 90 per cent. of which was military.

There were more than 50 spent 5.56 mm cartridge cases, 11 empty cardboard cartridge boxes, which hold 25 rounds each, six used smoke canisters, untold ration pack wrappings and one damaged Hexi stove. While looking around Ditsworthy farmhouse, green twine, which looks like wool, was found but it was strongly tied against the walls to keep the public out. That illustrates a lackadaisical approach in the military, which is new; it has not been seen before.

It is difficult to sustain the untamed wilds of Dartmoor while permitting hundreds and sometimes thousands of military personnel to use it for training. I have always advocated Bodmin moor as the right place for training. Therefore, while the Dartmoor national park authority watches powerless from the sidelines and the Dartmoor Preservation Association howls in anguish, in reality, nothing can halt the destructive forces and preserve for the nation that unique environment, unless the Minister is minded to intervene, and intervene he should to protect from destruction the last great wilderness in Britain.

4.33 pm

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate and giving me the opportunity to talk about the work of the Ministry of Defence on Dartmoor.

The hon. Gentleman has raised concerns about environmental damage to Dartmoor national park arising from military exercises. He has exchanged correspondence with my Department about military activities in the past, and I hope that my remarks will assure him of our recognition and appreciation of Dartmoor's special qualities. The MOD takes its responsibilities to the environment very seriously, and I intend to say more about that.

We are very aware of Dartmoor's place in people's affections. It is held in special regard by all branches of the armed forces, whose first recorded use of it was for training during the Napoleonic and Crimean wars. Okehampton camp, south of Okehampton, was built during 1892, and 4,050 hectares of land were rented from the Duchy of Cornwall for training artillery. That use continued until the second world war, when virtually the whole of the moor was used in preparation for the D-day landings invasion. A reduced area of Dartmoor has continued in such use ever since, playing a valuable role in preparations for the Falklands conflict in 1982 and again more recently for operations in Afghanistan and Iraq.

The terrain and climate of Dartmoor provide conditions that challenge the recreational user and armed forces alike. Walkers and riders enjoy Dartmoor for much the same reasons that it provides an ideal training area for the military: challenging walks, strenuous climbing, unpredictable weather, featureless navigation, and remoteness. Those special qualities allow the military to develop character through resource, self-reliance and leadership skills—qualities that are called on wherever the armed forces are deployed.

Of course, simulation has much to offer these days with advances in technology and we are already exploiting that wherever possible, but simulation cannot replicate all the tests of character and skill provided by the natural environment.

Mr. Burnett: Will the Minister give way?

Mr. Caplin: No. I am sorry.

As well as the regular forces from all three services, not just those based in the south-west who use the moor, locally based Territorial Army units and cadets depend on Dartmoor to provide them with an area to practise tactics and to maintain their weapon skills. In fact, 50 members of the local TA are about to deploy to Afghanistan on operations—*[Interruption.]* I hope that that is not them calling. I am sure that the Chamber will wish to join me in thanking them for their continuing commitment and dedication, and wish them well.

The hon. Member for Totnes asked me about 45 Commando's training exercise on Dartmoor at the end of June. He was right to say that there was a recent occurrence of surface damage caused by the cross-country vehicle known as BV206. That is a matter of the greatest regret to me and to my Department. It was recognised that some damage might occur as a result of the Commando exercise, but with a return to Afghanistan imminent, it was considered that the operational imperative outweighed the argument for not proceeding with the training. In some ways we are the victims of our own success, as the damage is much more noticeable because of the damage-free record in recent times. I am pleased to inform the hon. Gentleman and the Chamber that the repair work was quickly started and, with the help of the Dartmoor national park and English Nature, efforts are being made to minimise any long-term impact. That incident should be considered against the background of a good and improving record of conservation, not just on Dartmoor but throughout the defence estate. In particular, I want to reassure the hon. Gentleman that we have agreed with the Dartmoor national park authority to discourage users from walking or riding along the tracks caused by the BV206. The Ramblers Association and the Dartmoor Preservation Association have also recommended avoidance, and I hope that that will be significant in allowing the rehabilitation of that area of Dartmoor as speedily as possible.

Mr. Steen: I have walked over Dartmoor for the past 40 years so I know it well. The Minister is right to say that the Ministry's record is pretty good. The recent incident is a departure and there is concern about Landmarc. Will he say something about the BV206 in the future, because that is the concern? The exercise also took place on Bodmin moor, so could not the Dartmoor national park, one of Britain's 13 national parks, be avoided if at all possible? The terrain on Bodmin is very similar to that on Dartmoor.

Mr. Caplin: We shall take those views into account, but, because of the operational nature of the training, only Dartmoor was suitable, not Bodmin. However, I shall certainly reflect on the hon. Gentleman's comments.

The Ministry of Defence has been set the challenging target of having 95 per cent. of MOD-managed SSSI sites in favourable or recovering condition by 2010. The Army training estate is responsible for many of them, and current information suggests that it is ahead of the national average with 53 per cent. in the favourable or recovering status. We still have a long way to go, but the chief executive of English Nature tells me that this is indeed a promising start.

It is also worth pointing out that for the third successive year the Army training estate has won the coveted Silver Otter conservation award. This is an award made annually to the best project by a conservation group on MOD land. This year's award went to Foxglove Covert in Yorkshire, where we have developed an ultramodern field centre on a local nature reserve. I cite those as some of the examples of the MOD's environmental and conservation work.

I am pleased that Dartmoor was one of the first areas to introduce an integrated land management plan, which brought together all interests to inform its management and development. With the introduction of an environmental management system to the wider MOD, Dartmoor is again leading the way, with valuable contributions coming from statutory bodies

[Mr. Caplin]

such as English Nature and English Heritage, as well as the volunteers who make up the local conservation groups.

In addition, those essential programmes are supported by the rural element of the estate strategy funding programme, which sees £2 million annually ring-fenced across the Army training estate in support of our statutory obligations. Dartmoor is part of that programme. Contrary to the opinion of some, it simply is not in our interests to cause environmental damage, but it is in our interests to protect and conserve our training areas. Let me add that not all military training impacts are adverse; some are positively beneficial to the environment. For example, land used for military training often prevents intensive agricultural practices.

Mr. Steen: The most beautiful part of Dartmoor national park is the northern part—the highest part. It is closed to the public for the best part of eight months a year. It is a contradiction to have a national park that one cannot actually get to. It is true that the conservation and environmental record of the MOD is very good. People cannot access the land because the Army is firing on it and the public are cleared from it: if one closes the land, the corollary is that the environment will be improved. However, that is not the point of the national parks; the point is to get people to visit them, not to prevent them from going.

Mr. Caplin: I was about to come on to access, so the hon. Gentleman's intervention is timely. I know that public access is a matter dear to his heart and to the hearts of his constituents and many other Dartmoor users, including those who visit the moor regularly.

Unless live firing is taking place, the whole training area is open to the public. I am aware that the hon. Gentleman takes a close interest in the opportunities available to his constituents as well as visitors to the area, but I can assure him and the Chamber that the ranges are operational for only the minimum time consistent with our troops achieving their training objectives. When those objectives are achieved more quickly than expected, or when the unpredictable weather I have already referred to closes in, the ranges are opened. In those areas not used for live firing, there are no closures and people are free to walk and ride while training takes place.

I deal now with the hon. Gentleman's point about military litter. Units are instructed not to leave litter on the moor at any time, but it does happen occasionally. I can assure him that range staff rectify the problem as quickly as possible, as soon as it is brought to their attention.

I accept that the paraphernalia of military activity such as flags, poles and lookouts are an intrusion on the landscape, but with the safety of the public paramount, they are necessary. It is regrettable that a small minority of members of the public fail to accept their responsibility to avoid entering the danger area during published live firing periods. I also accept that there are some visitors who find the presence of troops disturbing. There are also, however, those who enjoy watching their activities, and who appreciate both the contact with them and the economic benefit brought to the south-west by their presence. It also helps to create an essential understanding between the public and the services through increased exposure to the role of the military.

I shall deal briefly with the issue of why military training has to take place in a national park and not elsewhere. Ideally, the military would not choose to exercise in such an area. However, alternative sites of similar size and scope, especially those without an environmental designation, are difficult to come by in the United Kingdom. With the exception of the newly created Scottish national parks, there are military training areas in all national park areas. They predate the creation of the parks. Their military use has meant that there has been no urbanisation, and no use of intensive agricultural practices; that has led to sites strong in landscape and conservation value—hence their designation. The MOD occupies less than 3 per cent. of the area of national parks, but that represents about 30 per cent. of the Army training estate.

At a recent debate convened by the Dartmoor Society to consider the military use of Dartmoor, the Ministry of Defence made a significant contribution to the discussion, and our presence there was warmly welcomed. However, we are not complacent about our use of the Dartmoor national park, or indeed of other national parks. I am aware that some people fervently believe that the military have no place in areas of special beauty and wilderness, and that such activities are inconsistent with the objectives of a national park. I am also aware of an issue with the licence for the use of Duchy of Cornwall land, which will fall due in 2012. We and the Duchy will consider how the renewal will be dealt with closer to the time, and I would not wish to second-guess anyone's views. For my own part, I am keeping an open mind.

In conclusion, it is worth reminding ourselves that in order to maintain our freedoms, and those of others, it is necessary not only to persuade potential foes of our political will and military capability to respond to threats, but to persuade them that our forces are effective and capable of preventing future adversaries from achieving their objectives. It is therefore essential to have a highly trained, well-motivated force that is operationally ready.

It being thirteen minutes to Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 16 October 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

Regional Disparities

[Relevant documents: Reducing Regional Disparities in Prosperity—Ninth Report from the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, Session 2002–03, HC 492-I; and the Government's response thereto, Cm 5958.]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Charlotte Atkins.]*

2.30 pm

Andrew Bennett (Denton and Reddish): I am grateful for the opportunity to debate the ninth report of the Select Committee on the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions, "Reducing Regional Disparities in Prosperity". I am pleased to see the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Corby (Phil Hope), and I congratulate him on his well-deserved promotion. I am not quite sure whether in his new role he will be able to sort out the station at Corby, but I wish him well.

I pay tribute to Claire O'Shaughnessy, who worked as an assistant researcher for the Select Committee for two and a half years. She did an excellent job and the quality of our reports often depended on her skill in drafting. I also thank David Coats, Adrian Healey and Kevin Morgan, who advised the Committee. We were fortunate in having good advisers who disagreed with each other on the whole, and who therefore made the Committee think a little harder. I also appreciate all those who submitted evidence to the Committee and those who set up visits.

I believe that the report is a good one. When I went to the Vote Office to pick up a copy, I was heartened to find that it had been reprinted. The cynic in me says that only a few copies were printed to start with, but, given that one sometimes sees reports stacked up behind the person giving them out in the Vote Office, it was nice to be on a reprint.

The report has been well received on the whole, although I notice that since it came out various people have been keen to produce their own figures, some of them suggesting that great amounts of wealth really are produced in London, and that the regions should be thankful for the few crumbs and sops that are thrown to them. I have two points to make about that: first, when people seek the places where wealth is created, there is a danger that they will actually look at the places where it is accounted for. That may well be the City of London, when in fact the wealth is created in other parts of the country. However, that is not the crucial issue. As someone who is still pleased to call himself a socialist, it seems to me that people should contribute as they can and draw back according to their needs. Ken Livingstone should remember that when he trumpets the amount of wealth that London creates. It may create a lot of wealth, but he should be happier to share it with other parts of the country.

The English regions have lost substantially in the past 50 years, and they have not received the compensation that they should have had. Throughout the time in question, whichever political party has been in charge, and when the Bank of England has set interest rates, the United Kingdom economy has, on the whole, been dominated by the problems of London and the south-east. Whenever the economy starts to overheat, interest and exchange rates move to take that dominant part of the economy into account. I do not have a difficulty with that, except that often it means that interest rates have often been one, two or sometimes many points higher than they needed to be for the English regions.

A company in my constituency, Cravens, was one of the leaders in manufacturing machine tools in the 1970s. The interest rates that it had to pay were considerably higher than those that Japanese businesses had to pay. Eventually, Cravens went out of business and the great Stockport tradition of manufacturing machine tools was lost. It was lost because the interests of London and the south-east were taken into account when running the economy.

Mr. Philip Hammond (Runnymede and Weybridge): No doubt the hon. Gentleman has anticipated the point that I am going to make. If it is that difficult to manage an interest rate for the disparate regions of a single national economy, will it not be impossible to manage one for the vastly disparate regions of the whole of the European Union?

Andrew Bennett: I have considerable sympathy with that point. I am not one of those who are greatly enthusiastic about the euro, but whether we are talking abut the economy of the UK or Europe, we may have to have one interest rate—and one exchange rate—that covers the whole area, because we must take into account the largest unit in that area. If we have that, however, we must ensure that compensation for the disadvantaged parts, whether in Europe or the UK, is commensurate with the damage that is being done.

Mr. Edward Davey (Kingston and Surbiton): I am tempted to join in this little debate. Will the hon. Gentleman admit that the differences in wealth and income between the different regions in Great Britain are often greater than the differences between some of the regions of the EU? The argument advanced by the hon. Member for—I ought to know—

Mr. Hammond: You certainly should.

Mr. Davey: The Conservative spokesman's argument is invalidated by the empirical evidence. One could argue that a single interest rate throughout the EU would help the English regions that have suffered from the interest rates set from London.

Andrew Bennett: It might have been a mistake on my part to get too far into this argument. All I wanted to do was place on the record my belief that the English regions have lost out because, on most occasions, interest rates have been set at a level that was not in their interests—certainly not in the interests of the manufacturing industry—and that the compensation awarded by successive Governments has not been adequate.

[Andrew Bennett]

We start the debate by talking about Government policy. I praise the Government for coming up with the public service agreement, which states that they want there to be growth in all regions but that they also want to reduce the gap. That is a very attractive target. I am not fantastically enthusiastic about targets: if one fails by a narrow margin, it is considered to be a disaster, whereas if one succeeds, it is considered to be because the target was set too low. As an aspiration, the idea is a good one, but as the evidence is gathered, we see words such as "challenging" and "ambitious", which are really saying that the target is too difficult or impossible to achieve. The central issue is whether the Government will will the means to get anywhere close to that target. Many people question that.

Another issue of considerable concern is that we call ourselves a democracy and we build up an edifice of information, but in some cases the quality of the information on which we base our decisions is very poor indeed. The Office for National Statistics has failed this country terribly. It has totally failed to produce lasting figures for things such as gross value added, and has failed to produce a regional deflator for GDP. It revises the figures almost before it has published them.

The most worrying disaster for the country is the ONS's census figures and the mid-year predictions that it produced from them. People in this country have traditionally accepted the census figures. They may have been a bit dodgy before 1831, but since then they have almost always been believed—they may have been wrong, but people believed them. Following the issue with the 1991 figures, we have been told that either the mid-year predictions were wrong or that the 2001 census was badly wrong. We are trying to take democratic decisions, but we are in deep difficulty because of the quality of the information.

I sympathise with the Ministers who tried to get to grips with the standard spending assessment last year. They came up with a new system just before Christmas, but the ONS used the census figures to shoot at it. That meant that a series of places, mostly bigger cities, suddenly found that, according to the census office, they had many fewer residents, which had significant implications for their finances.

Mr. Chris Mole (Ipswich): Does my hon. Friend agree that the ONS's evidence to the Select Committee was interesting? It did not say that it lacked confidence in the 2001 data and the collection processes; instead, it put its hands up to the fact that the 1991 data were clearly awry. Many of the large changes occurred because things that were wrong in 1991 were put right this time.

Andrew Bennett: I understand that that was the ONS's defence, but I am unsure whether it still holds up. Last week, it suddenly announced that it had accepted the lobbying from places such as Manchester that the figures were wrong. The ONS has conceded that it got the numbers for Manchester wrong by about 7,000; the same point also applies to Westminster and Chelsea. The ONS has started to concede that the way in which it counted the 2001 figures was wrong. Dialogue with Manchester is ongoing, and I think that there will be some changes. It is worrying that we are being asked to make decisions based on poor information.

When my hon. Friend the Financial Secretary to the Treasury came before the Select Committee, she robustly defended Mr. Cook and the ONS. I understand the principle that Ministers should defend their civil servants, but it seemed to me that she was living in fairyland. The view in the Tea Room is that the ONS cannot count anything and that Mr. Cook should go back to Australia to count sheep rather than try to run that department.

I want to press the Minister on one little point—the Select Committee can suggest spending without taking responsibility for it. We firmly pressed the Government on the point that if the figures for the metropolitan areas were wrong, those areas should be compensated. I am delighted by page 5 of the Government's response, which states:

> "If, after considering all the evidence, ONS do revise the 2001 mid year population estimates based on 2001 Census data, ODPM will consider amending the 2003–04 local government finance settlement to reflect this."

I hope that the Minister will tell us this afternoon that those local authorities whose populations have been miscounted will get their money.

Turning to the target for growth, it is important that we achieve growth within the English regions and that a challenging target is set. However, the target must be sustainable. It is not only a question of the Office of the Deputy Prime Minister recognising the problem with the regions; the recognition must be seamless across the Government. It was worrying that the Department for Work and Pensions and one or two other Departments did not realise that their activities should have a regional dimension. For example, the money going to the north-east does not look too bad if we consider all Government expenditure, but if we take out the amount that is being paid by the DWP, we find that the position in the north-east is that much worse, because almost all the money that makes the north-east look not too bad is paid as benefits and compensation for lack of jobs, rather than in other ways. I hope that there will be a regional dimension to the forthcoming spending round and that English regions—particularly the northern regions—will get more money.

Mr. Hammond: Will the hon. Gentleman clarify one point? Is he prepared to see a trade-off involving more equitable growth patterns across the regions if the cost is a lower growth of UK GDP? I fear that that is where the Committee's report and recommendations are taking us.

Andrew Bennett: It is not where the Government are taking us. The Government are quite clear that they want to grow the whole cake, and ensure that the shares are more equitable. Doing a good job for the English regions does not mean that we will grow the whole cake more slowly. It is possible to do what the Government want to do. However, the Government are not willing the means to achieve that general growth and a fairer share of resources.

There is evidence that some of the growth in London, which might lead to overheating of the economy, creates more problems for people in London than it solves. It is not totally an issue of us and them.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the hon. Gentleman give way?

Mr. Kelvin Hopkins (Luton, North): Will my hon. Friend give way?

Andrew Bennett: I am reluctant to give way. I will give way to the two Members who have intervened, but many people want to take part in the debate so it is my duty to be reasonably concise when opening it.

Mr. Beith: The hon. Gentleman was talking about targets and the north-east. *The Journal* in Newcastle reported the serious difficulty that the targets themselves represent. They average a batch of the poorest regions and compare that average with the richest regions, which is likely to produce a meaningless figure that will not reflect the true difference between the growth rate in the north-east and that in the south-east. Other regions, too, will find that their figures are concealed in a set of targets that do not inform us very well.

Mr. Hopkins *rose—*

Andrew Bennett: Does my hon. Friend want to intervene?

Mr. Deputy Speaker: Order.

Andrew Bennett: I thought that I had said enough.

Mr. Deputy Speaker: To enable the Chair to follow the debate it would help if the hon. Gentleman, who chairs the Select Committee with great distinction, dealt with the first intervention before accepting another.

Andrew Bennett: I had intended to move on to the next point in my notes because it addresses the problems of the north-east.

Higher education is obviously one of the drivers of local economies. The north-east appears to do quite well in terms of Government spending on higher education. The north-east obviously has some impressive HE institutions, such as Newcastle and Durham—I will not go through the entire list—and a significant amount of money is spent on those institutions. What is worrying and disappointing is that the north-east does not seem to be able to retain graduates in the region and does not appear to get a good deal from the research and development that should be going on beyond that level.

Why does the north-east not do particularly well? Is it because of structural problems, or because it does not have the critical mass to offer opportunities to two-career households? One of the problems that the Government must consider relates to the way in which money is allocated for research and development. They must ensure that a fair proportion of the money goes to some of the most disadvantaged English regions, of which the north-east is one.

Mr. Hopkins: To counter the point made by the Conservative spokesman, the hon. Member for Runnymede and Weybridge (Mr. Hammond), does my hon. Friend accept that there is a lot of evidence to show that economies left to themselves, and to the vagaries of market forces, tend to be divergent and to grow more slowly than those where the Government play an active role in redistributing income and wealth?

Andrew Bennett: I will certainly say yes to that, and I will not be drawn any further down that line.

Another area concerns me. The Government's idea to hold the Olympics in London is totally wrong. There was a great opportunity for the Government to promote the English regions. The Commonwealth games were outstandingly successful in promoting Manchester, and although I was not particularly enthusiastic about them, they at least had a regional dimension. If the Government had had the idea of holding the Olympics in Stoke, it might not have got past the Olympic committee, but a lot of preparation must be done for the London bid. It may fail, but the preparatory work has some continuing value. A failed bid from the English regions might be of more value to the whole nation than a successful London bid, which would simply increase London's problems. Another Department, the "Department for Fun", should look very carefully at the regional dimension.

Sir Michael Lyons's review considered moving civil servants out of London. Such reviews have been going on for most of my lifetime, and they have almost always turned out to be a disappointment. The Ministry of Defence had a choice of moving its new procurement division either somewhere between Coventry and Birmingham—not one of the most depressed regions, but at least it is in the regions—or between Bristol and Swindon. The division ended up between Bristol and Swindon, which is one of the areas where the English economy is most overheated.

If the Lyons review is going to work, we must ensure that significant groups of civil servants are moved out of London. They do not have to be civil servants on the margins. It would be great if the Prime Minister were to say, "The No. 10 policy unit is moving," and we could fill in whether we wanted it in Corby or further afield in the English regions. That would start to turn the whole apparatus of government around. We must carefully consider how to get extra resources into the regions. Part of that consideration is to say, "London and the south-east are overheated." If we set an example by moving out significant groups of civil servants, there is a reasonable chance of other people following suit.

Transport policy must strike a balance between solving the problems of overheating in the south-east and ensuring that the English regions have a transport infrastructure. If the north-east does not have that critical mass, we must ensure that the rail and road links between the north-east and Edinburgh are really good. People up there have been lobbying very hard for their road link.

Often, it appears that the Government are spending quite a lot of money on the English regions. We must ensure that the money is spent there and does not drain away to consultants in Cheltenham or any other prosperous place. Often, development consultants do not live in the area, and they come from a long way away. The Select Committee recently visited Oldham,

[Andrew Bennett]

where it saw the installation of new windows and PVC doors in housing in some of Oldham's more depressed areas. The Committee were told that Oldham was getting a lot of Government money, yet in fact very little money went into Oldham because the contractor and the PVC manufacturer came from outside Oldham. In name, the money was going to Oldham; in reality, it was going somewhere else.

We must make certain that UK regions do not lose out in the next allocation of structural funds. That applies in particular to the allocation of transitional provisions, and to the allocation of EU structural funds, which will no doubt please the Conservatives.

One or two Members in the Chamber are not particularly keen on devolution to the English regions. I am firmly in favour of it, but we must be clear that devolution alone will not deliver an extra penny to those regions. In a sense, it is a separate argument and we must recognise that, although it may well be that strong regional elected assemblies will have a stronger voice than some Members have had in the House of Commons for their region.

After we published the report, I saw some comments from Ministers and Departments that were not very complimentary, but the Government's response was rather more encouraging. I leave the Chamber simply with this thought: it is time that we got justice for the English regions.

2.55 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I warmly welcome both the Committee's decision to work on the report, and the report itself. The Committee has done a great service to the regions of this country, and I hope that the report will result in a lot of thinking in many Government Departments. It is not just the Office of the Deputy Prime Minister that must heed the recommendations of the report, but virtually every Government Department that has an influence on the shape of public spending and where it is distributed, and the infrastructure that enables regions to prosper.

I am very glad that the hon. Member for Denton and Reddish (Andrew Bennett) steered through this important report and that my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) will speak later in the debate on behalf of the Liberal Democrats. He takes a great interest in my region, and he is going there again this weekend to keep his knowledge of the north-east up to date.

The north-east is a region that suffers from low output, low employment, low qualification levels, high rates of mortality, low rates of business start-ups and high rates of business failure, poor transport infrastructure, high incidence of crime and, of course, a very high incidence of social security payments, as the hon. Member for Denton and Reddish pointed out. That is not the kind of financial assistance that the region wants. It wants people to be in jobs rather than depending on benefit.

The region has some very good features, such as wonderful scenery and countryside and excellent universities and research institutions. It has made huge strides in the development of its artistic and cultural facilities. Most employers recognise it as a good region in which to employ people because of the high standard and stability of its work force. It is a region of relatively low housing costs, which should make the area attractive to people who are oppressed by prices in the south-east—if there were jobs for them to move to. It is also important to retain people who come from the region and who have been educated there in the region, rather than watch them move away to overheated parts of the country in order to seek employment.

The Committee is right to identify that action right across Government will be necessary if the advantages that I have just described are to be effective in the face of the problems that I mentioned. One issue that the Committee rightly addresses is the overall public funding of the regions. That brings us to the Barnett formula. The report states in paragraph 75:

"The allocation of public funding to the nations and regions of the UK does not reflect 21st century patterns of need across the country. We recommend that the Government reviews the total allocation of funding to all parts of the UK, including the Barnett formula, as part of the post-devolution constitutional settlement."

I strongly support that recommendation, which is also strongly supported throughout the north-east.

Representing as I do a constituency on the border, it is apparent to me that public funding is much higher in Scotland than in England. One only has to drive along the roads or consider the funding of schools and other public services to recognise that. One reason why Scotland gained particular levels of public expenditure was that it was seen to have precisely the problems that the north-east currently has, including those resulting from the decline of the traditional heavy industries that had been the major employers in much of Scotland as they were in much of the north-east. However, the north-east never got the public expenditure boost that a required percentage of public expenditure gave to Scotland.

The Barnett formula will not always work in Scotland's favour. Many in Scotland point out that it will cause them difficulties in future years. It is out of date from their point of view, as well as from that of the English regions. The Committee's recommendation of a proper review is justified. We need—I hope that my hon. Friend the Member for Kingston and Surbiton will refer to this later—a mechanism to examine the allocation of public expenditure throughout the United Kingdom and to build into that a recognition of needs, which, if satisfied, will lead to a reduction in the disparity and in the need for such a formula. Once a region has the necessary infrastructure, education facilities and kick start to becoming more prosperous, its natural growth rate deals with the sort of problems that I have described.

There is a danger in the way in which the Government look at figures when assessing how we are getting on. I intervened on the hon. Member for Denton and Reddish to draw his attention to a problem about the target for reducing the disparity in growth rates between the richest and poorest regions by 2012. *The Journal* in Newcastle today identified and quoted a paper, which is now in the Library. It states that:

"the target will be achieved if the gap between the average growth rate of the six poorest regions, including the North-East, and the three richest, including London, gets narrower by 2012."

Burying the most deprived regions of the country in such a large package of other regions will not give a true picture of the disparity. If that target is achieved, it will not be possible to tell whether it has made a significant difference to the disparity between the north-east and south-east in terms of growth.

To make matters worse, the baseline for the target is taken as the period 1989 to 2002. That period includes the 1990s recession, which hit hardest in London and the south-east. We have a target with a baseline set during a period when the south-east was at its least prosperous, relatively speaking. Furthermore, packaging regions together will conceal continuing serious disparity, if that exists in 2012. The process will not be much use in guiding the Government and gives the impression that they have searched for figures to produce an achievable target under the present policy. That is pretty depressing.

The Government must face the facts of the disparity between poorer and richer regions if polices are to be developed to deal with those problems. It is not to the Government's benefit—except in the narrowest PR and spin terms—if they select targets that they can meet, but that demonstrably will not reveal continuing disparity. They must face facts, devise targets that relate to the real problems that we all know about, then set about devising policies to meet those much more serious targets.

I do not want to detain hon. Members for long and many issues in the report could be raised, but I shall mention only two. One is rural areas. In any deprived region there are rural as well as urban areas, and I have both within the compass of my constituency. If we are to achieve significant improvement in the rural economy of areas such as the north-east, we need tools and infrastructure. An obvious one is broadband, and I am glad that that was mentioned in the report and in the Government's response.

One way to encourage the creation, development and retention of jobs in remote communities is for people to work from home and to run small businesses from rural locations at home or in small village workshops and offices, but that depends on internet connection. If such areas cannot get broadband—at the moment they certainly do not have it—they cannot face the competition from businesses in areas where internet access is immediate and continuous. They will be at such a competitive disadvantage that the whole strategy of regional development agencies to foster small rural businesses will be ineffective.

The Government have made various statements about how to get broadband into every doctor's surgery and every school. That should create a platform to assist in ensuring that we have broadband in every village and access to it for remote communities. However, I simply cannot obtain from the Government any explanation of how they will deliver broadband to rural institutions such as schools and doctors' surgeries when it is still not available to others in rural areas. If they devise a mechanism that achieves that—connection only to those public institutions—they will have missed a tremendous opportunity because a critical mass can be created by bringing together existing Government policy on broadband and those businesses that desperately need it in rural areas. I ask for more Government attention to that.

I have had many discussions with BT about broadband and it is trying hard to achieve that critical mass in larger communities—the centres in rural areas, such as market towns. That is good, and I want to see that process completed, but it will not solve the problem. In the really rural communities, such as villages and hamlets, the job strategy is based on modern technology enabling work to continue there that in the past would have had to go to some more urban centre.

My final point relates to regional assemblies. I believe that regions will prosper better if decisions can be made democratically at regional level that shift resources and generate initiatives, but for that to be effective the power must be there. The Committee delivered a warning against the dangers of delivering responsibility to regions without giving them the power to fulfil that responsibility. That is why the process of creating regional assemblies and giving people of a region the opportunity to vote for a regional assembly is one in which the issue of power must be kept to the fore.

The electors of the north-east will want to know whether the regional assembly will be able to make decisions that will make the north-east more prosperous. Sometimes those will be difficult decisions, which shift resources from one thing to another because that is where the opportunity is perceived to lie. The Government's proposals are weak in that respect, but I am persuaded none the less that it is better to put a regional assembly in place and allow its powers to develop.

The Government would be in a better position to win their argument that elected assemblies would benefit the regions if they could hold out the prospect of bringing more and more power of decision to the regional assemblies, as well as the power to hold to account the massive existing apparatus of regional government, such as the Government office for the north-east and the regional development agency. We already have regional government in this country and no one should try to deny that. The regional assemblies would make that government democratic. The more powerful an assembly can be in its ability to use resources effectively and productively, the more chance there is that it can get a region moving through a strategy that tackles the problems that we have been discussing today, which are so well identified in the Committee's report.

3.7 pm

Mr. Graham Stringer (Manchester, Blackley): I congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) and the members of the Select Committee on producing an excellent report. I found a lot that was of interest in it, and information that had not previously all been available in one place. I genuinely congratulate them on that.

Given that I am known to have strong views on investment in the regions, one of the more difficult things that happened to me when I was at the Cabinet Office was being asked to reply in the north-south debate that went on after my right hon. Friend the Prime Minister had made some statements suggesting that the north-south divide was not as important as some of us think. It was an uncomfortable debate, and it would have been more uncomfortable had my hon. Friend's report then been available for people to discuss. It shows

[Mr. Graham Stringer]

what we know: there have been 50 or 60 years of severe regional imbalance in this country, which has led to worse health rates, income and educational achievement in the regions than one finds in the south-east. Very little has changed that, and it is economically inefficient.

The situation is almost the exact opposite of what the hon. Member for Runnymede and Weybridge (Mr. Hammond) thinks it is. If parts of the economy are underutilised, and other parts are overheated, it is more likely that GDP as a whole will grow less quickly. The recent warnings from the Bank of England are that the most powerful parts of the economy are at full capacity and that we may be in for more difficult economic times.

Mr. Hammond: The hon. Gentleman and I have had this exchange before, and I understand what he is saying, but my concern is that the Select Committee's report appears to suggest that public funding should be skewed to the regions that have performed less well economically, precisely at a time when the locomotive regions, if I may use that phrase, are facing constraints as a result of underfunding in public services and infrastructure. I am afraid that the assumption that investment can be diverted from those regions to other UK regions is demonstrably false. The danger is that too often the investment will go abroad.

Mr. Stringer: What the report is talking about, which I support, is changing the spatial distribution of public expenditure. Relieving some of the congestion in the south-east might lead to more investment there and give a firmer base to the other regions. We have indeed had this debate before, and it never seems right to me that per capita public expenditure is 40 per cent. higher in London and the south-east than elsewhere in England.

Having given that introduction, I take issue with one item that runs through the report. It is very important to be clear about our objectives, even if they are very difficult to achieve, which they are. You may have been an absolute whiz at differential calculus when you were at school, Mr. Deputy Speaker, but I suspect that most politicians were not. If you were, you will know that there is a real and important difference between closing the gap—the difference—between the economies and GDPs of the regions and the south-east, and changing the rate of growth. My hon. Friend the Member for Denton and Reddish used the two phrases interchangeably and they are used interchangeably in the report, but they are not interchangeable.

The Government's position is very clear: to reduce the persistent gap in growth rates. If a region is growing at 2.2 per cent. a year compared with London growing at, say, 3 per cent., and our objective is gradually to increase the region's growth to 2.3, 2.4 or 2.5 per cent. a year—which is very tough and not being done—we will, if we succeed, make London even wealthier in comparison with the region than it was at the start of the process. I do not think that that is right. That is the objective, but I think that the objective should be to narrow the gap so that we have greater economic efficiency and social justice across the country. Even if we achieve that objective, we will end up with greater imbalance than we have at present. That is simply wrong. I very much doubt that most Ministers know that when they advocate their policies under PSA3 they are advocating that in five or 10 years London will be richer and the regions poorer in relative terms. That is not a good objective, and changing it will be very difficult.

I shall touch on some other aspects that my hon. Friend the Member for Denton and Reddish discussed, such as the census and recommendations 11 and 12 of the report. We have had debates in this Chamber on the census results, and I have asked questions on the Floor of the House. I have no doubt whatever that for Manchester, and probably for Derby, Plymouth and Westminster, Mr. Len Cook got his figures wrong. Since the census, the evidence that houses were not counted, that forms were not returned and that there was no checking on whether they had been returned, has been overwhelming. As that has been looked into further, more and more such evidence has emerged.

I was disappointed by the Government's response that they would consider amending the revenue support grant for authorities that had missed out. They should be absolutely straightforward on that. If authorities can show that they have missed out—in Manchester's case that might be by as much as £20 million or £30 million in revenue support grant terms—that money should be given to them. We should have a commitment that, if the ONS and the authorities can agree on a figure and the Government accept it, the money should be paid over. Although the report does not mention it, the Government should consider the effect of the miscalculations on health spending. The biggest determinant of health expenditure is population, but in some of the most deprived parts of Manchester and Plymouth the population has been miscounted. I ask the Minister for some reassurances.

I had to smile when I read recommendation 12. As my hon. Friend the Member for Denton and Reddish pointed out, we have an innumerate national statistician. I should have thought that that was a disqualification for the job. The Committee says that there should be confidence in the office; the Government reply that they are giving confidence to the office—they have extended Mr. Cook's contract by three years. People in industry and commerce, who, like those in local government, health and almost every other area that Mr. Cook has touched, have suffered from Mr. Cook's inaccurate figures, will cringe. A man who can pretend without any evidence that 1 million young men have disappeared to Ibiza, then announce—as Mr. Cook did six or seven weeks ago—that 800,000 of them have come back and that his counting was wrong, should not be in the job. It is as simple as that. The man is not up to it and we need to have confidence in the office. Extending his contract was a mistake.

Two other reports have or should have been mentioned. One is the Nuffield report. I do not want to stir the pot too much where Europe is concerned, but it was not known before the report was produced by the Office of the Deputy Prime Minister that, although the European Union and the Government claim that there is great regional assistance from Europe, every region in this country is a net contributor to Europe and receives negative assistance. In the context of seeking solutions to regional disparities, Europe is a problem, not part of the solution.

The other report is the Lyons report. I am glad that Sir Michael Lyons is drawing up a report on how to move civil servants out to the regions, as that is one of the more straightforward ways of evening up public expenditure across the country. The tables in "Your Region, Your Choice" show that during the first two years of the Labour Government, the number of civil servants employed in the regions decreased, because we were following a flat spending regime. Then their number in London increased, but the number in the regions continued to decrease. That might have changed—the Cabinet Office has not been forthcoming with the figures—but if we did not need a report to put more civil servants into London and to reduce their numbers in the regions in 2000–01, why do we need a report to move civil servants out of London to the regions now? It seems that, as is the case in other policy matters, things happen if there is a benefit to London; if not, there is a delay and a report.

I have one minor criticism of the report, although I realise that it was probably difficult to reach a consensus in the Committee. The report is slightly cavalier about the contributions that cities in the regions can make to regional economies. The figures for the north-west, which is the area I know best, show that the vast majority of GDP is produced within two or three miles of the city centres of Manchester, Liverpool and one or two other major centres in the region. Those cities have to be supported, because that wealth spreads out throughout the north of England, not just the north-west, as people travel in and out of those cities. Basically, regional economies are damaged more greatly if cities do not work than in any other way, and the Committee underplayed that.

Some people regard elected regional assemblies as the solution to the problem, but I am strongly opposed to them, because I see them as a diversion. The Deputy Prime Minister has said that we need to make government in the regions accountable. Well, yes, but the Government do not propose to do that, and in their response to the report they say specifically and explicitly that the elected regional assemblies will not have the job of looking after the Government offices. We are facing a huge and costly local government reorganisation that will take power upwards and divert a lot of attention from important economic and social problems. Although it is, I suppose, a paradox, the problems of regional disparities are so strong that they can be dealt with only at the centre.

Quite apart from the decisions that the Government take, there are natural forces at work in the economy that tend to push resources to the centre. London has many advantages, such as its geographical location, the City of London and its unique architectural heritage and history, which naturally drag a lot of investment into the south-east. The same thing happens on a smaller scale in other urban areas. We cannot deal with that by telling regions to pull themselves up by their bootstraps. Instead, we must change the pattern of public expenditure. It is not sensible to build 1.1 million new houses in the south-east of England when half the country could easily provide space for those houses. If those houses are built, regional differences will be intensified because the investment that would be needed to support them in terms of sewers, roads and transport will be enormous.

Mr. Hammond: Does the hon. Gentleman propose that the constituents of Members who represent south-east constituencies should have no nurses in their hospitals, no teachers in their schools and no policemen on their streets? The investment in infrastructure in the south-east is required to meet the demands of the economy, to relieve the pressures and to allow key public sector workers to live in the region now, not in some imaginary future when there is even greater investment in the south-east.

Mr. Stringer: Of course I am not saying that, but the Government must break a vicious cycle of over-investment in the south-east that leads to under-investment elsewhere. Although it is a well used cliché, not doing so is like pouring petrol on a fire. If the economy is overheated, one should try to take things out and make them work elsewhere, not increase them. Putting more and more economically useful expenditure into the south-east will not make it easier for teachers and nurses to afford to live there. There must be a different solution than simply building 1.1 million houses, although I use that only as an example.

The biggest thing that central Government can do is change the spatial distribution of their expenditure. Some expenditure would be useful to have in the regions, whereas other expenditure, on research and development, which is concentrated in the south-east and eastern regions, or on defence, which is concentrated in the south-west, would not only be useful, but would lead to direct investment and skills in the regions.

I like the report, although it should have been more critical of the Government's objectives, because they are the wrong objectives and people do not understand what they mean. In paragraph 23 of their response, the Government say:

> "The Government does not accept the proposition that increased public funding to the less prosperous regions is a necessary condition to improve their prosperity."

That view, if pursued, would abandon the regions without any prospect of them increasing their wealth. Only central intervention and expenditure can help them.

Let us consider not only the 1.1 million new houses, but the decisions on the Olympics, which was taken without competition, and on the national stadium. As it happens, I support a third runway at Heathrow, which will not make me popular in some parts of the country. However, counterbalancing investment will be needed elsewhere in the country. Both the regions and the country need a third runway at Heathrow. It was not a sensible decision to close the synchrotron at Daresbury and move the project to the eastern region. One can go on and on considering symbolic issues. For example, the fastest track in the country will now be the route to Paris, not the busiest rail route along the west coast. All such issues are symbols. In practice, and whatever the Government say, the investment will not be going to the right parts of the country and will not create greater social and economic benefits.

3.25 pm

Mr. Kelvin Hopkins (Luton, North): I welcome the report, and congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) on his

[Mr. Kelvin Hopkins]

excellent speech. I strongly agree with what my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) said, although our views might diverge on one or two minor points.

I speak for one of the more prosperous regions. However, even in prosperous regions such as the east, including in my Luton constituency, there are pockets of poverty, deprivation and low economic growth. That is an important point: there is inequality within regions as well as between regions.

Mr. Hammond: Does not that suggest to the hon. Gentleman that conducting this debate in terms of regions is a somewhat bogus distinction? The issue is about different levels of economic growth in different areas. Regions are an entirely artificial construct, are they not?

Mr. Hopkins: No. We are dealing with two parallel problems, inter-local and inter-regional. The deprivation in some of the regions is rather worse than it is in Luton and worse even than the worst parts of the eastern region. Such problems are persistent and long term, as the report points out. They have been with us for decades, and we have not had much success in addressing them.

However, I want to dispel the idea that we have not had any success and that we can do nothing except leave it to the market to solve the problems. In the 1970s, I had the pleasure of working at the economic department of the Trades Union Congress. I was responsible for regional policy. One simple exercise that I did there was to compare two consecutive economic cycles of unemployment rates in the regions of Britain. We found that over the second of the cycles, there was a convergence of unemployment rates in the regions as a result of the implementation of regional policies by the then Labour Government. Those policies worked. They were not enough, but they went in the right direction and they made a difference. I have not got the paper to hand, but I could dig up the figures if needed.

That conclusion is confirmed in a table contained in the submission to the Committee by the Yorkshire and Humber assembly. The memorandum of the Committee's report contains two tables, which can be found on page 69. One shows the trends in the regional share of the national GDP, showing that through the 1990s the divergence got worse. The other, on long-term growth comparisons between Yorkshire and Humber and the south-east between the 1970s, 1980s and 1990s, shows marked differences. In the 1970s, the annual rate of growth between those two regions showed a difference of 0.1 per cent. The difference went the wrong way; they were still diverging, although only marginally, rather than converging as my hon. Friend the Member for Denton and Reddish suggests they should. However, at least they were not diverging as a result of the implementation of regional policies during that decade. When the Conservatives came to power in 1979 they abandoned all those policies, preferring market forces and a period of extreme monetarism. The divergence in growth rates became extreme: 0.9 per cent. a year. Over a decade, that meant a 10 per cent. divergence—or getting on for it—which continued in the 1990s.

The problem is not that regional policies do not work—clearly, some do—but that we have not had enough of them. My main point is that the Government must have an active role in substantially redistributing economic activity between regions to ensure that our economy is not only just, but that it works better.

Mr. Hammond: The hon. Gentleman has a rose-tinted view of 1970s regional policy. Does not he think that part of the problem in some regions is the industrial monoculture that regional policy promoted and fostered in the 1960s and 1970s, which left those regions incredibly vulnerable when the shape of the international economy moved away from such industries?

Mr. Hopkins: There were major factors in the regions' decline, such as the decline in shipbuilding and steel, which is ongoing. International economic changes, particularly in industrial production, have affected the regions. Despite those problems, there was some redistribution, which helped the poorer regions. We have to go further in that direction, and the Government must take a major, interventionist role in doing so.

Mr. Mole: Does my hon. Friend agree that there have been significant changes since the eras to which he referred in his earlier statistical analysis, such as the shift from manufacturing to services and the strengthening of dependence on knowledge in the economy? Using in particular the evidence gleaned from the south-west and from Cornwall county council about their development of a university for that region, the Committee report refers to the importance of higher education, saying that it is critical to ensure that businesses in those regions have the knowledge and skills to compete globally. Therefore, the critical target for us is through the next comprehensive spending review to increase higher education funding so that we get enough university places, not a reduction in them, to ensure that all parts of all regions can ensure that their citizens have the skills to compete in the global knowledge economy.

Mr. Hopkins: I broadly agree with my hon. Friend. I intended to make precisely those points towards the end of my speech. We have to develop the regions in many ways. The economy has evolved and we are moving on. I will not say that manufacturing will not be a substantial part of our economy in the future, because it must be. I want to defend manufacturing, but clearly the economy has developed and other parts of the economy are growing in relative terms.

As my hon. Friend the Member for Manchester, Blackley said, we want to shift all sorts of economic activity, such as cultural and Government activity, away from the centre and to redistribute it. I refer hon. Members to a recent report by a splendid organisation called Catalyst, a recently established Labour movement think-tank chaired by Lord Hattersley of which I happen to be a member. It produced a report, "Decentering the Nation: A radical approach to regional inequality," in which it suggests shifting great chunks of every type of central organisation—Government, cultural, and economic—to the regions in an effort to develop large regional centres and to even up

the economy using a very interventionist strategy. That is what I am talking about, and I recommend the report to hon. Members.

We must secure a shift from the centre to the regions. When that happens, the economy will grow faster. In the post-war era, when redistribution was greater in every sense—tax rates for the rich were higher and the gulf between the rich and the poor was narrower—our economy grew more quickly. We had full employment and relatively low levels of inflation, demonstrating that it is possible to have full employment and high growth without high inflation. I constantly draw attention to that successful era and contrast it with more recent decades in which western Governments have made serious mistakes in the running of their economies.

I want to touch on other factors, such as transport links, but I do not want to take too long as other hon. Members want to speak. Transport links are vital now that we are part of a larger economy, yet Britain is almost peripheral to the European economy. I take a sceptical view of the euro, but it is important that we are linked closely to the European economy and that we grow with it, so that we can engage in export and import trade with our European neighbours. In order to achieve that, we need good transport links, especially as we are an island that is geographically peripheral to Europe. The northern and Celtic areas of the United Kingdom are even more peripheral, and they have great difficulty in linking to the golden triangle in the centre of Europe. We need better transport links. In particular, we need a dedicated freight railway from the north—ideally from Scotland—to the channel tunnel that skirts London. That would give us a direct roll-on, roll-off railway link between the economies of the north and those of Europe. If we do not have such a link, our peripherality will continue to damage the economies of the north, Wales and the south-west. We must have better transport links.

My hon. Friend the Member for Manchester, Blackley spoke about European regional funding. I hope that no one thinks that the rather small amounts of money that come from Europe will make much difference—as my hon. Friend said, we are net contributors to the European budget, even on a regional level. We have to talk big when talking about redistributing economic activity to the regions. We must put to one side the rather minor sums that come from Europe—money that is paid more for propaganda reasons than because it would be a major benefit to the economy. If we wanted to do so, we could stop contributing to the European budget and spend the money on regional policies.

There is also the question whether such money is really additional. The coalfields had a problem because the Conservative Government took away the money paid for coalfield support simply because money was coming from Europe. The European money was not additional. The additionality problem probably persists. I want the present Government to take steps to ensure that all citizens of Britain have an equal crack of the whip—wherever they live.

Mr. Deputy Speaker: Before I call the hon. and learned Member for Redcar (Vera Baird), may I tell the House that it is the normal practice for wind-up speeches to start at 5 o'clock—that is 10 minutes each. However, although I hope that the Liberal Democrat and the Conservative and Unionist party spokesmen will keep to that limit if we are stuck for time, I would like to give the Minister rather longer to reply to what is clearly an important Select Committee report.

3.37 pm

Vera Baird (Redcar): I, too, congratulate the Select Committee on producing a report that is both penetrating and comprehensive—a difficult combination to achieve. As my hon. Friend the Member for Denton and Reddish (Andrew Bennett), the Committee Chairman, said, it is important to note that the Treasury has accepted since 2000 that the national economy will not flourish as well as it might unless there is growth in all regions. That is crucial, because it would make regional policy a lever of and a part of national economic policy. Hitherto, regional regeneration and aid have been seen as quasi-charitable, and the amount of money handed out has fluctuated with the Government's view of what can be afforded. That approach should now be over. A commitment to national growth should now also be a commitment to regional growth. However, that needs to be emphasised again and again.

I first referred to what I called a conceptual change in my selection speech in Redcar in 2000. Redcar is in the north-east, an area that has already been fully described by the right hon. Member for Berwick-upon-Tweed (Mr. Beith). I shall not repeat what he said about the levels of deprivation that are to be found in the north-east, but they are found particularly in Redcar.

Although I referred to a conceptual change in late 2000, I must say that it has not yet permeated—I shall put this as delicately as I can—to all the public servants involved in the relevant policies. Indeed, the north-east is still treated by the Government's public servants as though it were a supplicant. It seems to me that the 2002 spending review established two different ingredients to this new concept: the need to grow all the regions, and the need to reduce the gaps between them. I appreciate what has already been said about this, but there is clearly no commitment to close the gap absolutely in any spending review that I have seen.

There have been persistent regional differentials for more than 50 years. There are serious and entrenched market failures in drivers such as skills, innovation, investment and competition and in levels of employment. To someone from a constituency such as mine, however, it is cheering that the Treasury believes that market failures in regions such as mine can be tackled by raising the trend growth by 0.5 per cent. for the worst performing regions. Such a rise would increase our national GDP by more than £15 billion, which connotes the importance of encouraging regions such as mine.

I accept up to a point the Government's general view that the successful solution to regional problems must usually be rooted in the regions themselves. They have evidence of the efficacy of that approach in the success of the regional development agencies. My region's RDA—One NorthEast—was the first further to devolve substantial resources to a sub-regional partnership, the Tees Valley partnership. That move brought great flexibility and provided much greater access to

[Vera Baird]

resources. It also produced a group of sub-regional executives. In one case, which we hope will bear fruit, the executives used their close local knowledge to work out what was the ideal business—a fairly labour-intensive one—and to attract it to the local, already well serviced industrial zone. They are close to the ground, which is ideal, are extremely well networked, and can be effective.

Essential though regional action is, however, it is imperative to mainstream regional development policies across all Departments. A regional impact assessment process should be undertaken on all policies with a significant spend and with the ability to have an impact on the regions. That would ensure that the aim of growing the regions and reducing the gaps becomes a reality. It would also clarify the impact of policies.

Some policies do, of course, have an adverse regional impact. The North East Assembly identifies two fundamental ways in which current Government policy benefits the south-east at the expense of the regions. The first is by accommodating housing pressure in the south rather than by using that pressure to invest in the north. The second is by concentrating transport spending in the south-east. The Office of the Deputy Prime Minister's policy of investment in affordable housing in the south-east will lead for a long time to investing approximately £9.60 per head in housing in the south-east compared with £7.60 in the north-east. That is likely to draw more people to London, which will increase the pressure there. That does not greatly assist London's economy and will pull more people away from regions such as the north-east, thus increasing regional disparities.

The criteria used in transport decision making are weighted towards reducing congestion. That means that resources are being used to deal with the consequences of success, not to lay the foundations for economic growth to generate success in less prosperous areas. The Federal Republic of Germany allocates a proportion of its transport budget to regional development. It is hard to read that approach into the Government's 10-year plan for transport. In their response to the report, they said that they could read the runes of this plan to find a reflection of that, but I cannot.

Mr. Hammond: What the hon. and learned Lady is saying is all perfectly coherent. The trouble is that it ignores some inconvenient facts about the real world. My constituents in an area close to Heathrow suffer enormous infrastructure congestion. However, companies in west London, Surrey and Berkshire say that when deciding location, the single most important determinant is the proximity of Heathrow airport. We might not like it—many of my constituents are extremely irritated by it—but it is there. We cannot wish it away without enormously damaging our economic prosperity as a nation, and we cannot just redistribute that infrastructure investment without causing collateral damage.

Vera Baird: I am grateful to the hon. Gentleman for complimenting me on my coherence. I fear that he is re-running something that he has already run before in a very specific form, and that has already had an adequate answer from some of my colleagues.

I turn to an occasional mismatch in policy provision. The regional impact assessment is needed to guard against such a mismatch. The Government have a strong supply-side approach to unemployment in programmes such as the new deal, which, in some regions, work very well because deprived communities are located very close to jobs and the obstacles are likely to be poor transport, lack of skills and probably some race discrimination, for example in some London boroughs. However, in the north-east, particularly in the Tees valley, the opportunities just do not exist. As my constituents all too frequently make me aware, new deal-type programmes alone are inadequate. In Hackney, where the barriers to employment are likely to be lack of skills and discrimination, that kind of supply-side approach can be wholly efficacious, but in Hartlepool there simply are not the jobs in a reasonable travel-to-work area to make it effective on its own. I quickly point out that I am not the Member of Parliament for Hartlepool, which is probably clear even to the most casual observer, but I could not find any London borough that was alliterative with Redcar.

I turn briefly to European structural funding post 2006. We are an objective 2 area. Assuming that the Commission will agree common principles for regional policy but that delivery will be devolved to national Governments—that is, structural funds will be renationalised—it is crucial, as my hon. Friend the Member for Denton and Reddish said, for there to be an additional sum of transitional funding over and above extant UK regional policy transfers; otherwise, regions such as mine will lose out very badly.

When that change comes, there is much hope and much need for less bureaucracy. At present, although those funds are hugely important to a region such as mine, the very curious structure of some of the priorities in our objective 2 programme straitjackets that programme. There are odd terms attached to some of the grant funding. I cannot really comment on this myself, but one member of the regional development board has suggested that the complicated straitjacketing restrictions come from the Department of Trade and Industry, not from Europe. At the moment, only 33 per cent. of the European structural funding available to the Tees valley has been committed, although this is the fourth year of a seven-year programme. That is simply inadequate. There are a number of reasons, including the perceived high levels of bureaucracy, but also the very queer rules. Priority 2 of the financing—I am indebted to the Tees valley joint strategy unit for this—prescribes high levels of support to 20,000 businesses. The unit tells me, which I accept, that there are only just 20,000 VAT-registered three-year-old businesses in that area. Extremely high levels of take-up of support—practically everyone in business there—are envisaged, which is wholly unrealistic. The levels of support for businesses younger than three years are quite different. That pretty random example shows that it is not surprising that Euro-programmes have a long history of underspend. They are difficult to find their way through, and we hope for and need simpler, more appropriately directed structural funding, if it is renationalised.

I, too, shall mention the Lyons inquiry, perhaps with more optimism than others have. The interim report on 9 September detailed a plan to locate various Government agencies in deprived areas on the basis of a

business case. That is based on the presumption that it is not best for many Departments and agencies to stay in costly London and the south-east. Obviously, that idea is not new. The first initiative was as long ago as 1963, and the idea has been successful. I am acquainted with the move of the Department of Social Security to Newcastle, which happened in the middle of my childhood, I suppose. It had an immense effect on job opportunities there. Of course, the Conservatives stopped all that in 1979 and the approach has declined, to become rather unfashionable. I have always been a rather retro person and I have been an advocate of such action since I took up my current position.

As the Chairman of the Select Committee said, it is crucial for the moves to be to poorer locations where costs are low, not to overheated locations. The Tees valley presents an example. The rent there for commercial property is 15 quid per square foot, as opposed to £65 in central London. The total cost per square foot in London, including services and rates, is £90, whereas it is £22.50 in the Tees valley. There is a 404 per cent. difference between the Tees valley and London figures, and my fifth-form maths—that is as far as it ever extended—has none the less enabled me to calculate that the savings on a 10-year lease on a typical 50,000 sq ft block of office space would amount to £34 million.

Constituency patriotism prompts me to say that further analysis shows that a move to the Tees valley would save £7.5 million more than relocating to Manchester over the same period of time. It would involve some saving in comparison to anywhere else. It is clearly important that relocations are to the right place. Huge decreases in unemployment benefit costs can result, because more jobs are created. There is not really displacement, because those left jobless in the London area fill other vacancies there. In addition, the influx of people on average salaries would stimulate Tees valley regeneration and local markets.

Unemployment is twice the national average and in three wards in my constituency it is at 17 per cent., but the working population enjoy a higher standard of living than the national average, because of the relatively low cost of property and houses. The introduction of other people with similar levels of disposable income will generate more demand for amenities. The joint strategy unit, to which I could not be more indebted, has calculated that for every 500 jobs moved to Teesside an additional 95 to 125 would be likely to be created locally. That glimpse makes it clear that much is to be gained.

I was very pleased when, after I asked this very day in Treasury questions whether the Chancellor's promise of the dispersal of 20,000 civil service jobs was a maximum, I received the answer that because the decisions are based on a business case there may be scope for treating the figure as a minimum.

Regional devolution will not, on the face of it, make much difference unless it is accompanied by reallocation of resources. Democratically elected bodies should make better use of resources that they are given. However, not only will they not be responsible for Government offices, but they will not be responsible for learning and skills councils either. The move to regional control of the levers of regeneration is very partial, in a democratic sense.

Will things change but stay the same? I think not. The change can be seen as a first step. At the root of the question of regional equality is the issue of the centre of power being in London and the south-east, both historically and now. I, too, am impressed by the Catalyst publication, "Decentering the Nation", although I cannot afford a subscription as my hon. Friend the Member for Luton, North (Mr. Hopkins) can.

The geography of British power is seen from the pretty small and introspective space that we occupy, which one might see as a modern version of a royal court. As a result, significant elements of national policy function effectively as an unacknowledged regional policy for the south-east. The frequent implication that London and the south-east "succeed" through their intrinsic qualities, while other regions fail, ignores that. The only serious way to tackle the issue of regional inequality is not to adopt post hoc policies of compensating, but to intervene in the dynamic that produces it.

I look forward to regional devolution, but I accept that it is only a first step in its current form and assert that once some power has been devolved it should be used to ensure that more of the levers of regeneration are wielded from where they will be most effective: a nodal centre of power in each of the regions.

I congratulate the Committee once again on what I have found a very thought-provoking and well-thought-out report. I congratulate the Government on their twin-track approach in their new integration of regional development with central economic development, and their policy of devolution of power. As an MP from a very deprived constituency in a very deprived sub-region of a very deprived region, I dare—although it is a sunny Thursday, which may be having an impact—to feel optimistic.

3.55 pm

Ms Karen Buck (Regent's Park and Kensington, North): I fear that by the time I sit down I may not be able to guarantee my personal safety on leaving the Chamber, nor that of my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman), if he is able to catch your eye, Mr. Deputy Speaker. Although I start by welcoming the debate and much of what is in the report, and I shall spell out a few areas on which we might have common agreement, the thrust of what I am going to say will go to the heart of the question of whether regional disparity is what we should be most worried about.

I welcome the report and the chance to debate it. It contains rigorous analysis and it spells out several real problems that cannot be denied. Of course there should be strong economic growth across all of the regions; of course this country will prosper most if all of the regions are able to prosper and if the very real social and economic problems that blight some regions and areas within them are tackled. Areas that have suffered from a collapse of manufacturing industry and the former coalfield communities have had decades of devastation imposed upon them, and generations have grown up in unemployment and poverty as a consequence. Some of the reasons behind that have been touched upon in relation to problems of inward investment and the recent strength of the pound. They are economic problems that UK plc needs to address.

[Ms Karen Buck]

Of course it is absolutely right that major infrastructure projects that deal with some of those regional imbalances should be supported. My hon. Friend the Member for Luton, North (Mr. Hopkins) talked about a particular railway link that I totally support. For decades, the sort of major capital infrastructure that we need to benefit the whole country and all its regions has simply not been forthcoming. Ratcheting up our investment in research and development and capital infrastructure to deal with some of those problems is long overdue.

I totally agree that strong and accountable regional government, and accountability of existing regional institutions, are good things—I hope that there is consensus on that. Local government has consistently been underappreciated as part of the engine of economic growth at local and regional level, and it should be supported.

As an aside, before I come to the core of my remarks, I very much welcome the references in the report, and by other speakers today, about the census. If we cannot rely on accurate information about our population and its characteristics, we will not get right the measures that are needed. The massive undercounting of the population in central London has left us with a serious problem, and the recent adjustment to the census statistics for boroughs such as Westminster still leaves us below the funding floor. We need to set aside our prejudices against the London borough of Westminster for a minute, even though some of them are absolutely justified. The fact is that when the population is growing, as it is in central London, and there is a failure to provide the necessary investment to support that growth, a large problem is being stored up. That is a problem that we will have to grapple with. I endorse the remarks made in the report and elsewhere about the Office for National Statistics and the need to take a more imaginative approach to how we obtain accurate population counts.

The report refers to the relationship between neighbourhood renewal and regional economic growth, which the Government have not got right. The central point is that the regional argument misses more issues than it addresses. We must get beneath the issue of regional imbalance to examine the real problems.

I am speaking as a London MP. London is a driver of the UK economy and should be supported in that role. I appreciate that we should not hold back other regions, as the Government have recognised, but neither should we hold back London's economic progress, because that would be bad news for the rest of the country. In regarding London as a prosperous region, we are missing the real problem of redistribution. My hon. Friends would all say that redistribution is at the heart of their politics.

London is indisputably the driver of the UK economy. Depending on which statistics one uses, London contributes £10 billion to £20 billion to the UK economy. It also contributes significantly more in terms of taxes of all kinds than its population warrants. It contributes 21 per cent. of UK GDP and contains 12 per cent. of the UK population. The financial and business sector has been the major growth area in the London economy and has generated 600,000 jobs. Some 4.5 million jobs across the UK depend on London's economic performance. It is bonkers to consider a strategy to check London's economic strength, because that would damage the rest of the economy.

When discussing overheating, other Members have fairly cited the example of investment in transport and housing infrastructure. The failure to invest in housing infrastructure over the decades has contributed to some of the problems in London and the south-east. Successive Governments—unfortunately, the Labour Government do not have a blameless record—have not built houses. We have failed to build houses, in particular affordable houses—the luxury end of the market seems to be doing okay—and that has caused problems.

The lower end of the economy, the entry-level job sector, is hoovering up jobs from the rest of the world, particularly from Europe. I am not talking about asylum seekers, but about students and workers who come into this country on legitimate work visas. They often live in appalling and dreadfully overcrowded conditions in order to fill the jobs that Londoners cannot take because Londoners cannot get over the cost of housing and other hurdles. That is not an overheating problem, but the result of a lack of investment over the decades. Had we been building affordable homes at the sort of rate at which we were building them in the 1960s and 1970s, we would not have the current problem with the London economy, where the jobs that are pulled in stoke up the difficulties.

Mr. Hopkins: My hon. Friend is right about the housing problem. Does she agree that it would not be as great if we had not sold millions of council houses and subsidised those sales from the historical equity in the public housing sector?

Ms Buck: I agree that there was a rush to right to buy. If anyone were to get their hands on right to buy in the housing association sector, there would be a fresh disaster. The right to buy led to the decline in affordable housing opportunities in the areas where people need to live in order to go to work, and houses to replace the stock sold were not built. The situation was complicated because the need was to build alternative accommodation close to that which was being sold, which was in the most popular areas. It is no longer possible for either key workers or people in entry-level jobs to live in such areas. As it was a populist measure and not a housing measure, the right-to-buy policy created many of the problems with which we are now grappling. Had we built replacement houses in the right places over the past two decades, we would not have the problems that we do.

We cannot build affordable housing in London and the south-east to support the economy and to deal with our crisis of homelessness and overcrowding without a transport infrastructure, including Crossrail, because without that infrastructure people will not move there. It might sound perverse, but the only way to deal with the overheating of the economy of London and the south-east is to tackle the causes of the pressure that brings the difficulties. By making such investment, we shall release the brakes on the London economy, which

will be good news for the rest of the country. I know that that is a contentious argument, but I believe that it is right.

My second point centres on the argument in the report about neighbourhood renewal. We have to go beyond the concept of regions, because regions do not tell us the whole story. London has some of the highest wages and property prices, and rates of population growth and job growth in the country; that is a success story that is good for the whole country. However, alongside those successes, London has the worst problems. I do not exaggerate—people from Liverpool, Newcastle and elsewhere can tell valid stories of deprivation, but London has the worst problems. Four in 10 London wards are among the 20 per cent. most deprived in the country, and it has the highest level of economic activity anywhere in the country outside Merseyside, despite a strong labour market. London has the highest unemployment of any region in the UK, at 7.1 per cent. compared with a 5.1 per cent average in the UK as a whole. There are more unemployed in London than in Scotland and Wales put together. London has well above the national average long-term unemployment rate, at 19.3 per cent.

The impression that economic inactivity is worse in some of the regions is not justified by the figures. My constituency, Regent's Park and Kensington, North, that lovely, leafy prosperous-sounding constituency, has the 11th highest entitlement to free school dinners in the country and unemployment higher than that of Middlesbrough, Jarrow, Easington, Knowsley and Liverpool, Garston. All of the images of central London, Westminster and Kensington being incredibly prosperous are blown apart by the facts. If we do not appreciate that that is the case, and do not allow for the investment to tackle the problems, London's economy will be held back, the United Kingdom economy will suffer and we will not meet any of the targets that matter to my colleagues and me, such as those on child poverty, education and employment.

In practice, resources are being shifted. Housing maintenance is shifting, but we lost a share of regeneration cash the last time that the index of deprivation was updated and we have a declining share of public expenditure. If the share of public expenditure declines in London, our ability to provide a safe, well policed, healthy and well educated city will go out of the window. We are already on the edge in many respects, despite the general economic prosperity and the overall investment by the Government. London has the needs to justify investment. It is a mistake not to air those needs and I appreciate the opportunity to do so.

In the final analysis, we cannot kill the goose that lays the golden egg. We need to increase investment and employment opportunity in all sectors. We must tackle the chronic, desperate problems of Liverpool, Newcastle, the north-east and the regions, but we cannot afford to do that at the expense of the capital city.

4.9 pm

Mr. Iain Coleman (Hammersmith and Fulham): I welcome the opportunity to speak very briefly in this important debate on the Select Committee report. What I wish to do in my brief comments—although after the excellent speech of my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck), I do not really have to—is to explode the myth that the streets of London are all paved with gold. Far too many people, some of whom should know better, peddle that line. Some sit not a million miles from the Cabinet table. Indeed, if some commentators were to be believed, one would assume that the staple diet of most Londoners every evening consisted of wild mushroom and snail risotto washed down with a couple of bottles of well chilled Puligny-Montrachet. In practice, that is not the case, as my hon. Friend said.

I note that at present the Select Committee has no members drawn from London constituencies. I hasten to add that I draw no conclusion from that. With your indulgence, Mr. Deputy Speaker—I am aware that my hon. Friend has already done this much better than I can—I wish to give some facts that will show that London suffers from very high levels of poverty and deprivation.

In London, 23 per cent. of households with dependent children have no adult in employment—the highest percentage of any region. In inner London, that rises to 34 per cent. Inner London also continues easily to have the highest level of child poverty in the UK: a staggering and shameful 48 per cent. Nearly 25 per cent. of working-age Londoners are without a job. In inner London, 35 per cent. of pensioners live in poverty. That figure is massively higher than the English average of 21 per cent. More than 50,000 homeless families live in generally very unsatisfactory temporary accommodation in London—70 per cent. of the total for the UK. In April 2001, 80,000 asylum seekers were being supported by London boroughs. The vast majority were living in substandard, unsatisfactory temporary accommodation and suffering from the inevitable high levels of poverty and deprivation that they brought with them.

However, I am pleased that the Select Committee acknowledged that London has some of the most deprived communities in the country. It recognised, for instance, the high number of jobless and the substantial deprivation, and it noticed that the housing market, which will come under increasing pressure as the population grows, was under considerable strain. A recent report projects a rise in population of 700,000 by 2011. London also has a transport infrastructure that simply has not kept pace with the city's changing needs over the past 30 years.

Many of us in London have known all that for a long time. It came as no surprise when in July the Downing street strategy unit published its independent report, which confirmed the depressing position in considerable detail. The London study proves beyond dispute that London, although it has pockets of considerable wealth and affluence, also suffers badly from deprivation and a poor public service infrastructure, which would be made much worse if further public funds were to be diverted from the capital.

London Labour MPs recognise that many regions of the country suffer from long-term poverty and economic decline. For example, many old coalfield communities have been through deeply traumatic times in recent decades and desperately need financial assistance and investment from the Government. No sensible person would query that view or argue that such regions should

[Mr. Iain Coleman]

not receive all the support that the Government are able to offer. However, we are saying that that support cannot be at the expense of London. Our region is already suffering from similar or even higher levels of poverty.

I am horrified by an example that came to my attention in the past few weeks of money being taken out of London. It is the so-called consultation announcement by the Office of the Deputy Prime Minister about the management and maintenance allowances allocated to local authorities and housing departments in the capital city. I wonder whether the Minister in his closing remarks might comment on that. I am reliably advised that as a result of the new formulae that the Government seek to introduce in 2006–07—the first year after the transitional relief arrangements taper off—London will lose £170 million. The inevitable effect of the loss of that money will be that tenants in London—the vast majority of whom support the Labour party and put it in government—will face swingeing cuts in the management and repair service that they currently receive from their landlords. As London tenants also face rent increases way above the rate of inflation every year for the next seven years as a consequence of the Government's ill-thought-out rent restructuring arrangements, that new effect on resources to London will come as a double whammy to our tenants.

I am told that the money will be reallocated to other regions of the country, but I fail to understand how the Government will explain that betrayal to tenants in London, many of whom are already living in poverty in very poor quality housing that is in desperate need of renewal and proper maintenance and repair. London scores far too high on unemployment, housing and a range of other agreed measures of deprivation, as I have shown.

We are suffering from deprivation and poverty, and the misery and human tragedy that inevitably accompany poverty. Any policy to remove yet more public funding from London would lead to a further increase in poverty and deprivation.

Although I note that the Select Committee report is an important contribution to the debate on the economies of the English regions, its conclusions do not stand up to serious and vigorous scrutiny and analysis.

4.16 pm

Mr. Chris Mole (Ipswich): I was in two minds about whether to contribute to the debate, but several of the arguments require some response.

My experience amounts to having had the opportunity and the honour to serve as a deputy chair of a regional development agency for three years. At the East of England Development Agency, we always acknowledged that the spend that we had was important but that it would never be a determining factor in the overall direction of the economy of our region. Our spend was about £25 million, and had increased to about £50 million by the time that I left, against the background of a regional economy that is now worth about £80 billion.

The distribution of resources to regional development agencies is enormously skewed. The north-east and the north-west have six to seven times the regional development agency budgets of either EEDA or the South East England Development Agency. The south-west is in a slightly better position, but not by much. Consequently, the ability to achieve the progress for which the region was ambitious should be seen in the context of where we wanted to be.

We were not bothered about being first, second or—as we started—third in terms of GDP per capita; we were concerned about being 44th on the list of European regions. The critical issue for us was not competition with the rest of Britain, but with Baden-Württemberg and Catalunya, and those other places to which our inward investors said that they would contemplate changing location, if they could not get the right quality of life and transport infrastructure. The more obvious aspects of direct public expenditure were not critical to changing the performance of the majority of the private sector spend in our region, which, as mentioned, is now about £80 billion.

No one has yet mentioned the Government's response to the Committee's criticism about the allocation of some departmental resources. My hon. Friend the Member for Denton and Reddish (Andrew Bennett) referred to research and development but he did not touch on Ministry of Defence spending, which is enormous and has a significant impact in the regions. The Government's response was inadequate because of their temptation to hide yet again behind the argument that there is a security or military argument for defence investment at particular locations. Those arguments are not transparent to the Committee, or anyone else. Previous speakers made the point about the development of a little political will in the Government to tackle such things. I suspect that this is one area where significant progress could be made for some regions.

As my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) pointed out, some regions have to run faster than others to make the progress called for by the Government targets, which we all support. Some regions will have to make considerably more progress in their economic growth than regions in the south, the east and in London.

I return to a point made by my right hon. Friend the Prime Minister that was rather unfairly dismissed—as my hon. Friend the Member for Manchester, Blackley, who spoke about the matter, returns. I did not feel that the Prime Minister sought to dismiss the disparities between our regions. Like my hon. Friend the Member for Luton, North (Mr. Hopkins), the Prime Minister was reinforcing the point about intraregional disparities. The case has been made in relation to London. Such disparities are very much present in a region such as the east of England. Luton, Great Yarmouth, Waveney, Harwich, pieces of inner-city Norwich and parts of my own town, Ipswich, are in need of continuing investment and action.

To tease my hon. Friend the Member for Luton, North, perhaps he should not argue for freight to be transported through congested London—blocking up paths that are important for Crossrail—on its way to the channel tunnel, but should in fact support the proposals for upgrading the Felixstowe to Nuneaton route to take freight out through Felixstowe, which is one of Britain's major ports. Felixstowe is where many of my constituents work, but it is important for the nation as a whole that that cost-economic option, which was the

Strategic Rail Authority's top priority until its last revision, is implemented. That is important not just because it will help my region and the port of Felixstowe, but because of the pressure it will take off the traffic on the North London line and the east coast main line. Such traffic occupies freight paths and unnecessarily adds to congestion.

The Committee produced a good piece of work and the Government made some good points in response, but no one should underestimate the challenges that lie in meeting the targets for economic development in some regions.

Mr. Deputy Speaker: Before I call the Liberal Democrat Front-Bench spokesman, I just want to say that we have a little more time than I had anticipated, so Front Benchers can stretch the 10 minutes a little. However, I want the Minister to have adequate time to reply to this important debate. If we have a moment or two after he has sat down, it is appropriate for the Chairman of the Committee to have the final word.

4.24 pm

Mr. Edward Davey (Kingston and Surbiton): Right hon. and hon. Members need not be too alarmed; I will not speak for much longer than the original 10 minutes.

The debate has been good, because of the quality of the report. The Select Committee is getting a reputation for being one of the best in the House and is putting new information into the public domain through its work. It is worth placing on the record our thanks to its members.

I found some specific points useful, such as the recognition of the difference between inter and intra-regional problems. Although there has been some debate on the different merits of London and the English regions, the report tries to deal with that issue. Indeed, it states specifically that they have different problems—for example, with respect to unemployment. The unemployment problems in London may be about supply-side issues, but as the hon. and learned Member for Redcar (Vera Baird) suggested, the unemployment problems in her constituency and region may be on the demand side. Those inter and intraregional problems can be addressed only if the policy agenda is sufficiently flexible.

The Committee did a good job in criticising the PSA targets. My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) helpfully added to those criticisms with his point about the tyranny of averages. The Government must be rather more intelligent in their approach to such targets. The Committee's proposal for a scorecard of targets is good, particularly as it includes quality of life. I shall explore further the options for quality of life and sustainability, because our debate is marred by the fact that we too often measure things in accounting terms and do not look at the quality of life on a wider level. Londoners who visit other regions can sometimes find their quality of life to be quite pleasant, but the figures often take no account of that. We have some quality-of-life problems in London that may not be found in other parts of the country.

The hon. Member for Denton and Reddish (Andrew Bennett) made a welcome contribution to the report, about data quality. The lack of data is a scandal. Successive Governments have failed to analyse public expenditure and economic data on a regional basis. I shall discuss some of the reasons that lie behind that failure, but the report is right to focus on it.

Some of the thrust of the policy recommendations is right, particularly the idea that we must try to make conditions in less prosperous regions more conducive to business. That was a powerful proposal, but it has not been mentioned much in today's debate. The argument about the need to put sustainability at the heart of the regional economic agenda was also well made in the report.

I wanted to focus on two things that have either been criticised or not mentioned today—the private sector and its role in supporting regional prosperity, and the political dynamic coming from regional devolution. Some have criticised proposals for regional devolution, saying that it will not deal with the problem; but those who make such criticisms misunderstand the power that will come from full-bodied regional devolution.

We have heard that regional devolution will not change the way in which money is allocated—that it will divert money, but that the cake will not be split in any other way. There have been calls to keep the centre strong, and to reallocate the cash in different ways. I think that people misunderstand how regional devolution will help.

Mr. Hopkins: I am interested in the hon. Gentleman's enthusiasm for regional devolution. However, my hon. Friend the Member for Manchester, Blackley spoke about the need for massive fiscal transfers from the centre. It is already the case, is it not, that since devolution to Scotland and Wales, big fiscal transfers, particularly to Wales, are now inappropriate, and that in time Wales should become self-sustaining? Would the hon. Gentleman not agree that such independence might lead to fewer or smaller fiscal transfers to the regions, not more?

Mr. Davey: I think that that is highly unlikely. Of course, some people will always say that an area—Wales in this case—should not get more money, but that is not likely to happen. The experience of devolution in Scotland and Wales is that the political leaders have much greater power; they can ensure that the money is spent more efficiently and effectively, and can better champion their area.

Mr. Stringer: Has the hon. Gentleman had time to read the memorandum submitted in evidence by Andrés Rodrigues-Pose? That gentleman has studied devolution across Europe and has reached the opposite conclusion. He says that devolution is fashionable, and concludes:

"Devolution thus seems to be contributing to perpetuate and, in some cases, aggravate, existing economic disparities."

I wonder whether the hon. Gentleman has had time to reflect on that.

Mr. Davey: I have not read that memorandum, but I will certainly do so. However, I have read works by other economists who reached the opposite conclusion, so I do not rest my analysis on one memorandum to the Committee. There is a lot of important international

[Mr. Davey]

evidence from countries such as America, Canada and Australia, where there are much more decentralised systems, and Spain and Germany, where there is strong regional government and throughout which there has been much greater economic balance and shared growth. It is difficult to examine Spain and Germany and come to the conclusions that the hon. Gentleman is trying to push.

Mr. Hopkins: I apologise for intervening yet again, but is it not the case that some of the poorer states in the United States of America exist only because of massive federal fiscal transfers? Defence bases and so on are set up to ensure that such states do not suffer, so the centre solves the problem of regional inequality, not devolution.

Mr. Davey: No one who is pushing the devolution or decentralist agenda has ever suggested that there will remain no fiscal transfers through either tax or benefits; no one, to my knowledge, argues that. Aiso, America has a much greater spread of wealth between different regions and cities, and has much less intrastate equality, and we would not want to adopt the American model in other respects. Wealth is spread out across the cities there in a way that we do not see in the UK.

I want to argue for regional devolution. One must look at it from a dynamic point of view. The reason why there have been such regional imbalances over such a long period—50 years according to the report, although it is probably longer than that—is that we have a centralised system of government. Everything is decided in the capital, and with political power so rooted in centre, business and finance are of course attracted there. Once power is devolved, and assemblies and politicians in the local government areas are given real power, we shall see not only the public sector but the private sector responding. The process involves a dynamic. One of the the greatest reasons for regional devolution is the failure of centralism to tackle the problems that many hon. Members have been concerned about today.

The challenge for the Government is that their regional devolution agenda is so weak. "Your Region, Your Choice" is a disappointing document, as we have argued on many occasions. The hon. Member for Manchester, Blackley (Mr. Stringer) is right that it does not present the agenda that those of us who believe in devolution want to see enacted. We want to see much more ambitious agendas, and perhaps we would have a different view if the Government adopted one.

I should like to focus on three subjects, and I urge colleagues to knock on Department doors in Whitehall to ask that the relevant powers in relation to those subjects be devolved to the Office of the Deputy Prime Minister, so that they will be included in the Bill on the future regional assemblies. The three areas are transport, skills and the environment, which are particularly important if we are to deal with the regional differences. Transport is important because we must ensure that people, goods and services can flow. Skills are important because we live in a high-skill, knowledge economy, which is crucial. We should also focus on the environment, because sustainability and the quality of life agenda are important in making people want to live in regions and cities of the country.

I am pretty clear from my discussions with Ministers that before the powers Bill is drafted the Office of the Deputy Prime Minister has no intention of unpicking the deal that was in "Your Region, Your Choice". The Office of the Deputy Prime Minister therefore has no will to knock on any other doors in Whitehall to add more powers. That is the problem that we face. Those of us who want bolder, stronger devolution must go out and persuade Ministers in the Departments for Transport, for Education and Skills and for Environment, Food and Rural Affairs that they should be giving up power and knocking on the door of the Office of the Deputy Prime Minister, asking for some of their powers to be included in the future Bill. If we as Members of Parliament can rise to that challenge and campaign for more powers to be included in that Bill, that will be significant—not least, as my right hon. Friend the Member for Berwick-upon-Tweed said, because it will then be much more likely that we will win the referendums in the three northern regions next autumn.

Mr. Jim Cousins (Newcastle upon Tyne, Central): Does the hon. Gentleman think that our efforts to promote those additional powers would be helped or hindered by the prospect of much more revenue being raised at local council or regional level by a local or regional income tax?

Mr. Davey: I think that they would be helped. I certainly see a local income tax as key to the devolving and decentralising of powers. Those countries that have local income tax tend to be the ones that have decentralised power very effectively. It was in the three fields of transport, skills and the environment that the White Paper was very lucid. It made a strong case for those powers to be decentralised, but it did not follow that up. Some of those areas already have the organisation for that, through regional government. The RDAs will go into the regional assemblies, but the learning and skills councils, too, have a regional dimension. It is absolutely bizarre that they are not put together with the RDAs to make elected regional assemblies very powerful in the skills agenda.

On transport, the Highways Agency has regional committees. Even the SRA operates on a regional basis. There is no reason on God's earth why those transport powers and functions cannot be given to elected regional assemblies. County councillors get very annoyed that the Highways Agency can come along and decide that it wants to do something or, in the case of some road projects, not do it, which can get in the way of the county council's strategic plans. Surely, now we are to have regional assemblies it would make real sense for the Highways Agency to be broken up and to be accountable to the regions in which it is spending important money. On the environment, there are so many quangos such as the Environment Agency, the Countryside Agency, the Forestry Commission and no doubt many others. They should all be accountable to the people whom they are supposed to serve.

If we had that richer devolution, we would see financial power and public sector jobs being pulled to the regions. We have the Lyons report, but if we really

broke up Whitehall and gave power to local communities by empowering local government and regional assemblies, we would see the jobs go. They would have to follow the political power. We could have Lyons report after Lyons report, but that would not tackle the real problem. We must get rid of political centralism. That is what is holding back the regions, and we must deal with that.

Other hon. Members have quoted examples that show that we are going in the opposite direction. In my constituency, we had a big Ministry of Agriculture, Fisheries and Food—as it was then—site at Tolworth. That was closed down and the civil servants moved, but they were not moved to the regions. They were moved to Page street, in central London. I questioned the permanent secretary and other civil servants at the time on the financing of that, and they could not really make a case. The only real reason was that they wanted the chief vet next door, so that they did not have to wait for him to travel up from Tolworth. That is how such matters work. Departments want their civil servants right by them, so that they can keep an eye on them, because in this centralised political culture, the Departments must be kept close by in order to do their job. If power is pushed down to the regions so that people have to be accountable in those regions, the civil servants will go with the political leadership. Jobs will follow. That is why regionalism is so important.

Mr. Hammond: The hon. Gentleman said that Ministers want their civil servants close by so that they can keep an eye on them. Has it occurred to him that it might be the civil servants who want to keep an eye on their Ministers, and that that might actually be for the good of the country?

Mr. Deputy Speaker: A brief response, please.

Mr. Davey: That might sometimes be the case, but in this instance I believe that it was the other way round. I shall draw my comments to a conclusion because I took the hint, Mr. Deputy Speaker.

Other points have arisen during this debate and, as a London Member, I want to refer to the London regions. The hon. Member for Regent's Park and Kensington, North (Ms Buck) put the matter very well. There is real poverty in areas that are usually perceived to be wealthy and prosperous. My constituency of Kingston and Surbiton is perceived to be homogenously prosperous, but nothing could be further from the truth. Some people, I am delighted to say, are very wealthy with high incomes and that is good, but they distort the average. People look at the average of wealth and income in my constituency and think that that applies to everyone, but it is only because some people are incredibly wealthy that they mask a long tail of people on modest incomes and some on very low incomes. There are some shocking housing conditions in my constituency and real poverty, and that point has been well made by other London Members. It is important that the Government have a multi-faceted approach because it is not just a question of dividing the cake of public expenditure in different ways.

I shall end on that point. We should devolve political power and move away from a sterile and static debate about how we share out the existing cake.

4.41 pm

Mr. Philip Hammond (Runnymede and Weybridge): This has been an interesting debate. We have heard some heartfelt speeches, all of which will play extremely well in hon. Members' local and regional press during the next few days. At one stage I feared that I would be isolated in my views, but the hon. Members for Hammersmith and Fulham (Mr. Coleman), for Regent's Park and Kensington, North (Ms Buck) and for Ipswich (Mr. Mole) changed the geometry of the debate a little towards the end. I should hate this to end up as a north-south division in the debate.

I represent a south-east constituency, but I have lived in the north-west and the east midlands and I recognise people's concern and anger about the waste of human resources in regions where economic growth is inadequate to ensure full employment of all the resources available. My concern is that in trying to address that problem, we must not, to use the phrase of the hon. Member for Regent's Park and Kensington, North, kill the golden goose. That is the issue at stake.

The Select Committee's report is detailed and thorough with some useful analysis, but I must tell the hon. Member for Denton and Reddish (Andrew Bennett) that I found it depressingly old fashioned in its focus in its conclusions on public spending solutions to all the problems that it identified. I would be critical in isolation of the focus of the Committee's report on relative measures to reduce disparities rather than absolute measures, because I suspect that to our constituents absolutely prosperity is more important than relative prosperity. The Committee is effectively absolved from that criticism because it was addressing the Government's focus through the PSA target.

The hon. Member for Manchester, Blackley (Mr. Stringer) and the hon. and learned Member for Redcar (Vera Baird) have already identified the aspect about which I was somewhat disturbed: the disjunction between the Government's target and that addressed by the Select Committee. The report reads as though the Committee was addressing a set of Government policies designed to reduce disparities in regional prosperity, but that is not what the Government's target does. It sets out to reduce the disparity in growth rates—in other words, to slow down the growth of that disparity in regional prosperity, but certainly not to reverse it. I wonder why the Select Committee did not challenge the PSA target more forthrightly or consider whether the Government should put different targets in place.

I understand the concerns that have been expressed about disparities in regional growth and prosperity. However, I must warn hon. Members who have spoken today and members of the Committee that they are looking the wrong way. Their eyes are off the ball. The relative growth about which we need to be worried is between ourselves and our competitors overseas, especially in places such as Asia. Even the Prime Minister has recognised that. I believe that the hon. Member for Ipswich made that point.

Someone who used to work in a factory in the north-west or the north-east that is no longer there and who goes to a shop that sells items that they used to make will not see the words, "Made in the greater south-east" on the bottom of those items but—99 times out of 100—"Made in China." If a call centre in Hartlepool or

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Swansea closes down, it does so not because it is relocating to Bromley or Dorking, but because it is relocating to Bombay or Delhi. The focus on inter-regional differences in economic growth is a dangerous exercise in navel gazing as the deluge of competition from overseas descends on us.

The Committee made it clear, and I am glad that it did, that it advocates raising the game of the weaker performers, not seeking to achieve the target of reduced disparity by limiting the game of the stronger performers. Fortunately, the Government's response strongly supports that view. No one disputes the need to encourage growth in under-performing areas, but it must never be at the expense of what I would call, at the risk of raising the ire of certain members of the Committee, the locomotive areas of the economy.

Mr. Mole: Will the hon. Gentleman tell me how he squares what he has just said with the views of the Conservative majority involved in the south-east regional planning processes on Professor Stephen Crow's report on housing demand in the south-east and, indeed, with their continuing opposition to the communities plan, which is very much about ensuring that the locomotive of the nation—I believe that is how the hon. Gentleman described it—stays at full speed?

Mr. Hammond: It is a question of balance. I am sure that we do not want to turn this debate into a debate about the communities plan, but the concern about the plan is whether it is a sustainable solution and whether the concreting over of large areas of the south-east to make stand-alone communities in the Thames gateway and in Ashford will really relieve the pressures felt by those of us who represent constituencies in the south-east.

The Local Government Association was quoted in the report as saying that a single locomotive of the economy is an unsustainable solution. I have not seen any evidence of that, and given that the UK's relative economic performance in Europe is good, it would be a very dangerous experiment to risk derailing that locomotive. The point that hon. Members with London constituencies could have made, which I will make now, is that London is a world city. We did not ask for it to be a world city—we probably did not even intend it to become one—but it is, and it is rapidly becoming the world city. That is a national asset. It attracts wealth, prosperity and many other things to Britain because of its international status. I really do believe that we should back our champions, not seek to undermine them, because that is good for the whole of Britain.

Even in the regions, the message is the same. I was disappointed to see that the Committee was wary of the core cities concept—of backing cities that might act as beacons within each region and give them their sense of identity—and instead suggested that the focus should be spread more widely in each region. Of course, we need to ensure that prosperity is distributed more widely, but I firmly believe that we will achieve that in a more enduring and sustainable way by promoting the core cities within the regions.

The Government should be pursuing the target of achieving the maximum sustainable growth potential in every part of the country, without regard to what that does to relative growth rates. This is about achieving the maximum growth in every area—the regions are largely irrelevant to the discussion. The Committee correctly identified the travel-to-work area as the key focus for demand and supply factors, and recognised that intra-regional differentials are at least as great as, and sometimes much more significant than, inter-regional differentials.

Mr. Hopkins: Would not the hon. Gentleman accept that more equal societies grow more quickly economically, and that some of the most successful economies in Europe—geographically, not the European Union—such as Norway are among the most equal societies? If we deal with inequality within communities and across the country we are likely to be a more successful economy and to grow more quickly.

Mr. Hammond: I am not sure that the evidence is clear. It is interesting that the hon. Gentleman cited Norway. I should not have thought that it was a good example. The Norwegian economy is peculiarly skewed by natural resources and not comparable to ours. That can be debated, but I have made my view clear. The promotion of champions—core cities in the regions and the Greater London region within the UK—for the national good will ensure the greatest benefit for all of our people. I agree that we need to make supply-side improvements throughout the country. In the south-east, that is largely to address bottlenecks in the economy. In some of the regions further north, it is about improving their attractiveness as places in which to do business. In addition, as several hon. Members have mentioned, there is a clear need to stimulate demand in areas in which there is no demand within the relevant economic area.

Underused resources are a cost to the economy. It benefits us all to try to employ those that are not currently being used, but not if that involves taking out of use more productive resources. I liken it to decommissioning a machine in a factory in order to provide more jobs. It might seem like a good idea in the short term, but it is not the way to prosperity in the long term, as we all know in our heart of hearts.

The Committee believes that the Government are ignoring, or giving a low priority to, their public service agreement targets. It is probably right. The Chancellor understands that UK GDP growth is the driver of the feel-good factor and of regional well-being. National growth rates are a greater determinant of economic well-being than relative regional variations, and it is the national growth rate that defines our ability to fund public services and to expend money on public investment.

The Committee wants to argue about the distribution of the cake. I am more anxious that we do not undermine the production of the largest possible cake. If the Committee had its way, the cake would become smaller. I have asked the hon. Member for Denton and Reddish, and will do so again, whether he would care about that. Would he trade greater regional equity for lower UK economic growth? I suspect that he might, and that would alarm me very much.

The Committee recommends that R and D spending should be allocated on the basis of regional impact rather than value for money. It recommends that the

economically weakest areas be prioritised and that mainstream public funding be diverted from economically fast growing areas—something that will reduce the capacity of those areas and the international competitiveness of those areas—in order to support less well performing areas.

I thought that the Committee's conclusions on funding in paragraph 75 would be very dangerous for the United Kingdom. There is already a squeeze in the fastest growing regions, and I am pleased to say that the Government have rejected the list of proposals that the Committee made for reallocating public spending. If the Committee's views were to prevail, I would suggest that there would be economic damage as business relocates out of the UK in response to poor infrastructure and poor services in those parts of the country in which internationally footloose business is interested in locating, which would be a loss to the UK. If one has captured growth and GDP generation in the UK, one can always redistribute the wealth that that growth generates through fiscal systems and public investment. If it is lost to France, Germany, India or China, it is lost for ever and that is a dead loss to the UK.

The hon. Member for Denton and Reddish can take some comfort from the fact that his policy prescription has been adopted by at least one Department: the Office of the Deputy Prime Minister. The Deputy Prime Minister is the king of the regions and in his local authority funding formula, which drives the council tax, he has done precisely what the hon. Gentleman is looking for. He has diverted huge amounts of resources from the most prosperous and fastest growing areas of the country, which are not the areas of the country with no problems to resolve and are areas that do face cost pressures and delivery problems in public services. That has created a real stress in delivering public services that business requires if it is to locate in those areas.

When I talk to foreign-owned businesses in my part of the country, there are issues that they always raise. They are there because of Heathrow—make no mistake about that. If Heathrow airport closed tomorrow, in 30 years Surrey's economy would be on its back. That is why they are there, but having got there they are deeply concerned about the relative lack of infrastructure investment to support the burdens that they and their employees place on the area, and the poor quality of public services caused by pressure of funding, which creates pressures on their employees such as health and education pressures. That makes it more difficult for them to hire and retain the people who they want in those regions.

Government policy is important, and it can be very negative. One of the things that has not been mentioned so far in the debate is relative pay between the regions. We should be focusing on the comparative advantage of the different regions. The Treasury has already accepted the need to introduce regional variations in public sector pay. The Select Committee says that before that can happen, there would need to be better statistics. The Committee's report speculates on what "very difficult" means in the jargon of Government reports. I know what "need better statistics before progressing down this route" means in the jargon of Government reports: it means kick it into the long grass.

Andrew Bennett: I think that, given the record of the Office for National Statistics, it would be crazy for anyone to go down that line at this stage because we do not have the regional information available. We do not have regional deflators to work out inflation levels in individual regions and there is an argument, which has been advanced by the Conservatives, that the regions are not all that natural. Does one come up with regional pay on the basis of where someone lives, or of where they work?

Mr. Hammond: I certainly would not do that on the basis of regions at all. My point is that there must be flexibility across the country to reflect local labour market conditions. If one is trying to exploit comparative advantages, many of the regions outside the south-east, the east and London have significant comparative advantages, one of which is a lower cost of living. In some regions, one in three employees works in the public sector. Public sector pay tends to be determined nationally with limited regional variations, and the Government should not act to dampen what should be a comparative advantage. Public sector pay feeds through into general market pay conditions in a region and raises the local level, which is a negative effect.

The other area in which Government policy is significant and political agendas come into play is regional government. I do not know what lies behind the Deputy Prime Minister's long-running obsession with elected regional assemblies. However, if the answer to the question is an extra tier of bureaucrats and an extra phalanx of politicians, the question was certainly not, "What can I do to stimulate regional economic growth?"

The Government hide behind regional government as a solution to regional economic performance, and the report records their position:

"The Government argues that its proposals for devolution could make a significant contribution to achieving the PSA target."

We all know that that is nonsense. Business knows it and the Select Committee knows it. Page 55 of the report states:

"Devolution does not in and of itself mean a reduction in the gaps between regional economic performance. Unless devolution is accompanied by some reallocation of resources it will not make much difference".

Lord Rooker said:

"It is true that there will be no new money, no new powers."—[*Official Report, House of Lords*, 7 April 2003; Vol. 647, c. 102.]

Furthermore, Stephen Rankin, director of CBI North-East, says that business men worry that elected assemblies would

"hinder rather than help them".

Local authorities clearly fear that elected regional assemblies would take such powers away from them rather than devolving them down from central Government.

Paragraph 170, which we have already touched on, is curious. In it, the Select Committee pleads for scrutiny of the Government offices for the regions. The hon. Member for Denton and Reddish will have read "Your Region, Your Choice" and must know that the proposed structure is somewhat different from that suggested in paragraph 170. Effectively, the Government offices for the regions will be perched just

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above the right shoulder of the regional assemblies to watch them. Far from the assemblies monitoring the Government offices for the regions, the Government offices for the regions will monitor the assemblies.

There is no example of an extra tier of government being a positive factor in stimulating economic growth. Rather, it is a recipe for more political interference, bureaucracy, and red tape and for more cost to the hard-pressed council tax payer. It will not deliver a single extra nurse, teacher or policeman. Whatever elected regional assemblies may or may not do—we could debate that—they will not stimulate regional economic growth.

I share the Select Committee's concerns and objectives on the continued waste of human resources in the less dynamically growing regions. However, I am slightly depressed by its old-fashioned focus on equality over quality. That is to say, it wants to even things out rather than trying to ensure that we promote the best. In absolute terms, national prosperity allows our investment in public services and infrastructure, and it enables us to hold our own against our international rivals. That must be the focus of the Government's attention because that is what will deliver for all the people of the United Kingdom, wherever they live.

I urge hon. Members to back our champions, whether they are regional cities or London, and to ensure that we do not allow a mistaken obsession with trying to even out inequalities in growth to undermine the relatively impressive economic growth that we have been achieving in this country, and which underpins all the investment in public services that we all wish to continue.

5.4 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): This has been a good debate, and I congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) on his report and presentation, and the other members of the Select Committee on their work. I echo his thanks to the staff and the people behind the scenes who put so much effort into producing such reports.

The hon. Member for Kingston and Surbiton (Mr. Davey) described the need to get political devolution right down. If I read his party's political strategy rightly, he wants to reduce the number of MPs in Parliament as a result. I can tell him that at the next general election we are hoping to achieve something similar for the Liberal Democrats, but through a slightly different mechanism.

I start by saying how much, with the debate and the report, the Government's direction is to try to promote a very positive attitude to regional economic development. I was disappointed to hear the hon. Member for Runnymede and Weybridge (Mr. Hammond) describe the whole project as a dangerous exercise in navel gazing and to repeat the usual scaremongering that we expect from the Conservatives about concreting over the countryside, when it is really a community plan designed to create sustainable communities in both north and south. We experienced that counsel of despair from his party for 18 years with its failure to invest, and it is the problems caused across the country that the Labour Government are now endeavouring to respond to and successfully overcome.

One of the key messages is that reducing disparities in regional economic performance is a vital part of creating a more prosperous and inclusive society. If we are to maximise growth in the UK as a whole, unlike in the view of the hon. Member for Runnymede and Weybridge, so that everyone benefits from prosperity, we must ensure that all the UK's regions are fulfilling their potential. That is why we have set ourselves a PSA target to make sustainable improvements in the economic performance of all English regions and to reduce in the long term the persistent gap in growth rates between the regions. We will define measures to improve performance, and report progress against those measures by 2006. The objective is to develop policy, on a time scale for the spending review 2004, that will identify key drivers of regional economic growth and the changes and enhancements to policy required to deliver that challenging target in the longer run.

Mr. Hammond: May I ask the Minister the same question that I asked the hon. Member for Denton and Reddish? If it comes to a conflict between the two objectives of achieving the maximum possible sustainable growth in all regions and reducing disparity between the regions, is the Minister prepared to forgo some economic growth in order to increase the equity of that economic growth?

Phil Hope: Once again the hon. Gentleman fails to understand that this is not about "either/or"; it is about "both, and". We must ensure that we have economic performance in all regions. We are not simply trying to redistribute economic activity from the south to the north because we know that when that fails, businesses making choices to invest will simply go elsewhere in Europe. We must stimulate growth for the country as a whole by stimulating growth in every region rather than trading off one region against another. The hon. Gentleman seems to be implying that that is not the case, but that is exactly our policy: to create successful regions in all regions.

Mr. Cousins: May I remind the Minister of a point that cropped up in the debate? The Government's target does not consider every region. It smooths regions and bunches them together and, according to the form in which the Government have expressed their target, we will not even know the outcome until 2010 or 2014. On that basis, we will not know in this Government's lifetime how we are getting on. That simply cannot be right.

Phil Hope: We are trying to use targets as mechanisms to drive Government policy. They help us to focus our activities to ensure that we achieve the type of economic growth in every region that we failed to achieve in the past. The total of economic growth in the regions gives the UK national growth—it is bottom up. That combined growth creates a successful UK economy. Targets create the policy driver that enables us to consider a range of measures that we can then apply to the regions to achieve our goals. I am happy to give way again to my hon. Friend if I have not answered his question.

Mr. Davey *rose—*

Mr. Cousins *rose—*

Phil Hope: I give way to my hon. Friend.

Mr. Cousins: I am very grateful to the Minister, and it is a credit to the masterly strategy of Mr. Deputy Speaker, who is in charge of us, that we are able to do this.

I would press the Minister on that point. If there is not a target for every region but for regions smoothed together, and if we do not know the outcome of the measure until 2010 or 2014, is it not a meaningless exercise?

Phil Hope: No, it is not a meaningless exercise. Let me explain that at present we are reviewing what indicators we use and how we go about doing that. The PSA project team is supported by a consultancy group called Frontier Economics. It is conducting a wide-ranging review of the scale and causes of regional disparities in growth rates. That review, of course, has involved officials from Whitehall. Frontier Economics has been employed to assist in the review of six to 10 existing Government policies that might affect regional growth. The target is driving an analysis, which will create the kind of information to which my hon. Friend alludes. We can then use that evidence and analysis to assess whether existing policies on regional growth are succeeding.

The initial conclusions that have been drawn from the work of the project team are already being discussed in Government Departments, and policies are being fed into the 2004 spending review. We are using an analysis of data that we have commissioned, and information is being fed in. That in turn will feed into an assessment of the success or otherwise of achieving a very challenging PSA target.

Andrew Bennett: But as far as the general public are concerned, when will we see a thermometer on the wall outside the Department that shows how we are moving up—the level of contributions, so to speak? The point of my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) is that we do not want to wait until 2012 to learn that Ministers failed at this point. I suspect that my hon. Friend the Minister expects to be somewhere else in the ministerial ranks by then.

Phil Hope: I am even more grateful for the kind remarks about my personal future in 12 years' time—if I still have my seat.

I understand the point, but we shall gather regional economic data and make assessments every year. It is not a case of having just one set of outcomes that we measure in 10 or 12 years' time. We shall monitor the impact of our policies in every region.

The Government have pursued an active regional policy since 1997. Hon. Members will be aware of it. We set up regional development agencies and facilitated regional chambers. We developed the role of the Government offices referred to in the White Paper, "Your Region, Your Choice", and set out proposals for directly elected regional assemblies. We already have policies and measures in place to achieve the target of reducing regional economic disparities. We are producing new policies and driving the data collection and assessment into the 2004 spending review, and we support at regional level new agencies such as the RDAs, which will spend some £2 billion in the years ahead to ensure that action is taken at a regional level to achieve the outcomes. A substantial body of work is being done at the regional level to achieve the kind of regional development that we wish to take place.

Mr. Stringer: Will the Minister explain why RDAs were set up with a previously determined constant budget for the first two years? New regions in the south-east meant that money was transferred from the regions to the south-east. Can he explain how transferring money to the south-east helped the regions?

Phil Hope: I understand my hon. Friend's concern, but the fact is that we are putting in a lot more money. I believe that it was the hon. Member for Kingston and Surbiton who mentioned the differences in investment between the different regions. The RDAs in the north-east, the north-west and the south-west have had significant new sums of money poured into single regional pots. That has provided them with real resources to promote economic development in their areas, and they are doing so very successfully.

We can argue over differences between particular projects at particular times, as that will always be the case. The fundamental point, however, is that RDAs are making a substantial and important contribution by driving forward the economic development, growth and activity in their regions as never before, because, as my hon. Friend the Member for Luton, North (Mr. Hopkins) said, it was abandoned by the Conservatives when they were in government. So, the RDAs, which the Conservatives are still opposed to and would abolish were they to return to power, are having a significant impact on their regions.

Mr. Davey: I want to bring to the Minister's attention the fact that the Conservative spokesman has denied that they want to abolish RDAs. That is an interesting point to introduce to the debate.

Phil Hope: The hon. Gentleman makes a good point. He and I seem to share the same analysis of the Conservative party's policies, but maybe they will be clarified now. This will be very interesting.

Mr. Hammond: Shaking my head does not usually require very much clarification. The hon. Member for Kingston and Surbiton knows very well, because we have had the same exchange before, that we realise that business communities in many regions recognise that RDAs do a worthwhile job. I have talked to representatives of RDAs and told them that we would expect a Conservative Government to engage with them to consider how to address the issue of democratic deficit. We are not committed, as we were previously, to their outright abolition. We will engage with them.

Mr. Deputy Speaker: Order. We are dealing with a Select Committee report and not the policy of the future Government.

Phil Hope: In pursuing the debate, we are pursuing the policy of the future Government, the Labour Government, who have been pursuing a very positive regional and economic strategy with increasing success.

RDAs have a particular role to play by building links with universities and industry. The Lambert review stressed the importance of linking up to identify opportunities for the future delivery of better knowledge transfer. That point was raised earlier in the debate about the new economics of the 21st century. It is about the RDAs finding, supporting and developing the new higher-skilled and higher-waged industries through their links with universities and industries, which will generate the new wealth that the regions outside London and the south-east desperately need.

On the question of the census—

Andrew Bennett: Can we have the money?

Phil Hope: Let me say a few things first. We understand the concerns raised by the Committee. The 2001 census achieved a 94 per cent. response rate despite the foot and mouth epidemic, and there was extensive consultation with key stakeholders about the census. We appreciate the difficulties that people have raised.

My hon. Friends—

Andrew Bennett: I cannot shout out.

Mr. Deputy Speaker: Order.

Phil Hope: My hon. Friends the Members for Manchester, Blackley (Mr. Stringer), for Hammersmith and Fulham (Mr. Coleman) and for Regent's Park and Kensington, North (Ms Buck) raised two points about Manchester and Westminster. They know that address-matching studies of those two places are currently under way. Members know that the ONS and the local authorities are comparing the address base and examining the population figures of both places to determine whether there is a discrepancy and, if so, how it will be handled.

Those exercises will provide important evidence to judge whether further revisions to local estimates are needed. They will also inform an assessment as to whether any additional research is required for other areas. We are researching the future census straight away.

Regarding the question that I have just been asked, if the 2001 census figures are proved inaccurate in some way and are amended and fed into the Office of the Deputy Prime Minister, the amendments to the 2003–04 settlement will take place at the same time as the subsequent year's settlement is made. In that case, changes will be reflected in the grant received by local authorities during that financial year.

In a written answer given in September, the Minister for Local Government, Regional Governance and Fire said:

"Officials of the Office of the Deputy Prime Minister have been discussing with local authority representatives the use of 2001 Census data other than population in the 2004–05 Settlement. Unfortunately the late availability of some of the 2001 Census data has limited the options for using it in this year's settlement. Therefore the 1991 Census data will be used for the 2004–05 Settlement."—[*Official Report*, 17 September 2003; Vol. 410, c. 739W.]

I wanted to put that on the record, given the interest that has been created.

Mr. Stringer: I am grateful for my hon. Friend's statement. I would just like him to clarify it. Is he saying that if we show that the figures are wrong, we will get the money that should have been paid to Manchester, Plymouth and other authorities in next year's settlement plus an adjusted settlement for that year? In other words, will we get two dollops of money next year?

Phil Hope: My hon. Friend may put it as colloquially as that, but I am not able to put it in quite those terms. I can only refer him to what I said earlier, and what I placed on the record. I hope that that will satisfy my hon. Friend. If I go any further, I will possibly find myself getting into deep water.

Many points have been raised by other hon. Members. My hon. and learned Friend the Member for Redcar (Vera Baird), who has been a real champion for her constituency, made a very powerful contribution. She raised the question of the Lyons review in particular. It is an important review, and other hon. Members have referred to it as well. We are concerned to ensure that the interim report from Sir Michael Lyons will inform Government thinking.

The report that has come out is an interim report and the final version will come out later this year. We will take its considerations seriously. As has been said, the Chancellor indicated in the House this afternoon that the Government have a real interest in seeing how we can pursue the Lyons review in a more purposeful way. I think that the relocation of a figure of 20,000 staff is mentioned in the interim report. Until we get the final report it is not possible to say, but the Government are certainly committed to looking at such policies and ensuring that we see the changes that we wish to see.

In my constituency, the Department for Work and Pensions has recently transferred 200 members of staff to locations in and around Corby. I think that there are many other such anecdotal stories, but I can only use the example from my own constituency. The Government are committed to considering the proposals in the Lyons review. It is important that we pursue such policies wherever possible, as they will make an important difference.

I know that my hon. Friend the Member for Denton and Reddish wishes to make some final remarks, so I will make only a few. Comments have been made about rural areas. I do not think that the right hon. Member for Berwick-upon-Tweed (Mr. Beith) is able to be present to hear my reply, but we are keen to ensure that rural areas are seen as a part of the regional development process. There will be regional proofing through the regional chambers. That is an important

part of Government policy. As regards broadband, we are keen to ensure that outlying rural areas and not just larger villages and towns receive the support that they need to achieve connectivity. The Government are involved in aggregating broadband demand from public bodies such as hospitals and schools to allow a greater roll-out in rural areas, and our regional co-ordinators are working on that. The RDAs are also working on piloting new means of access to broadband, such as satellite delivery to remote areas, and providing working brokerage services between groups of users and suppliers. That puts on the record one small contribution that is being made to economic regeneration in rural areas within regions.

I take the opportunity to comment on points made by other hon. Members about differences not only between regions—the PSA target is about reducing economic regional disparities—but within regions. It is right that the solution is not either/or. We must tackle both. As my hon. Friends know, we are developing targeting of specific areas within regions as well as trying to tackle broad economic regional differences with the neighbourhood renewal fund and housing policy.

Our housing policy has been subject to clear opposition from the Conservative party. The sustainable communities plan is all about thriving, sustainable, inclusive communities and tackles two different problems. The first is the lack of affordable housing in London and the south-east, which is a problem that has been overlooked by successive Governments, but we owned up to that. Now, the sustainable communities plan is making real inroads in ensuring that local authorities start to bring empty properties back into use and live up to their planning obligations to provide affordable housing, and also in the four growth areas in London and the south-east ensuring that we have a planned approach in which the infrastructure, as well as housing, is provided for those communities. Whether it is the Thames gateway, Milton Keynes and the south midlands, Stansted or Cambridge, we see sustainable growth that, far from concreting over the countryside in the way that the Conservatives continue to stereotype and characterise as our policy, is about building sustainable communities and recognising the need for affordable housing in those areas of London and the south-east.

As well as that expenditure and support, we have support in the north also. The pathfinder scheme deals with the failure of housing markets—market collapse in some areas—and we are putting £500 million into renewing key areas in the north.

Time has defeated me and I cannot deal with all the issues, including European Union structural funds, but I have noted the points and concerns that have been raised.

Finally, I want to emphasise the importance of devolution and support for the elected regional assemblies. It is a shame that the Conservatives have turned their back on providing and creating a stronger regional voice throughout the country. Regional assemblies are crucial to the success of the economic regional strategies that we are developing, and I hope that when the campaigns get under way next year hon. Members will be in the forefront of championing their constituencies not only here, but out there when regional assemblies are elected in the future.

5.27 pm

Andrew Bennett: I thank all those who have contributed to this useful debate. I also thank the Minister for giving us the news about the census and the money that goes with it. I wish that he had also been able to assure us that we shall have those national statistics on a more reliable basis. Will it be possible to follow up those targets, so that not only those in the Government machinery but the Select Committee and the general public can look at those areas?

The Minister did not give a commitment on the Barnett formula, but everyone who wants the formula to be redrawn should first be able to understand it, which is difficult.

Broadband is important not only for rural communities, but for overspill estates and some urban areas.

Core cities are also important, but what is the relationship between the city of Manchester and Disley, for example? Which is freeloading on which? It seems to me that, certainly in the north-west, existing local government boundaries do not correspond to core cities. One could argue that Liverpool and Manchester would make one city instead of two—*[Interruption.]* I shall not go into the question of the railways, which are also trouble, but whether we have a new central railway, a line to Felixstowe through Ipswich or a good line to Immingham, it is important to have one good freight line that enables manufacturing areas of the country to export to Europe effectively.

I have a great deal of sympathy with the arguments about London and some of the wards, but we must be careful about using wards as building blocks. They exist for electoral purposes—

Mr. Deputy Speaker: I am afraid that the hon. Gentleman must save his sympathy for another time.

Before adjourning the sitting, I congratulate those in the Chamber on an excellent debate.

It being half past Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Tuesday 21 October 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

Crossrail Project

Motion made, and Question proposed, That the sitting be now adjourned.—*[Gillian Merron.]*

9.30 am

Mr. Deputy Speaker: Today's first debate is initiated by the hon. Member for Twickenham (Dr. Cable). The subject is important, particularly for London.

Dr. Vincent Cable (Twickenham): I am delighted to have the opportunity to raise this subject in Parliament. There may be debates on Crossrail back in the archives, but I think that this is the first debate in modern times on the subject. As you say, Mr. Deputy Speaker, the project is enormously important to my constituency and many others. I shall speak in support of it, but I also want to open up debate on some of the issues that it presents.

I have a parochial interest in that my constituency lies on what I think is called corridor 6—one of the branches that will spin off from the spine of the Crossrail project and go through Richmond, Twickenham and Kingston. That has the potential to benefit my constituency enormously, but I am not introducing this debate in a parochial spirit: the project has major implications for the whole of London and the region. There are other major spines, running to Reading and Maidenhead, Aylesbury and Buckingham, Watford, and Brentwood in Essex. Probably most important in terms of development is the north Kent route from Dartford. The project will primarily benefit the parts of London around Whitechapel, which is one of the focal points of the project. I hope that hon. Members on both sides of the Chamber will get an opportunity to express their point of view on the subject.

Dr. Jenny Tonge (Richmond Park): My hon. Friend knows that there are huge benefits to be gained across London from the Crossrail project, particularly in my constituency, as there will be much improved access to central London, the City and Heathrow from Kingston and Richmond. However, there are concerns among some of my constituents about the loss of the District line beyond Turnham Green. Does he agree that, as we go forward with the much needed Crossrail project, full consultation with all involved is essential, so that people understand the implications and can advance their point of view?

Dr. Cable: Yes, that is a sensible and helpful contribution. I note that my hon. Friend is a member of the new all-party Crossrail group, which is chaired by the hon. Member for Ilford, North (Linda Perham). My hon. Friend and I both support the project and envisage great benefits from it for our constituencies.

As is inevitable, people are beginning to look at the detailed implications of the project and discover potential problems with certain stations. I will come to the issues that my hon. Friend raised later, but her key conclusion—that there has to be proper consultation—is absolutely right. I am sure that when that consultation takes place, those residents expressing concern will be reassured that the project will be greatly to their benefit.

I enlarge that point to suggest that the project now has broad support. That is significant. The project is a joint venture between the rail industry, embodied in the Strategic Rail Authority, and Transport for London, which expresses the collective view of the Mayor and the Greater London Assembly. It has the support of important London organisations such as the London Chamber of Commerce and Industry and the Corporation of London, which has said that the project is extremely important for the London economy. The Crossrail project has, as far as I am aware, attracted the support of all London boroughs, or at least all those potentially affected by it. In addition, as I have mentioned, it has wide support in the House. The all-party Crossrail group has just got off the ground and so far has the support of 100 MPs and peers. The project has wide support, and I expect that support to grow.

I shall not spell out the implications in great detail, but the rationale behind the project is environmental and economic. The Secretary of State for Transport broadly accepted the transport case in his statement on 14 July. When Crossrail is complete, it will take about 160,000 passengers at peak hours, diverting them from other, highly congested, routes. In a report last week, the Select Committee on Transport pointed out the massive economic cost and personal discomfort stemming from the current level of overcrowding, and said that the creation of the additional service would reduce those factors by speeding up journey times and increasing the flexibility of journeys. Considerable transport benefits will flow from the project.

Crossrail will not proceed unless those transport benefits are translated into a positive economic cost-benefit return. A study that is now with the Department for Transport and which will, I hope, be in the public domain soon—I have seen only fragments of it—suggests, based on fairly modest assumptions, that the considerable cost of the project, estimated to be between £10 billion and £15 billion, depending on the assumptions made, is considerably exceeded by the economic benefits, which will amount to £20 billion or more. Complex issues relating to discounting and the measuring of the economic benefits of big infrastructure projects remain, but Crossrail seems to be a project with considerable net economic and transport benefits.

Linda Perham (Ilford, North): The hon. Gentleman might go on to cover my point, but I hope that he has also considered the possible negative impact if Crossrail is not built.

Dr. Cable: That point was implied in my previous comments. If we do not go ahead with Crossrail, the economic benefits will not be realised. One or two more modest projects have been proposed, probably to circumvent some of the inevitable practical and political difficulties that the Crossrail project faces, but there is a danger of taking the line of least resistance and forgoing the considerable economic benefits of Crossrail.

There are areas of potential controversy. First, who will provide the considerable funding needed? The promoters of the project are realistic and wise to suggest

[Dr. Cable]

that the majority of funding must come from private sources. In their initial statements, they acknowledge that the Government will be asked to provide quite a large pump-priming contribution of about £2 billion to £3 billion. However, the bulk of funding must come from the private sector, which is right given that most of the benefits will be realised by private business and, potentially, private investors.

The London Chamber of Commerce and Industry has made some useful suggestions about where the money might come from. A large amount might come from equity finance and from long-term bond issues in the tradition of the big Victorian infrastructure projects, which makes sense in today's low inflation environment. There is clearly support for that from some financial institutions already.

The people who directly benefit from the appreciation of property values and developments along the line might also contribute. That is a slightly more controversial idea, which I instinctively support to some extent. A development levy or supplementary business rate charged on some of the beneficiaries has been proposed. There are practical problems with the proposal, but the London government are sensible to consider it as a supplementary source of finance. At this early stage, it would be interesting to find out how the Government see the balance of funding between charges made to beneficiaries, private finance and Government finance.

The second controversial area is the project's timing. The London Mayor is specifically committed to getting Crossrail, or its basic spine, running by 2011 or 2012, in time for the Olympic games. I am not here to argue the pros and cons of the Olympic games. The advantage of having such a timetable is that it might help to prevent the endless slippage that has affected other big projects.

Mr. John Randall (Uxbridge): Does the hon. Gentleman concede that the Olympic bid is not at all dependent on the Crossrail project going ahead, and that it would be doing a disservice to that bid to imply in any way that that might be the case?

Dr. Cable: I think that that argument applies in both directions: the Olympic bid is certainly not dependent on the Crossrail project, and I certainly do not want the Crossrail project to be dependent on the Olympic bid. Each stands independently on its own merits. The Crossrail project offers potentially more permanent and more substantial benefits, and we should be arguing for it on its own. None the less, it is useful to have the discipline of a time framework; otherwise deadlines slip, as they invariably have on big projects in the past.

It is more important to discuss the usefulness of the approach that the project promoters have set out. Instead of going through the traditional route of a Government White Paper, a public consultation and a long planning inquiry process, what is proposed is a Government response followed by an enabling Bill, which would enable the project to proceed with full parliamentary authority. That would foreshorten the process as well as give it democratic legitimacy. My understanding of the timetable is that if that Bill were to be put to Parliament next year, legislation would be in place by 2005, giving a five to seven-year time horizon for the project to be initiated.

Mr. John Redwood (Wokingham): Will the hon. Gentleman tell us his and his party's thinking on the type of vehicle to hold the assets that should be proposed in such legislation? Would there be any state guarantee of the project, directly or indirectly, through such a vehicle?

Dr. Cable: The honest answer is that we have not yet developed a dogmatic view on what that vehicle should be and whether there should be a state guarantee. The project promoters envisage that with the combination of finance that I have already described—some state funding and some market funding—the project may well be viable in its own terms. However, I am sure that there will be pressures to provide guarantees. The right hon. Gentleman probably had long experience of the Eurostar project and all the underwriting pressures that came from that, so I understand why he poses his questions. The honest answer is that we have not defined a detailed policy response. My hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes), who I know will want to catch your eye, Mr. Deputy Speaker, may want to develop the issue a little more.

As the project proceeds, we shall uncover the detailed difficulties. As groups of residents become aware of the project, they will see that the service affecting their particular town or village is not quite as they envisaged. My hon. Friend the Member for Richmond Park (Dr. Tonge) has already pointed out that the highly articulate and aware residents of one district served by Kew underground station have already spotted that under the proposals they might lose their District line service, which could have the effect of making them change trains. That is a minor inconvenience that we have to take into account and on which we have to consult with them, but I do not see it as a massive problem.

I am worried that local politicians, particularly the GLA member for my area, are jumping on the bandwagon and creating a degree of unease and division that is not merited. I hope that we will all try to approach the matter responsibly and recognise that there are considerable net benefits to our respective communities from the project.

Miss Anne McIntosh (Vale of York): I believe that the hon. Gentleman is now the Treasury spokesman for his party. Does he imagine that there will be any charge to the public purse, and if so, what that charge would be and from which budget it would come?

Dr. Cable: I am delighted that my Conservative colleague has noticed my new role. I have been in it for three days and no doubt I shall be working out the financial implications of the project during the next 18 months. To be frank, I have not yet worked out the details of how the Crossrail project will affect our general election commitments in the public finance field. I have already explained that the common understanding is that the Government will be expected to make a pump-priming commitment to the project, although most of the money will have to come from the

private sector. In my new role, I am certainly not looking for expensive public expenditure commitments, nor do I think that Crossrail is one. The Crossrail project will fly on its own merits.

The key point to stress—from which I was slightly distracted by that intervention—is that there are potentially enormous benefits from Crossrail, but it will create difficulties for particular local communities, which provides all the more reason to initiate a detailed process of public consultation. Those in charge of the project have made an effort to consult individual households, but consciousness of Crossrail is only just beginning to sink in. I hope that those of us who are committed to Crossrail and think that it will have enormous benefits will begin the process of getting communities engaged and persuading them of the merits of a brave and important infrastructure project.

9.45 am

Linda Perham (Ilford, North): I welcome this debate, and congratulate the hon. Member for Twickenham (Dr. Cable) on securing it. He mentioned the formation of the all-party group on Crossrail, which I chair, and its membership of about 100. It includes Members from both Houses, and not just London Members but representatives of other parts of the country, including the hon. Gentleman himself and several other hon. Members present today. It was perhaps a coincidence, and certainly a fortunate happenstance, that the all-party group was set up literally days before the Secretary of State's announcement on 14 July of the Government's support in principle for the project. The all-party group wants to be a focus in Parliament for support for the Crossrail project as it progresses to completion in the next decade.

The hon. Gentleman and the hon. Member for Richmond Park (Dr. Tonge) referred to public consultation. There has already been a public awareness campaign, and full public consultation started this month. An information exhibition for the central London boroughs was held at Church house in Westminster, and one for the eastern boroughs will be held at the museum of docklands. There is a programme of dates, venues and visits covering places as far away as Heathrow in the west and Dartford and Gravesend in the east. Consultation in the hon. Lady's constituency will take place at the end of November, so I hope that that reassures her.

As the project will have such an effect on the future of London, there is a move to involve and interest young people in the project. There is even a "Young Crossrail" newsletter. Secondary school students in my borough are being invited to take part in a competition to design a Crossrail carriage. Cross London Rail Links is obviously trying to ensure that everybody knows about the project, gets behind it and raises any problems that they have with it.

From my point of view, it is vital that Crossrail is built in north-east London. Just how important it will be to easing congestion and overcrowding became even more obvious at the beginning of the year, when we lost the Central line for three months. I have eight Central line stations in my constituency, and the only rail alternatives are the First Great Eastern via Ilford and the Jubilee line from Stratford. My borough is one of those that export the majority of their work force into the City and central London, so there is a pressing need to improve the transport infrastructure, as well as to cope with the population and economic growth that the Thames gateway regeneration plans promise to deliver.

Mr. Randall: I represent the other end of the Central line. Does the hon. Lady not think it rather sad that we are talking about this project at a time when not only the Central line but the Northern line is being disrupted? I think that she is making the point that we should get our act together to ensure that existing rail services also work properly.

Linda Perham: I agree. The London underground has been running since 1863, and some would say that it is doing rather well for such an old system. As the hon. Gentleman says, there is a need for investment in London's rail services. That would benefit not only London workers, but everyone who comes into the capital for tourism and other reasons. London needs a good rail system.

In January this year, a study of the wider benefits of Crossrail was carried out for Canary Wharf by the Centre for Economics and Business Research. It estimated that, by 2023, Crossrail could stimulate an extra 181,000 jobs in London, of which 115,000 would be diverted from outside the United Kingdom. That would provide opportunities for some of London's most deprived communities, leading to lower dependency on benefits, reductions in health problems and crime, and improvements in educational attainment and housing in seven London boroughs, with my borough, Redbridge, being one of the greatest gainers. The study concluded that failure to invest in London's rail network would slow the growth of London's gross domestic product by 2 per cent. per annum and lead to a haemorrhage of about 500,000 jobs. Crossrail is vital to all Londoners, not only those in my area, and to people who travel into London for work and leisure, or who visit the city from throughout the country and the world.

London's position as the engine of the UK economy and its future existence as an international business and financial centre will be strengthened and enhanced by Crossrail; without it, both will be threatened. Other UK regions should not regard investment in Crossrail as yet more resources being spent on the capital. People outside London and the south-east should welcome the fact that there will be an increase in the 4 million jobs that London already generates in the rest of the country and additional demand for goods and services from London, as well as benefits to the whole UK economy, including an increase in the net fiscal contribution that London makes each year to the Treasury, which is currently estimated to be about £20 billion.

As the hon. Member for Twickenham mentioned, funding is the key issue. How do we pay for this exciting project? A large investment is required—perhaps as much as £15 billion. Contacts that I, as chair of the all-party group, have pursued with the business community—in particular with London First and Canary Wharf—have confirmed that business in general is convinced of the benefits of Crossrail, but that business people need to know as soon as possible the direction the Government wish to pursue in finding the funding. I am glad that the Government have set up the

[Linda Perham]

expert panel under Adrian Montague, which is due to report by the turn of the year on the financing options for the project.

I congratulate the Government on taking the important step of backing the Crossrail project. One estimate dates its origin back to 1948, which would make it slightly younger than me. Investment in Crossrail is essential. I fear that if the present commitment to the project is not carried through now, it will be too late to save London from overcrowding, congestion and environmental damage. If the investment is not made, improved transport facilities, more jobs, better housing, the regeneration of the Thames gateway area, the wider benefits to the country as a whole, and London's place in the world, will all be put at risk. I urge the Minister not to lose the opportunity that was squandered by previous Governments to embrace, in co-operation with the business community, the potential presented by the exciting Crossrail project.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Many Members are rising and hoping to catch my eye. If they bear their colleagues in mind, we can get everyone in.

9.54 am

Mr. John Redwood (Wokingham): The hon. Member for Twickenham (Dr. Cable) has done us a great service in securing the debate. The state of the railways is lamentable; they are in financial chaos, thanks to the Government's stupid intervention and partial renationalisation of the system. We have also been done a service because the Liberal Democrats have demonstrated that, as always, they are all hot air and good intentions, with no sensible plans whatever for putting the system right. It was quite extraordinary that the hon. Gentleman should have gone to the lengths of securing the debate and, presumably, preparing for it and yet be quite unable to answer the most elementary questions.

What is the cost likely to be and how could it be paid for? The hon. Gentleman cannot tell us how much public subsidy or grant the Liberal Democrats would recommend the Government pay to get the project pump primed. He cannot tell us whether there needs to be an implicit or explicit Government guarantee on all or part of the other moneys, and he cannot say how much revenue subsidy there should be. He cannot explain how his suggestions would integrate with the existing Network Rail system and the London underground. He concedes that it could be embarrassing if part of the underground service were no longer available, but he does not know how he would handle that. He had nothing to say about the financial chaos on Network Rail at the moment, which is the backdrop against which we must judge the plans and ideas.

My interest is twofold. First, I am interested as a Member of Parliament from the Berkshire area. Some of the commuters from that area who currently use rail services would benefit if trains went beyond Paddington into the west end and the City; they would rather make their journey on a single train, without having to change. Many of my constituents might use such a service if it was better than their current service and available in all senses. Such a project could add to the charms of a rail service. However, I have been led to believe that the Reading area is no longer to be linked into Crossrail—there have already been cuts before there is a proper plan. My constituents and I naturally find that disappointing.

Secondly, I am interested in the financing of the project. I do not think that this country can afford to increase the amount of public subsidy for the railway network. One of the biggest financial disasters so far under the Labour Government was the decision to bankrupt Railtrack and take over responsibility for the funding of much of the railway network. There have been huge escalations in costs, guarantees and actual subsidy paid and, at the same time, a deterioration in service standards and quality.

Until the Government solve that problem it is difficult to get going on exciting new projects that could expand and improve the network. I hope that my party will state clearly that we want Crossrail, but that it will have to be a proper private sector project and there will not be public money available for large pump-priming subsidies or guarantees covering all the capital and revenue losses that could ensue if the project miscarried.

In previous debates on railways in Westminster Hall and the main Chamber, Ministers have led me to believe that under the new Network Rail regime Wokingham would get a new station, which it desperately needs. There is currently an inadequate, small set of station buildings that are in an advanced state of decay and need to be replaced. We owe it to the long-suffering commuters to offer them better facilities. The station does not live up to the general standards—it sticks out like a sore thumb in a town that is otherwise well provided for, where the private sector institutions reinvest and maintain their properties. I should like more of my constituents who want to use the railways to do so, but we need a more welcoming station if they are to do so. In addition, there must be a proper transport interchange with better links to the railway so that more people are encouraged to use it.

I want reassurance from Minister that whatever decisions are made on the public finance contribution and on other big projects, such as the west coast main line, which has a more immediate claim on the Government's resources, there will be resources available for more modest but none the less important projects, such as the redevelopment of Wokingham station. A better service could thereby be offered to people who are currently paying for the railway.

My constituents are paying many times over for the bungled mismanagement of the railway system. Those who use the railways pay dearly through the fares levied on them, in addition to which we all have to pay substantial taxes, which are being guzzled up by the cash guzzler that is Network Rail. I hope that the Minister will comment on the current financial situation of the railways. He may be able to tell us that their management are beginning to get to grips with their cost overruns and heavy losses. It is against that background that we must examine such large projects.

If the Minister is wise he will say that it would be better to spend what money there is on improving the performance and asset base for existing service users. Crossrail is a very desirable large-scale new project, but it should be entirely privately financed because I do not think that the state can afford another big loss-maker on the scale of Network Rail. I have declared my interests in the register; I do not think that they are relevant to the debate, but I shall do so for the sake of good form.

10 am

Jane Griffiths (Reading, East): Thank you for the opportunity to take part in this important debate, Mr. Deputy Speaker. I congratulate the hon. Member for Twickenham (Dr. Cable) on securing it.

I have been involved with Crossrail in one way or another since first hearing of it as a newly elected councillor in Reading in 1989. Little did I know when I heard about the proposal that 14 years later we would still be talking about it and there would have been no further progress, despite hundreds of millions of pounds having been spent on various reports, investigations, consultations and lobbying exercises.

Fourteen years ago people in Reading were excited about a proposal that would connect us by a cross-London rail line to east London and Essex. One can see why we were excited: such a link would provide further transport improvements to Reading, which owes its success to its transport links. So far, however, the only people in Reading to have benefited from the scheme are local councillors who at their respective local government conferences have been on the receiving end of hospitality from the proposers of previous versions of the Crossrail scheme. The fringe meetings held by the proposers of the scheme became notorious for the quality and quantity of free food and wine.

The Crossrail proposal is important to me for reasons other than past hospitality. One of the many Transport Ministers who had a role in this sorry affair in the mid-nineties was the then Member of Parliament for Slough. He sought a safer berth than Slough and was selected to fight Reading, East, which at the time was a safe Conservative seat. In April 1996, the then Secretary of State for Transport announced that the scheme would come in priority terms behind the Jubilee line extension, Thameslink 2000 and the channel tunnel rail link. I could not thank the Minister enough for providing me with a perfect local story and photo opportunity when I laid a wreath at Reading station commemorating the demise of the Crossrail scheme. Little did I know then that, seven years later, I would be pointing out that nothing has happened since.

I should not really be surprised by that—none of us should. In a previous debate in the House, I raised the history of the failure to invest in rail services west of London. That has left us without electrification, and the high-speed trains that were a stopgap before electrification are now more than 30 years old. The train companies are looking to invest in new versions of the high-speed trains. Now, however, the situation has become even worse.

Throughout the history of the Crossrail proposal it has always been intended that Reading would be at the western end of the scheme. Crossrail originally appeared in a post-war plan in the late 1940s and reappeared in the Barran plan of the 1970s. It was put forward in October 1990 by British Rail and London Transport, who envisaged a line running from Shenfield and Romford in the east to Aylesbury and Reading in the west. A report into the scheme following the 1993 Budget confirmed the financial and engineering viability of the scheme and the then Prime Minister announced that it would go forward. However, parliamentary progress was put on hold while further studies were carried out.

It was reported in January 1994 that the scheme had been approved by consultants, who had rejected alternative routes. After four years and lots of money spent on preparing plans, parliamentary activity, sumptuous lobbying, and consultants to look again at the proposals, it was confirmed that the 1990s plans were fine and should go forward. Everything should have been fine for Crossrail—but no, the four MPs who were supposed to take the Bill forward refused to do so, saying that the proposers of the scheme had failed to make their case. In particular, they said that the number of people travelling by rail had declined since the scheme was proposed in 1989. As Homer Simpson might have said, "D'oh!" It is widely understood that the number of rail journeys made reflects the level of activity in the economy, so taking a four-year period to determine whether an investment in the railways is justified is stupid, especially when those four years contain one of the worst recessions of the past century.

That exemplifies the problems that we have had to put up with in investment in public transport schemes. Far too often, the time scale over which the return has been sought has not been long enough for public transport. We will not emerge from our transport problems until it is understood that it takes 30 years to make a significant difference to any situation. There will always be short-term schemes that give a payback, and no one says that they should not happen, but schemes that take longer to earn a return should not be refused solely for that reason. Crossrail is a prime example. As we have seen in investments in other public transport infrastructure schemes, if they go ahead they generally prove the economic modellers wrong and generate much better returns than had been predicted. Another problem with the 30-year period needed to make a serious difference in transport is that the people involved in the scheme at the beginning are usually not around at the end to say, "I told you so."

The Crossrail scheme was killed off because we were in the middle of a recession. Commendably, the Government of the time continued to seek ways to take the scheme forward, so in January 1995 there was another study by a different set of consultants to see if there could be progress with smaller-scale alternatives. Yet again, it was concluded that there were no cheap alternatives to Crossrail. Not happy with that report, Government officials carried out another review, taking account of financing levels and funding post-privatisation of British Rail. That concluded that the project had a good cost-benefit ratio, that it was resilient to pessimistic levels of demand and cost, that the level of central London employment was not critical, that powers to proceed with the scheme would have to be obtained before private finance was sought and that private finance could not meet the whole cost. The Government of the time made no response to that

[Jane Griffiths]

report—the Montague report—but said that Crossrail came after the Jubilee line extension, Thameslink 2000 and the channel tunnel rail link in priority terms.

Railtrack was asked to consider the project further once it was in the private sector, but an answer to a parliamentary question in January 1999 revealed that, three years later, Railtrack had not even considered the scheme. The Corporation of London did not forget about it. It could see the benefits brought by the Jubilee line, and realised that Crossrail could deliver equally for residents and companies in London. I worked with the corporation after 1997 to try to keep the scheme alive. It published a report in February 2001 that showed that there had been a 50 per cent. increase in the direct economic benefits over cost in the five years since the Montague report, and that had Crossrail been built, it would have been carrying 12 per cent. more passengers than even the most optimistic of the original forecasts had suggested. Many other reports—in 1995, 1996, 1999 and 2001—all showed that the proposed route was the best and that the scheme would deliver a return.

The Government called for another report in May 2001. Just before the 2001 general election, some of us were otherwise occupied, but it was hoped that the scheme would begin in 2005–06, so yet another study was undertaken and £154 million set aside for it. That produced a report that included the options of a tunnel below London and a route to Reading in the west, with a number of new route options, some of which hon. Members have already mentioned. In February 2003, a business case was presented to the Secretary of State and it was decided that an expert team had to be set up to assess the proposals. I suggest that Crossrail be used at the Civil Service college as an example for training mandarins in how to kill off an idea by review. Future Sir Humphreys could learn a great deal from the example of Crossrail about how not to make a decision on a matter that involves a large amount of money.

Until recently, Reading was one of the fixed points of the Crossrail scheme, and the proposal would have brought electrification to Reading. We had been told that electrification at Paddington would cause too much disruption to that important station, so Crossrail was a big problem—but then came the Heathrow express, which someone else was willing to pay for, so electrification at Paddington was suddenly not a problem. Any sensible person would think that electrifying a further section of the Great Western route would be seen as a benefit, but no such luck.

I pay tribute to the current issue of Railfuture's magazine for a cogent analysis of the current position. It refers to the madness of trying to remove other services to Richmond and replace them with Crossrail, delivering no new services at all, and the barmy mission growth that has occurred, with other tunnels and schemes being thrown in. More sensibly, there is the suggestion of getting back to basics—another old favourite from the 1990s—and returning to the original east-west proposal involving Shenfield, ideally Stansted, and probably Ebbsfleet in the east, and Heathrow and Reading in the west.

Crossrail has shown all that is wrong with project planning and implementation in this country. A simple scheme, which has been around for decades, and which offers excellent value for money, has been killed off by report after report. It has now been taken over by those who have vested interests, who have come up with a barmy version that does not serve the best interests of the travelling public. Other schemes, which offer less value for money, have been developed because someone will pay for them rather than because they represent real value for money.

We now have a chance for the Government and the civil service to redeem themselves. Dump the scheme proposed by Cross London Rail Links, return to the original proposal and get on and implement Crossrail. The message is simple: let us have Crossrail and let us have it soon.

10.10 am

Mr. Mark Field (Cities of London and Westminster): I, too, congratulate the hon. Member for Twickenham (Dr. Cable) on securing this timely debate. As a central London Member, I am clearly going to be affected by whatever route it is finally agreed Crossrail should take. Within the multitude of proposals for Crossrail, there has never been a suggestion that central London should be missed out.

To touch on some constituency interests, Hanover square residents have expressed grave concerns about the lack of consultation on the current proposal for a route through Mayfair. Notwithstanding the catalogue of disasters iterated by the hon. Member for Reading, East (Jane Griffiths), the residents feel that there has not been enough information about potential disruption and the ongoing blight that would affect that part of my constituency.

One of the key issues is the eventual route of Crossrail. Understandably, colleagues have argued in favour of their own, perhaps narrow, political corridors and proposals that would affect their constituencies. My view is that it is of key importance to link in the east London gateway corridor, as well as places such as Dartford, Shenfield and Grays.

The spectre of the Olympic bid has been raised. I did not entirely agree with my hon. Friend the Member for Uxbridge (Mr. Randall) when he said that the two issues had to be kept entirely apart. Crossrail investment will, in practical terms, be of key importance to any sensible and successful Olympic bid. Clearly, time is running out if the Olympic bid is to be made by July 2005.

I am also worried about the rather high barrier that the Government have erected in their most recent thinking on Crossrail. They have said that it

"needs to be feasible from both operational and engineering points of view, environmentally acceptable and value for money."

It has been rightly pointed out by all right hon. and hon. Members that the key consideration is how Crossrail will be funded. The hon. Member for Reading, East was absolutely right to point out that the Crossrail project was first mooted in 1948—it might have been her colleague the hon. Member for Ilford, North (Linda Perham) who pointed that out. The catalogue of delays since the project was shelved during the recession of the early 1990s has also rightly been mentioned.

It now seems clear that the Treasury will not be willing to provide funding up front, and the Secretary of State for Transport has given a fairly clear indication

that Crossrail is pretty low on his list of priorities, especially in view of his task of clearing up the mess created by his predecessor during the botched renationalisation of Railtrack in October 2001—rightly mentioned by my right hon. Friend the Member for Wokingham (Mr. Redwood)—which will apparently take up an additional £1.5 billion per year of public money. It is therefore difficult to see how Crossrail will be in any way a priority for the Government in considering their rail projects.

Londoners seem to receive a poor return, as a number of London Members have pointed out. London is a massive contributor to the public purse. How can Britain's only globally competitive city continue to shine internationally if the infrastructure investment that is demanded of such a global city cannot be taken for granted? The Government's anti-London bias is damaging the UK economy, and we will see the results of that in the coming decade.

The talk is of a private sector consortium for Crossrail, which is the only realistic game in town. Several consortiums, comprising for the most part property and construction businesses, have discussed the matter and put forward innovative plans, but there are two key flaws. First, they anticipate that the Government will ultimately be the guarantors of last resort. Secondly, there is no proper risk-transfer test for public-private partnership projects. Conservative Members have consistently pointed out that that makes a mockery of the Government's prestige projects, for which we will all pay in higher taxes during the next decade and a half. The risk is that private consortiums will cherry-pick the most economically desirable routes. They might discuss stage B development but will shelve it later, probably for good. Prior to world war two, for example, there were great plans, all of which have been permanently shelved, to build tube lines to places such as Cranleigh Gardens and Muswell Hill.

One of the ways forward on funding is to examine the notion of value capture, which was touched on by the hon. Member for Twickenham. I cannot do justice to the concept in this brief speech, but the proposal by the Conservative mayoral candidate, Steve Norris, to add a 2 per cent. levy to the business rate in the vicinity of the new line over the next 20 years to allow the cash flow to be securitised and to ensure that the capital works come into play has at least some merit.

When I first read Don Riley's book "Taken for a Ride", I found it persuasive. He is one of my constituents, and he gave me a proof copy of the book a few weeks before the general election when I was out canvassing in Morton place, where he lives. His thesis is simple: when taxpayers invest in a new transport system, many landowners are given accidental windfall fortunes. He argues that the leakage of publicly created income into private hands explains why railways have not been self-financing. The thesis is fairly, but not entirely, persuasive.

Various bandwagons have jumped on to value capture. Some people—particularly left-of-centre politicians—think that it will be an enormous property tax. With the fast-deteriorating public finances, the Chancellor of the Exchequer has got his eyes on a range of property taxes—as predicted 18 months ago by many hon. Members who worked on the then Finance Bill. I am concerned that great injustices will by done by taxing windfall gains. The great worry is that if the sums are not properly ring-fenced, there will simply be more money in the Exchequer's pocket. There is also a large question mark about the practicality of taxing windfall gains. It is not clear how far away from a railway line the benefits would extend. There would clearly be losers, and a sense of injustice on the part of those located right on the edge of affected areas.

Mr. Redwood: My hon. Friend touches on an important point. It is easy to see that there is a gain if a property owner realises an asset that has gone up in value or decides that he can enhance his business because a new line is coming or has arrived. However, an existing property owner who wants to use his property for the same purposes or whose business is not enhanced will simply suffer higher taxation. That problem must be sorted out when we implement such schemes.

Mr. Field: I entirely agree with my right hon. Friend that there is a great worry that such a levy would simply be a stealth tax.

Although I appreciate that he is not a Treasury Minister, I hope that the Minister here today can indicate the Treasury's intentions. If we look upon new property taxes as a means of clobbering landowners rather than as a specifically ring-fenced way to finance projects such as Crossrail, we will see some of the conspicuous disadvantages that arose in the 1990s during the construction of the Jubilee line extension. Clearly, one has to follow the money, which is the great problem with Crossrail.

I shall be interested to hear the Minister's response to the comments of the hon. Member for Reading, East, because there is a worry that we are being inundated with yet more reports as a way of kicking the issue into the long grass. From where will the funding come? Understandably, given the problems with Network Rail, the Treasury may feel that insufficient funding is available in its coffers in the short term for the Crossrail project. If so, can we at least get some indication of the preferred route forward, so that we can ensure that in 14 or 15 years' time we are not still debating the issue, without any further progress having been made?

I appreciate that at least one other speaker wants to get in. I look forward to sharing a platform with the hon. Member for Southwark, North and Bermondsey (Simon Hughes) tonight in Covent Garden, although I cannot imagine why he wants to come to my constituency to discuss these matters. It may have something to do with an election in the middle of next year. I look forward to hearing his comments and those of the Minister.

10.20 am

Simon Hughes (Southwark, North and Bermondsey): I am grateful for the opportunity to take advantage of the debate initiated by my hon. Friend the Member for Twickenham (Dr. Cable). As a London MP for 20 years, I have had an interest in Crossrail for some time, like the hon. Member for Reading, East (Jane Griffiths). It has been on the agenda all the time that I have been involved in London politics. The hon. Member for Cities of London and Westminster (Mr. Field) referred to other

[Simon Hughes]

reasons for my interest: I now share with my hon. Friend the Member for Twickenham responsibility in my parliamentary party for London issues, and I expect to be the Liberal Democrat candidate when London has a mayoral election next year.

From all the evidence, the Crossrail proposal has unprecedented general support not just from all the local authorities and residents in the capital but from the business community. The London Chamber of Commerce and Industry, the Confederation of British Industry and London First have not just supported it but have persuasively, strongly, regularly and consistently lobbied for it. They understand the economic importance of a new west-east cross-London line. Without exception, the project is now the number one business issue for those groups. That is what they tell me, and I sense it from talking with their members as well. Surveys of businesses in London indicate that half of all businesses think that it will benefit them and that they are positive about it. There is hardly a single voice expressing concern about the project.

Obviously, there are strategic Government and regional government reasons to support Crossrail, not least the development of the Thames gateway, which will create new investment in the jobs and housing that that area of London needs and that I hope it will get. We in London argue that the country works better if London works better. I believe that the rest of the country understands that, if London is more efficient, the country of which London is the capital will be more efficient and prosperous as well.

I welcome the Minister and have some questions for him. I look forward to further conversations on the issue with him and his colleagues in the months ahead. There has been a considerable amount of commentary on the nature of the statement given by the Secretary of State for Transport in July. Was it a statement of conditional support or of clear, unequivocal support? In the words of one commentator, was it a statement with lots of ifs and buts, or was it a statement of Government support? It would be helpful if the Minister put on the record whether the Government support the Crossrail project.

Can the Minister update us on the likely date of the report of the expert panel that was set up this autumn to carry our specific work? The report was intended to be published at about the turn of the year, but it would be useful if he gave the date for the conclusion of that work. In that context, to pick up a point made by the right hon. Member for Wokingham (Mr. Redwood), the details of the route outside the core route should be properly worked out as a result of the consultation that is now taking place. My colleagues believe in that consultation process, which should deal with precisely such matters. The consultation is being carried out enthusiastically and well and is receiving responses. I hope that it will produce the best result for areas such as south-west London, where there are clearly important issues.

Mr. Redwood: Surely, before any of that, the important questions that need answering are how will the deal be structured and who will pay for it? Will the hon. Gentleman spell out his and his party's policy on how much public money will be used, how many guarantees are needed, and how it will be paid for?

Simon Hughes: I hoped that the right hon. Gentleman would expect me to deal with those matters, and I will answer him in a moment.

I have dealt with the question of Government support. The second question relates to the project's timetable. The opportunity in the Queen's Speech to announce a Bill in the forthcoming Session has been missed. A hybrid Bill is needed, but the window of opportunity has gone. Will the Minister confirm without qualification that the Government are willing to provide the time for a Bill, even if there is no time in the forthcoming Session, and to support a Bill in the Session after next? If that is the case, do the Government agree that the core project from Paddington to Liverpool Street or to Stratford could be completed before 2012?

There is no inevitable link between an Olympic bid and the project, but if an Olympic bid were successful in 2005, there would be huge advantage in getting the core of the project in place before the Olympic games. I am meeting Crossrail representatives today—I have met them before—and I want to ensure that we can deliver a core Crossrail link before 2012, because it must enhance the prospects of our Olympic bid. Even if we do not win the bid, the Government should not resile from either a commitment or a timetable. None of us knows whether we can win the bid, and that is why my hon. Friend the Member for Twickenham and others say that the bid and Crossrail stand separate, but there will be an additional benefit if we win. It would be helpful if the Government were willing to countenance support for a proposal that delivers the core project before 2011. I believe that technically it can be delivered; I remain to be persuaded about some of the details but I hope and believe that it can be delivered.

Funding is a central issue and I accept the questions from the right hon. Member for Wokingham. I also accept the importance of the two background elements that he described, which are the funding of the rail system across the United Kingdom and, as alluded to by the hon. Member for Cities of London and Westminster, the regional take and spend across the UK. I have secured an undertaking from my party to re-examine the Barnett formula and regional allocation. The issue is public sector spend ability in all regions. My hon. Friend the Member for Twickenham—just appointed to his new brief leading our Treasury team—and I will discuss it and come up with some answers. He has been in his new post for about a week, as have I, but we have started conversations and I undertake to the House and beyond that we will answer those questions.

The direct answer to the funding question is that we already have one small element of Government-guaranteed funding, which is £154 million for the initial work. It would be helpful if the Minister were to guarantee that that money at least is ring-fenced, as we need it to be. It should not be subject to any cuts, bearing in mind that the Strategic Rail Authority has stated that it must reduce its budget. Beyond that, I accept that the best proposition is for the private sector to finance the rest of the spending on Crossrail. That is my starting point, and the business community believes that it is achievable. There are questions about the

Government's guarantees, and they need to be ironed out. I must consider that before next year's mayoral election, and my hon. Friend and I will work it out.

We are left with some private sector mechanism options. There is a perfectly honest debate within the business community, which has considered four options. They include a bonds option, which is reasonable and viable, and the option referred to by the hon. Member for Cities of London and Westminster, which was proposed by his constituent, Mr. Riley, who runs businesses in my constituency and has also given me a copy of his book, "Taken for a Ride". Those who benefit from the windfall increase in land value because they are next to the line should make a contribution. There are questions about boundary definition, which I understand, but as the Member of Parliament with the largest section of the Jubilee line going through his constituency, I have seen the accidental benefit that accrues to some people. In that end, the project had a good outcome, but it may well have been possible for those who benefited from the line to have partially funded it.

I would like the Minister to address my next point specifically: am I right in saying that the Local Government Bill allows Transport for London to borrow in the private sector? My understanding of the Government's view is that local government should be able to borrow from the private sector. That applies to the London government and the GLA. I would be grateful for a reassurance that TFL and the GLA can borrow as much as they want in order to put the money in the system. The most recent proposal, floated by the Conservative candidate for the London mayoralty, is that there should be a levy on particular businesses. That idea is less popular than some others but the argument is on the table none the less.

My hon. Friends and I will make clear our preferred proposal in good time for the election, once we have had the consultations with colleagues. The Government must guarantee that the current money is ring-fenced, and tell us that TFL can borrow from the private sector and that the Government have advanced work on the idea of a levy on those who gain windfall profits. If we had answers on those points, we would know that the Government were serious. If we had an unconditional response on their support for the project, we would go away from the debate much happier.

10.31 am

John Thurso (Caithness, Sutherland and Easter Ross): I am grateful to my hon. Friend the Member for Twickenham (Dr. Cable) for securing this important debate. I congratulate him on the way in which he set out the important issues, particularly the many implications that the Crossrail project has for redevelopment, and on mentioning the support given by all the boroughs and the Corporation of London.

I also thank my hon. Friend for giving me the opportunity to have my first outing on transport matters since I, like some other colleagues, assumed new responsibilities a week ago. Coming as I do from the far north of Scotland, I almost feel as though I am intruding on something private in discussing this very London-centred project. A mere 10 days ago, I was blissfully unaware of most matters to do with transport. I was, as are so many people, a simple, straightforward user of public transport—sometimes a very frustrated one, when using public transport in London.

Since then, I have had an opportunity to meet a great many people and have done a considerable amount of reading. Having done my homework as best I could, I found that the Crossrail project shines out as a scheme that deserves to succeed and has clear benefits, including cost benefits. It is also an example of what should be right in transport policy but is often marred by the vacillation and delay of successive Governments. In that regard, I must say that the Conservative Administrations deserve just as much blame as anyone else.

The project in its current guise was first proposed in January 1989 by the central London rail study. The reasons then advanced for it were the increase in central London employment in the 1980s and the pressure on rail links; those reasons are just as valid today. The cost in 1993 was estimated at £1.8 billion, but afterward there was much to-ing and fro-ing—we have heard about some of that this morning. The project was supported by the then Prime Minister, but thrown out by the then Secretary of State for Transport, Mr. MacGregor, who made it subject to the Transport and Works Act 1992 procedure.

Two reports were made. What was known as the Montague report was produced in 1996, and it said that the project had a good cost-benefit ratio, that it was resilient to pessimistic assumptions about demand and cost, and that private finance could not meet the whole cost. As the hon. Member for Reading, East (Jane Griffiths) said, the project has been dogged by too many reports. Another, undertaken for the Corporation of London by the technology strategy centre at Imperial college, estimated in 2001, first, that there had been a 50 per cent. increase in direct economic benefits over cost in the five years since the Montague report and, secondly, that if Crossrail had been built by 1999, as originally envisaged, it would already be carrying 12 per cent. more passengers than the most optimistic original assessments. It is clear that there is a strong and growing case for Crossrail and the reasons for it have stood the test of time.

Transport is the critical lubricant that allows the cogs of commerce to grind smoothly. It is the duty of Government not simply to maintain the status quo, but to have a clear vision for future development and make those happen. Crossrail is such a vision and it should happen. It is up to the Government to lead. The Liberal Democrats stand strongly behind Crossrail. We back it because it is vital to the redevelopment of east London, especially its economically deprived communities. I urge the Government—particularly the Treasury—to give full support and grant the powers that are necessary for Crossrail to raise its own finance through bonds, if that is required.

I know a little bit about the Olympic bid, having served on the Select Committee on Culture, Media and Sport. In January this year the Committee undertook a report into the bid and the Department for Culture, Media and Sport used Ove Arup & Partners to study its feasibility. On transport,

"Arup said that London could cope with the 125,000 extra 'Games' commuters, even without Crossrail, if the network was managed to 'an unprecedented degree'."

[John Thurso]

Although Crossrail is not essential to the Olympic bid, it would at least be extremely helpful to it. As my hon. Friend the Member for Twickenham said, neither project should depend on the other. There is, however, much synergy between them. When researching that report, I came across a memorandum submitted in evidence by Crossrail that stated that it:

"expects the application for statutory consent for Crossrail Line 1 to be ready in November. It is hoped that this is the beginning of a programme and timetable that will lead to a construction completion date that is"

in

"time for 2001, subject to obtaining powers, finance and procurement. The Line 1 train service itself would be in place by May 2012."

Even in the early part of this year Crossrail anticipated that it could ready in time for the Olympics. Perhaps the Minister can say why there has been such slippage on that programme and whether it is retrievable. The Olympic bid is an engine of regeneration for the Thames gateway. The Office of the Deputy Prime Minister estimated that by 2016 there would be some 295,000 new jobs and 95,000 new houses in the area. If the Olympics go ahead they will help to accelerate and underpin that. Both Crossrail and the Olympics could help regeneration.

The critical issue, as hon. Members said, is funding. When considering funding, two things become clear. First, the longer the project is held in abeyance, the more it will cost—the cost has risen from £1.8 billion in 1993 to some £10 or £11 billion today. Secondly, there will be a benefit to business if the project goes ahead. My hon. Friend the Member for Twickenham said that the London economy would benefit by some £20 billion. That is important.

We must consider how the project could be financed. As my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) said, I hope that the majority of the finance, if not all of it, could come from the private sector. We must consider bonds and the securitisation of revenue streams, which is a straightforward way of securing finance. As the hon. Member for Cities of London and Westminster (Mr. Field) said, we must also consider whether it is possible to use taxation and employ the increase in value arising from development to produce revenue streams for the project.

The Crossrail scheme merits such support. If it requires an amount of Government funding to make it happen, whether seed money or a small percentage of the overall cost, we should not shy away from committing that money to it. When he conducts his spending review, I shall press my hon. Friend the Member for Twickenham to permit inclusion of that in our plans.

If we are looking for reasons for Crossrail to go ahead, we need look no further than the fact that the current cross-London links are at saturation point. The District line can take no more trains, and without a new artery London will begin to clog up. It is time that the Government came clean and were honest with Londoners. They should accept the compelling case, say yes and get on with it, or admit that the Treasury is trying to block the project and kick it into the long grass. I hope that the Government will answer in the affirmative and do so with dispatch.

10.40 am

Miss Anne McIntosh (Vale of York): I congratulate the hon. Member for Twickenham (Dr. Cable) on securing the debate. I join my right hon. Friend the Member for Wokingham (Mr. Redwood) in declaring an interest, but unfortunately it is not worthy of register. I am a one-time shareholder in Railtrack, Eurotunnel, British Airways, BAA, BAE Systems and First Group.

I recently heard that a new definition of "cross rail" is a passenger who travels with Virgin Rail on its new Voyager train and arrives in Penzance, but his luggage arrives by road several hours or days later.

Almost an hour and a half into this debate we are still no clearer about the Liberal Democrats' policy on the Crossrail project, even though we have heard three speakers from that party. Their answer seems to be, watch this space. Furthermore, it is clear that one proposal has secured all-party support over and above the competing proposals, but we seem to be no clearer about what the total cost or the start date will be. The Secretary of State for Transport enjoys one thing in common with the newly appointed Liberal Democrat transport spokesman: both believe that transport is so unimportant that it should be a part-time responsibility, held alongside responsibility for Scotland.

During Transport questions on 15 July, the Secretary of State said:

"Clearly, the precise cost will depend on the route and the construction of the service. As I made clear in my statement yesterday, the Chancellor and I intend to consult London businesses and others to ensure that we secure the best and most effective way of funding the project."—[*Official Report*, 15 July 2003; Vol. 409, c. 141.]

As the hon. Member for Reading, East (Jane Griffiths) said, we are still no further forward—from either 14 or 40 years ago, depending on which historical account one accepts—in knowing the total cost.

I agree that Crossrail will bring huge benefits to London, as my hon. Friends have said. It will cut overcrowding on existing services and will provide a more rapid and efficient method of transport across London. The perceived £10 billion cost is, however, too heavy a charge to put on the taxpayer. In the words of my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), the Conservatives will

"be creative about transport solutions in the big cities—we'll explore entirely private sector means to build London's Crossrail."

Indeed, our mayoral candidate, Steve Norris, has suggested several imaginative ways for funding based on projected increases in property values.

Whichever project is chosen, once the many reviews have been conducted and have reached their conclusions, it must be technically and economically viable and the Government must in the meantime allay fears among the public about existing rail infrastructure, in particular those about the London underground and responsibility for the track post-privatisation. It is clearly unacceptable to have two potentially major disasters within three days, and so soon after that track has been privatised.

Confidence in the railways collapsed when the then Secretary of State forced Railtrack into administration. The Minister need not take my words for it, but those of their own appointed rail regulator, Tom Winsor. On a number of occasions, he has put on record his personal regret that the move into administration of Railtrack led to a lack of accountability of Network Rail and has removed the shareholder discipline, replacing it with a loose group representing 100 disparate rail interests. That is a hopeless situation—yet it is the backdrop against which Crossrail is being considered. Does the Minister accept that the 10-year transport plan is in tatters, especially as we have heard that railway performance is no longer expected to improve before 2010?

The debate raises a number of questions, and I would be grateful if the Minister addressed them. Will any public funds be attached to the project? If they will, what will be their nature—will they be national, or does the Minister think that European Union funds would be attracted to a potential trans-European network? Like my right hon. Friend the Member for Wokingham, I was astonished that the hon. Member for Twickenham had not given that any thought, even though he was fortunate enough to secure the debate. Are the Government confident that private sector support will be sufficient to pick up the whole cost of Crossrail? Will the Government be prepared to guarantee any of the debts that may flow from its construction? Following construction, who will be responsible for maintaining the line?

My hon. Friend the Member for Cities of London and Westminster (Mr. Field) and the hon. Members for Reading, East and for Ilford, North (Linda Perham) spoke about connections across London, most notably the connection to Heathrow. It has been put to me that the Heathrow express—a recent and very successful project, which was privately financed—might be jeopardised by Crossrail. Can the Minister give an assurance that whichever Crossrail project is secured, it will have no implications for the Heathrow express—that people who access that airport from central London will continue to enjoy the Heathrow express? Will the Minister take this opportunity to put our minds at rest on these matters? In addition, will he give a date when the review team appointed by the Secretary of State will reach its conclusions?

All Opposition Members are determined that Crossrail will take shape. I would hate this country's bid for the Olympics to be dependent on the Crossrail project, but it would be ideal if they could be linked. Can sufficient private funding be secured? Will any public funds be attracted to this project and, if so, will they be national or European?

10.47 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): Underneath all the sound and fury and the usual Liberal Democrat opportunism, this has been a serious debate. The hon. Member for Vale of York (Miss McIntosh) just touched on what I was going to refer to—with no unkindness intended—as the dog that didn't bark. We dwelt on one Montague—Nick—who was responsible for the earlier report. The Montague that matters is Adrian, along with the review that the hon. Lady alluded to at the end of her comments.

I was going to start by making a laboured joke about the fact that I am going to the informal Transport Council in Verona on Thursday—although I will not see much of the city—and that this debate was more Montague versus Montague than Montague versus Capulet. I am glad that I did not do so.

Serious matters have been mentioned. However, the context that we must be clear about is receipt of final business case from Crossrail in June or July, the response from the Secretary of State in July, and the subsequent appointment of the Montague team, with it being given a clear undertaking to report by the turn of the year—probably in the new year, but as close to the end of this year as possible. Does that mean that the scheme or any discussions or preparations for the scheme, should be held in abeyance, as one or two hon. Members have suggested? No, it does not. There were extensive talks with Crossrail prior to the appointment of the Montague review team.

I have learned from previous debates not to try to say CLRL too often, for fear of being accused of a lack of sobriety early in the day. I shall refer to it as the Crossrail team—people will know who I mean. There has been constructive engagement with the team and a host of questions has been asked on an array of fronts. One would think from the way that some hon. Members were referring to the important Crossrail project that all we had to do was go to Hamley's and buy a train set. The scheme encompasses substantial infrastructure projects and they should be accorded due importance.

One opportunistic speaker, the hon. Member for Southwark, North and Bermondsey (Simon Hughes), asked, in his finest mayoral voice, whether he could have an assurance that the Government support his party on the matter. He should read paragraph 8 of the original statement: it says that the Government remain wedded in principle to the notion of a cross-London link. The statement could not have been any clearer in its support. We were then asked whether we could give an assurance that there will be a hybrid Bill in November. I would like to give such an assurance, but I cannot. Why not? Because the review has not reported yet. To deal with such serious matters in such a shallow fashion ill becomes the House and is an insult to it.

Montague needs to determine whether the proposals are likely to deliver to time, scope and budget, whether the business case proposals will offer value for money, the extent of Government funding that can be justified in the context of value for money, the proportion of the funding required from non-Government sources and a range of other matters.

Ms Oona King (Bethnal Green and Bow): May I press my hon. Friend on funding? He will not be surprised to hear that only 7 per cent. of businesses back a property tax. Some 24 per cent. back a tax-based solution, 33 per cent. back a bond and 36 per cent. back a share issue. What is the Government thinking on the matter and when will it be announced?

Mr. McNulty: The Government's thinking will be announced when we have seen the Montague review. Adrian Montague himself has said that he is

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"pleased to announce the detailed terms of reference . . . Crossrail has the potential to improve journeys on public transport across a wide area of London and the South East"—

we completely concur with that. He continues:

"But the costs are very high: the scheme put forward by CLRL is forecast to cost up to £10 billion, and that's before any finance costs. Alistair"—

that is, my right hon. Friend the Secretary of State for Transport—

"has asked me to look closely at CLRL's proposals to see whether they are deliverable and, if so, whether they are likely to provide proper value for money. As part of the review, I have been asked to explore how much of the very large cost of this scheme might be justified from the taxpayer and how much might be raised from non-Government sources. I shall also consider whether there are any other ways of delivering a Crossrail project that would offer better performance than the proposals set out in CLRL's Business Case."

Adrian Montague has been asked to report as soon as is practicable. We hope that he will do so by the end of the year.

We are told that there has been a great deal of slippage on the scheme. In fact, there has been none. The Crossrail business plan submitted in July talked about 2013 and rolling out for 18 months as the start of the process, so the siren voices suggesting that there has already been slippage are fundamentally wrong. If the Montague report stacks everything up in terms of funding and the nature of the line and all is well, I would hope that we would be on schedule for a hybrid Bill in November. I cannot say that for sure, because I do not know what the review will report, nor does anyone else in this Chamber—certainly not aspiring third, fourth or fifth-placed mayoral candidates. CLRL has always intended to open over 18 months.

I am astonished to discover that the hon. Member for Southwark, North and Bermondsey is now an engineer, among other things, but the central core going under the Cities of London and Westminster was always the most difficult of the engineering feats. We are told that we could pop back to Hamley's and buy one and get it in place for the Olympics—absolute, unremitting twaddle. Barbara Cassini has said that the Crossrail project has nothing to do with the Olympics and does not fit in with the Olympics. I ask all those suggesting that it does, or that somehow one project will fail without the other, to mind their words. To talk down London's Olympic bid and the success or otherwise of the Crossrail project does no one in London any service. I ask people to reflect before they make such remarks simply for cheap, opportunistic gain, even though that is not unnatural for the third party.

I am delighted—I think that that is a first—that we have here the Liberal Democrat parliamentary version of the three tenors. We have three third party minor spokespersons representing various portfolios, and it is nice to see them. I especially look forward to working with the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) on the transport brief. However, there was some confusion. The hon. Member for Richmond Park (Dr. Tonge) has gone to open a sure start scheme in her constituency—I hope that she thanks the Government for that and that it is there when she arrives, as she once went to open a hospital but found that it was not yet built, although that is by the by. The hon. Lady said that there are many concerns about the loss of the District line beyond Turnham Green. The hon. Member for Twickenham (Dr. Cable) also made various points. I know that there are concerns there, but let us see what the final model will be, so that we can see whether all those concerns stack up.

Typically for a Liberal Democrat, the hon. Member for Richmond Park demanded consultation. Well, there has already been a roadshow and the formal consultation on the business case will start next Monday. I do not know whether she will put out a press release saying that she demanded consultation on Tuesday and that on the following Monday, Crossrail buckled and there was consultation.

I know that Reading, Wokingham and other places outside London are being examined in the context of the Montague review to see what will be best for London. I assume, although I shall discuss this with him, that when the hon. Member for Twickenham mentioned a study in the Department of which he has seen fragments, he meant the fuller business case, not the summary, in which case I urge him to look in detail at the summary and report.

I congratulate my hon. Friend the Member for Ilford, North (Linda Perham) on the establishment of the all-party Crossrail group. Everyone—but everyone—is signed up and wedded to the notion that the scheme should happen, so the opportunistic point of the hon. Member for Southwark, North and Bermondsey was ill made. We are now collectively looking at the details of how to get the scheme off the ground. Today is part of that.

I found the funding issues raised very interesting. All and none of those suggestions are on the table. There was some confusion over whether it is to be 100 per cent. public sector or 100 per cent. private sector. I know that the hon. Member for Westmorland and Lonsdale (Mr. Collins) is on record as saying that he wants to explore a fully private sector-funded scheme. In the context of the Montague review, we shall examine how that could happen. Without getting a brick thrown at me by my Department, I can say that the only certainty is that we can rule out a 100 per cent. public sector-funded scheme. I think that I can do that—touch wood—with some degree of certainty. All the elements suggested by hon. Members are on the table.

Rather than waste precious time now, I shall write to the right hon. Member for Wokingham (Mr. Redwood) about a new station for Wokingham and a proper interchange there. I understand the concerns of my hon. Friend the Member for Reading, East (Jane Griffiths) about why Reading and a western expansion outside London fell off the agenda. I think that that had fallen off the agenda by February 2003, in the interim business plan for the current proposals, so that really is a matter for others. She should blame not me, but people who were responsible for the scheme prior to that date. If she wants some comfort, very early in this round of the game there was a plan for a lovely line through to Amersham and Watford. One option took it through Harrow and Wealdstone and one through Harrow on the Hill, both plumb in the middle of my constituency, so I, too, do not gain under the current business case, and I share her concerns.

The hon. Member for Cities of London and Westminster (Mr. Field) should not dwell on supposedly novel ideas. Last year when I was in the Office of the Deputy Prime Minister, I was told that betterment levies and value capture were all brand, spanking-new civil service ideas. To my certain knowledge, they are at least 40 years old, if not considerably older. When I was a Minister responsible for housing, I thought that it might be useful to read the first chapter of Dick Crossman's diaries, on when he held a similar post. By page 3, he was discussing the betterment levy and capture when there was a windfall gain. All those elements must be in play if we are collectively, across the parties, serious about securing a very substantial contribution from the private sector, which will be needed if the scheme is to prevail.

It is not fair to use the Jubilee line as an example to suggest that Crossrail will somehow dribble into the sand because it is a public sector-private sector mix. The channel tunnel rail link was completed on time, on budget and is a paragon of British engineering success. All of us—in the public and private sector—should be very proud of it.

We want Crossrail to happen, and we want to do all that we can to assist. There are a number of things going on with the team that mean that the project is not being held in abeyance, and I urge all those present, and all those who have London's welfare at heart, to examine the Montague review carefully when it is published in all its glory in January or February next year.

Legal Services (Northern Ireland)

11 am

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): From the outset, I should declare an interest in that I was a solicitor for 20 years and have been a member of the Bar for six. In all of those years, I have not come across anything like the case of my constituents Dr. and Mrs. Donnelly of Hengwm, Tal y Bont, Barmouth in my constituency.

The matter arose due to complaints being made against two of the large solicitors firms in Belfast namely McCartan, Turkington, Breen of Chancery house, Victoria street, Belfast and Parnell Kerr Forster of 22 Great Victoria street, Belfast. The complaints arose out of their conduct in relation to the acquisition of a limited company, Stagecoach Inn Limited, which I shall refer to as SCIL. It was owned and operated by people in Belfast, and the Stagecoach was one of the best-known public houses in Northern Ireland. The company's issued share capital was 60,000 ordinary shares at £1 each, of which my constituent had 14,500. In addition to being a shareholder, Dr. Donnelly was also a director of SCIL, being appointed in 1979. The day-to-day management of the licensed premises was undertaken by a Mr. and Mrs. Davidson who were also shareholders of SCIL. Due to difficult trading conditions, a decision was taken during 1984 that SCIL should be sold.

A purchaser, Mr. Conor Kelly, was found and the company's shareholders instructed Messrs Parnell, Kerr and Forster to act on their behalf, and the purchaser also approached them. Mr. Conor Kelly then duly instructed Messrs Heneghan and Company, solicitors, to act on his behalf. Mr Kelly, via his solicitors, negotiated with SCIL's shareholders' solicitors, Messrs McCartan Turkington and Breen, and matters progressed well, with all parties looking towards completion. During the transaction, its nature changed from being a pure sale of the freehold and the premises to a sale of actual shares in the company—a total sale in other words. That indeed happened, and was completed on 1 November 1984.

It was not until about 12 years after completion of the sale that Dr. Donnelly became aware of the identity of the purchaser despite being a vendor of the company. That followed a company search, which revealed the identities of the new directors, who were also purchasers. Dr. Donnelly knew of the transaction as a whole, but did not know the identity of the purchasers. At no time were his views solicited in relation to the terms of the share sale agreement, in particular in relation to price and its ultimate calculation or the mechanism for payment of any consequential liabilities.

More surprisingly, and unknown at the time to my constituent, the purchaser appeared to be a consortium comprised of a number of partners of McCartan, Turkington and Breen—Mr. Turkington and Mr. Breen becoming directors of SCIL—and, incredibly, Parnell Kerr Forster, who were the solicitors acting for the company. Mr. Francis Gerard French of that firm also became a director of SCIL.

The following terms were agreed in the share sale agreement. A notional sum of £225,000 was to be paid to the shareholders, equating to about £3.75 per share. That was payable as follows: first, £15,000 deposit on

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the 12 November 1984; secondly, the sum of £135,000 on account on completion on 1 November 1984; thirdly, there was to be subtracted from the notional sum of £225,000 the losses that had occurred within SCIL recorded to 31 August 1984, together with further losses that had occurred between 1 September 1984 and 31 October 1984, as calculated by the auditors, PKF, and certified in audited accounts; and, fourthly, further sums were to be deducted in respect of fees incurred by J. A. Whelan Best, PKF, and McCartan Turkington Breen, where two of the partners were purchasers.

To facilitate completion of the sale, Dr. Donnelly received a telephone call from Mr. Courtney of PKF indicating that his presence was urgently required in Belfast in connection with matters arising from the proposed sale. I have seen a letter from 2 October 1984 written by Mr. Courtney to Dr. Donnelly and enclosing a copy of a power of attorney, which Dr. Donnelly subsequently executed. A copy of the power of attorney has been made available to my constituent and is dated 29 September 1984. It is signed by Dr. Donnelly, and witnessed by his mother and an Andrew James Wilkinson of PKF. The power of attorney is general and is not limited in scope simply to signing the share sale agreement.

In relation to post-completion matters, in my constituent's letter to the firms on 29 November 1984, he confirmed his telephone conversation the previous day with Mr. Courtney and, in particular, his instructions as to how the proceeds of sale from his shares in SCIL were to be dealt with. Those instructions were as follows: sale proceeds of 12,000 of those shares were to have their cash equivalent remitted to him, and cash proceeds referable to the sale of a second tranche of 2,500 shares were to be invested to provide an income for his mother, by which I understand that he meant that the money was to be invested in trust for her.

Notwithstanding those instructions, Mr. Courtney wrote to my constituent on 21 December 1984 enclosing a schedule setting out how the proceeds of sale had been, or were proposed to be, appropriated. Consideration of that schedule showed that in addition to losses and costs certain debts were also taken into account prior to the distribution being made to my constituent. It appears that the following amounts were deducted: a Stagecoach/SCIL debt of £27,175, taxation of £17,185, and a bank loan of £14,031. I cannot see any contractual provision contained in the share sale agreement that confirms that those deductions were authorised. At no stage was my constituent consulted and he did not have an opportunity to corroborate the amounts.

In the event, my constituent received from PKF the sum of £12,000, plus £5,000 of bonds, and confirmation that the balance due, the sum of £17,880, was owed to Dr. Donnelly by his mother. It appears that that balance was paid directly to my constituent's mother without any express or implied authority from my constituent to deal with that money in that way.

It would appear that the complaints against both firms arise out of their failure to advise properly in relation to the meaning and implications of the general power of attorney. That pertains particularly to Brian Courtney and the representation of my constituent in relation to the share sale transaction. There was also a failure to give any advice in connection with the share sale agreement and, in particular, with potential personal liability, valuation and price per share, the effect of the warranties contained within the agreement, the identification of the purchaser, potential personal liability pursuant to warranties, undertakings concerning competition, and the meaning and effect of confidentiality covenants. Also, there was a failure to give any notice or request any instructions about the appropriation of the proceeds of sale and to act upon my constituent's written instructions concerning how he wished the proceeds of sale to be received and accounted for.

Finally, there were various conflicts of interest including a potential conflict of interest between my constituent and his mother in how the proceeds of sale were to be appropriated; a clear potential conflict of interest in the way in which PKF acted on my constituent's behalf while also apparently acting as expert in the production of completion accounts for the purposes of identifying losses that were to be subtracted from the sale price, given the involvement of a partner as one of the purchasers; and, finally, a failure to give proper advice on how the calculation of such losses was undertaken. There was also a failure to obtain instructions, notwithstanding the existence of a general power of attorney in respect of the apparent change of purchaser.

One of the difficulties that Dr. Donnelly faced was that his mother was suffering from multiple sclerosis, which had been diagnosed in 1977. Her condition had deteriorated. She was unable to draw any of the benefits to which she otherwise would have been entitled because of the capital sum that had been paid over to her without Dr. Donnelly's authority.

Dr. and Mrs. Donnelly have subsequently been in protracted correspondence with the Law Society of Northern Ireland. In a letter dated 1 January 1999, they asked whether the Law Society would say that professional ethics were central to proper standards of behaviour; whether it was professional or ethical for a solicitor in Northern Ireland to act for both owner and purchaser; whether it was professional or ethical for a solicitor in Northern Ireland to act for both vendor and purchaser and also to be involved in the transaction personally; whether it was ethical for a solicitor in Northern Ireland to accept a general power of attorney if he was acting for both buyer and seller and if he himself was one of the purchasers, and not to investigate the provenance of that power of attorney, considering that the document was drafted by an accountant whose partner was also a purchaser, a future shareholder and a witness to the signing of the power. Almost incredibly, the letter did not elicit any action from the Law Society.

In August 1999, my constituent asked the lay observer, Professor Vincent Mageean, to look at the failure of the Law Society to investigate Mr. Turkington and to maintain standards in the profession. He was asked repeatedly to investigate conflicts of interest that the society may have failed to declare, as my constituent felt that the Law Society was protecting Mr. Turkington.

The lay observer stated in his report that he was always given information that he requested from the Law Society. He declared that he had no reason to believe that Mr. Turkington had held any office in the

society. Two years later, in 2001, we discovered that Mr. Turkington had been a committee member of the Law Society for many years and had been a past president in 1986, just over a year after what has been put forward by my constituent as an alleged fraud. When faced with the evidence, the lay observer wrote that he did not feel that that constituted any form of conflict.

Correspondence continued with the solicitors disciplinary tribunal between 1999 and 2002. The secretary, Donal McFerran, informed my constituent that he needed a copy of the 1980 solicitors practice regulations to draft a formal complaint to the tribunal. Mr. McFerran claimed that none of the lawyers on the tribunal had a copy of the document. One lawyer, Michael Wilson, was about to send a copy to my constituent when Mr. McFerran prevented him from doing so. Mr. McFerran wrote that there is strict impartiality in the tribunal and no connections with the Law Society of Northern Ireland. We later discovered that Mr. Butler was a lecturer and examiner for the society and that the entire tribunal is chosen by it. There is no impartiality whatsoever.

Correspondence continued with the Northern Ireland Human Rights Commission. Two years later, Brice Dickson finally decided that the commission could not help. The fraud squad agreed to investigate the matter if my constituent found a lawyer who was willing to bring a case.

The situation is dire and every effort has drawn a blank. An individual, the Law Society of Northern Ireland or the lay observer can refer matters to the solicitors disciplinary tribunal for Northern Ireland. My constituents complained that the individuals and the Law Society saw nothing wrong because they were shot through with conflicts of interest, while the lay observer would not take up the matter.

That leaves my constituents absolutely nowhere after all those years of hard work going from pillar to post. I secured an Adjournment debate similar to this one about 18 months ago. I am not making conspiratorial accusations, but it was disappointing that two days before the debate took place, a Government Minister rang me and said, "Because of the Northern Ireland Assembly, the matter is devolved and is not within the Lord Chancellor's Department", which effectively pulled up the stumps for that debate. That is not a back-door accusation against anyone, least of all the Minister concerned, whose position I fully understood. Following that telephone conversation, I even corresponded with the Deputy First Minister of the Northern Ireland Assembly, but nothing came of it.

I am terribly disappointed on behalf of my constituents. There has been not only misconduct but something worse. We are discussing a group of fairly high-powered lawyers and accountants in Northern Ireland taking proceeds of sale, taking over a company and running a business with no regard for the rights of those to whom the business belonged. That cannot be right. It is nearer fraud than it is a disciplinary offence.

I urge the Minister to do his best to ensure that some justice comes my constituents' way. It has been said that because of the length of time that has elapsed the statute of limitations would probably bar legal actions for recovery of the funds owed. That may or may not be true, but where fraud is involved there is no statute of limitations, so the matter is still at large. I contend that one should go to law only when all other avenues have been fully examined. My constituents have examined most of the avenues, but the door has been peremptorily shut in their faces at the end of each and every one of them. I urge the Minister to examine the problem anew. I know that it is fairly new to him and I am not expecting cast-iron guarantees, but I ask him to examine the issue carefully and to liaise with his colleagues in Northern Ireland and the LCD.

I shall conclude with a quotation:

"Steps should be taken to achieve better representation on the Professional Conduct Committee"

in Northern Ireland.

"Currently it is dominated by the male staff of larger firms in Belfast."

That description of the Law Society of Northern Ireland casts a long shadow over the whole unfortunate affair. The quotation is from the lay observer's 21st annual report 1997–98. That is the same lay observer who has vehemently declined to act in the matter.

11.18 am

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): I congratulate the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on securing this debate on what all of us in Parliament hope will be a momentous day in Northern Ireland's political history. He outlined a serious complaint made by his constituent relating to a legal transaction conducted by solicitors practising in Northern Ireland. He has done so in a typically cogent and forceful way and I applaud his diligence.

The hon. Gentleman is right to say that the matter is new to me. I cannot comment on the detail of the case. Notwithstanding events occurring across the water, however, what is said and placed on record today will benefit his constituents and keep open the arguments on the complaint.

The hon. Gentleman referred to difficulties encountered with the Law Society of Northern Ireland and the lay observer—both have statutory roles in connection with the regulation of solicitors in Northern Ireland. I shall begin by setting out the arrangements for the regulation of that profession because the regime differs from that operating in other UK jurisdictions.

The relevant legislation is the Solicitors (Northern Ireland) Order 1976, as amended by the Solicitors (Amendment) (Northern Ireland) Order 1989, under which there is self-regulation, with a complaints procedure administered by the Law Society of Northern Ireland. Complaints made to the Law Society are dealt with in the first instance by its secretariat and then by the client complaints committee, formerly known as the professional conduct committee, which investigates the background to the complaint and allegations made about the quality of services provided by a solicitor. The circumstances underlying complaints include undue delay, withholding or loss of documents, bills and accounts, disclosure of information, dissatisfaction with advice and ethics and inappropriate behaviour.

The client complaints committee may issue guidance, directions, admonition or warning, or it may refer a complaint to the solicitors disciplinary tribunal, which

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has extensive powers and a range of sanctions, including admonishing the solicitor, imposing fines, restrictions on practice and suspension, striking off, and ordering payment of costs or restitution. A client or member of the public may also bring a complaint to the tribunal and there is scope for the lay observer to refer complaints to it in certain cases.

I have some direct responsibility for the role of the lay observer, who is appointed under article 42 of the 1976 order, as amended by Article 17 of the 1989 order. The Department of Finance and Personnel makes an appointment after consultation with the Lord Chief Justice of Northern Ireland. It is important to recognise that the lay observer is not a solicitor, barrister, or Government official. He provides independent oversight of the Law Society's handling of complaints and has a monitoring and reporting role. The Department may, after consultation with the Lord Chief Justice, give general directions to the lay observer about the scope and discharge of his functions. The Department does not intervene in his consideration of the complaints handling process in any individual case.

The functions of the lay observer are twofold. First, he reports on the nature of the complaints made to the Law Society of Northern Ireland about the conduct of solicitors and how they are dealt with by it. Those reports are furnished to the Lord Chief Justice, the Department of Finance and Personnel and the council of the Law Society. They are also laid before the Northern Ireland Assembly. Secondly, he examines any written allegation made by, or on behalf of, a member of the public concerning the society's treatment of a complaint about a solicitor, or employer of a solicitor, made to the society by that member of the public or on his behalf.

If, during the examination of any such allegation, it appears to the lay observer that questions arise about the professional conduct of the solicitor and the quality of professional services provided, he may make an application to the solicitors disciplinary tribunal about the solicitor concerned, as the hon. Gentleman outlined. He may do that if he thinks that it would be appropriate for the tribunal to consider the quality of professional services provided, with a view to determining whether it should exercise any of its powers to impose sanctions under article 51A. Sanctions for inadequate professional services relate to the determination of costs and setting time for the completion and rectification of errors, omissions or deficiencies at the expense of the solicitor.

The yearly report of the lay observer provides statistical information about the nature of complaints and their outcomes. In the report for 2002, some 286 complaints were made to the Law Society—a decrease from 309 in the previous year. The report does not deal with the details of any individual complaint. The lay observer does not comment on the merits of individual cases, because his responsibilities are confined to the complaints handling process.

When the report is received it is laid before the Assembly. The council of the Law Society is required to consider any report and notify the lay observer of any action in consequence of the lay observer's comments or recommendations. In addition, substantive responses are submitted from the Department. The lay observer assesses those responses and, where appropriate, returns to the issues in his next report and indicates whether he is satisfied. In that way, a measure of transparency and accountability is achieved in the system.

The complaint to which the hon. Member for Meirionnydd Nant Conwy referred, as he fully outlined, involves a transaction entered into in 1984 for the sale of shares in a company, and allegations of conflicts of interests and improper advice arising at that time. As I have suggested, I am unable to comment in detail on the circumstances of an individual case and hon. Members will appreciate that it would be inappropriate for me to do so. I shall therefore outline for the hon. Gentleman the procedures that have been followed to date.

I have been informed that the Law Society's professional conduct committee considered the complaints in 1998. The committee did not accept the arguments and allegations put forward by the complainants and took no further action in relation to the two firms involved. As the hon. Gentleman pointed out, the handling of the complaint was examined by the lay observer in 2000, and after lengthy examination and due deliberation he decided that the Law Society had acted properly and that he would not make an application to the solicitors disciplinary tribunal for its consideration. However, he advised the complainants that they had the right to contact the tribunal themselves directly. He also decided to make some recommendations of a general nature to the Law Society on the subject of client care, which had arisen from his examination of the documents in the case. The complaint was not, in the event, referred to the tribunal by the complainants.

Mr. Llwyd: As a matter of record, it was. I refer to the secretary, Donal McFerran, who said that he did not have a copy of the appropriate regulations under which a complaint should be handled. The tribunal was therefore contacted, but it was not interested in taking the matter forward.

Mr. Pearson: I thank the hon. Gentleman for his comments. I am sure that they will be drawn to the attention of those that need to know. I am also aware that the complainant referred the case to the police, but that no criminal prosecution was brought. Currently, no other legal proceedings are being instituted.

The hon. Gentleman has made some serious allegations and it is important that we consider them further. They also raise a more general issue about regulation of the solicitor profession. It is recognised that there is a need for a review of the system of regulation for the provision of legal services in Northern Ireland. The Department of Finance and Personnel has said in its response to the lay observer's report for 2002 that it would want to explore all of those issues. The best context for doing so would be the devolution of justice functions in Northern Ireland, which would facilitate a thorough evaluation and allow the Northern Ireland Administration to take a comprehensive view of the whole area. Following elections and restoration of the Assembly and the full implementation of the Belfast agreement, that will be possible.

It is true that the system is different in England and Wales, as the hon. Gentleman will know from his background as a solicitor and barrister. The legal

services ombudsman provides independent supervision of the self-regulatory process. As the hon. Gentleman will be aware, the Department for Constitutional Affairs recently announced proposals to bring into operation provisions in the Access to Justice Act 1999 to establish a legal services complaints commissioner. There are powers in England and Wales that have no parallel with the situation of the lay observer in Northern Ireland. That is something that a devolved Assembly and devolved Ministers will want to pursue in due course and that may well be the best way forward for the hon. Gentleman's constituents.

11.30 am

Sitting suspended until Two o'clock.

National Insurance Fund

2 pm

Paul Flynn (Newport, West): The national insurance fund, along with the national health service, was the supreme achievement of social welfare legislation in the 20th century. It was an act of great courage by Lloyd George to face down his many enemies and introduce an insurance fund reform, which has delivered five generations from the worst effects of poverty. We contemporary politicians should be ashamed about what we have done to the fund over the past 25 years. The purpose of this debate is to list the recent damaging changes that have disfigured the vision of the pioneers. The scheme has been neglected, looted, distorted, undervalued and degraded.

When I was reading a website called "Gathering the Jewels", I was struck by an example of how people used to feel about social legislation. The website contains a poem written in praise of a parliamentary Act. Sadly, that does not happen these days, with landfill tax legislation and the aggregates levy for example, although the poet laureate might address himself to that. I will quote one stanza of the poem, in Welsh first:

"Pwy all fesur gwerth y cysur,
Dygir 'nawr I lawer ty,
Yn lle tristwch du, gorlethol
Gwelir yno obaith cry'
Ofn y tlotty wedi ei symud-
Llethol ofn i luaws mawr-
A phelydrau disglair, goleu,
Yn mynegi hyfryd wawr."

[Hon. Members: "Hear, hear."] I can see that that has stirred the blood of hon. Members. This is what it was saying in that extravagant language that now feels alien and exotic:

"Who can measure the value of comfort
That will visit every home?,
Where once [illegible]lack overwhelming sadness,
Now strong hope is seen.
The great fear of poverty has been lifted
From a host of people,
And rays of brilliant [illegible]ing light
Heralds a lovely dawn."

If only we could get our constituents to appreciate our efforts in such terms in these pedestrian days.

David Lloyd George sold the national insurance fund to a suspicious public, particularly the well-heeled, articulate and prosperous, by saying that people would put in fourpence and get out ninepence. That is the way in which the system worked for a long period. It was very good value: fourpence was put in by the employee, the employer contributed thruppence and the Treasury tuppence. When the scheme began, it was very popular. It was reformed in 1948.

The fund is the essential part of our body of social insurance. The system operates on a pay-as-you-go basis: people of working age and their employers pay national insurance contributions based on their earnings. By doing so, they earn the right to pensions and other benefits. Because it is a pay-as-you-go system, it is never possible to identify a particular pot of money

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or a share in the fund as belonging to a particular contributor. That does not make the rights earned by contributions any less real. In the long run, the system can work efficiently only if all concerned believe that it will be administered fairly and openly, and that the money paid in will be used for its intended purposes. The way in which the fund has been manipulated during the past 25 years has done little to encourage that belief.

The fund works by collecting national insurance contributions, paid by employers, employees and the self-employed, to pay national insurance benefits, of which by far the most important—and the main reason for this debate—is the retirement pension. This year, national insurance benefits are expected to total about £55 billion, of which £46 billion will be for retirement pensions. What happens with the fund affects all those receiving retirement pensions. Part of the fund's job is to retain a relatively small balance, enough to ensure that it remains solvent in unforeseen circumstances, such as a fall in the number of people in employment, which would mean a fall in the number of people paying contributions.

The Government Actuary's report states annually how much is in the fund and how healthy it is. That ensures that the expected income for the coming year is sufficient to cover the cost of the benefits, and leaves what is described as a "reasonable working balance". The Government Actuary views as reasonable a balance of one sixth of the previous year's total benefits. It is important to understand that to realise the extraordinary position that the fund is in today, with a vast, unneeded surplus. In recent years, the fund has been collecting far more in contributions than it has needed to pay the benefit.

An early-day motion of February 1999 noted that the balance at the end of that year was expected to be £5.9 billion. It suggested, usefully I thought, that the unneeded surplus could be used to increase the basic pension to the level of the means-tested minimum income guarantee. That would be a useful way of ensuring that the many people who do not claim their full entitlement—the genuinely poorest pensioners—got their pension as a right and did not have to become supplicants in asking for it. Unfortunately, that was not done and the surplus has continued to grow.

The Government Actuary's latest report shows that by March 2004 the fund will have a balance of £29.3 billion, which is more than three times the recommended level. The unneeded surplus will have risen to more than £20 billion, so it is far from being a pay-as-you-go system. It is a profitable enterprise, which is fine—we are very happy with profits in classic Labour. However, the profits should be applied in a sensible way, because the source of the fund's profits is the money paid in every week by working people and their employers to meet current benefit costs. However, a significant part of that money is no longer used for that purpose; it is being salted away in Government stocks.

The main effect on the fund came with the breaking of the link between pensions and earnings. It is fascinating that the Conservative party has now espoused the restoration of that link. For five continuous years, early-day motion 1 on the Order Paper sought the restoration of the link. I have looked back through the signatures—there were usually more than 100 each time—but not one Conservative Member signed during those years. From 1980 to 1997, having broken the link, the Conservatives kept it broken. If there were a Nobel prize for shameless political opportunism, it would go to the Tory party, which claims to be the apostle of the restoration of the link.

I welcome the Tory party's espousal of the policy—as a non-Government organisation, it can be a useful pressure group to advocate new policies. I speak today in the hope that it will take up the restoration of the integrity of the national insurance fund as another brand new policy. What happened with the breaking of the link was significant and simple. National insurance contributions are calculated as a percentage of earnings, and as earnings rise, the fund's income from contributions automatically rises by approximately the same percentage.

Until 1980, the state pension also rose roughly in line with average earnings. The earnings link itself was only a statutory requirement for a brief period of five years but, in practice, pensions and earnings rose broadly in line with inflation from the war until 1980. Of course, if contributions and benefit levels rise in that way, the effect is entirely neutral. That was the happy situation until 1980, when the earnings link was broken. In what was the grandmother of all stealth taxes, contributions continued to rise in line with earnings, but benefits rose only in line with prices. That went on for 17 long years of salami cuts for pensioners. That was extremely lucrative for the fund, and led to there being so much money in the fund that in 1987 the Conservative Government decided to abolish the Treasury contribution.

Before the Treasury contribution was abolished, fourpence came from the employee, thruppence from the employer and tuppence from the Government. That tuppence was taken out. That is the most significant change to the fund in the past 25 years. The Treasury contribution was 18 per cent. of the combined contributions of employers and employees—a very substantial sum. That was paid in for most of the second half of the previous century. In the first part of the century, a similar amount was paid in. The Treasury contribution stayed at 18 per cent. under both Conservative and Labour Governments until it was phased out in the 1980s. There is now no Treasury contribution as such.

Legislation provides for a Treasury grant to be paid in if the fund looks like going into the red. That happened for a brief period after the fund had been looted for the 2 per cent. bribe used to promote private pensions in that dreadful mis-selling disaster started and inspired by the then Government. That legislation still exists. However, with a surplus of nearly £30 billion in the fund, there is not much risk of that at the moment.

There is a strong case for the Treasury contribution to national insurance to be restored. Although the entitlement to benefit has rested mainly on the individual's record of contributions—one gets what one pays for—it was recognised from the start that some allowance must be made for periods when a person did no paid work; hence the system of contribution credits which, as much as anything, distinguishes social insurance from commercial insurance. The recently introduced state second pension, with its generous

system of credits for carers and disabled people, is an excellent example of that, and is a justification for the Treasury paying the supplement. However, if people are to receive, on the ground of social justice, benefits for which they have not paid through their own contributions, by far the fairest way of financing those benefits is through general progressive taxation—by a direct grant from the Treasury—not taking it out of the contributions of those putting money in for their own benefit later.

Reintroducing the Treasury contribution at the level at which it stood before it was phased out would increase the fund's income by about £11 billion in the current year—enough to pay for an increase in the basic pension from £77.45 to £95.60 a week. We are talking about enormous sums. There would be vast consequences for pensioners. A Treasury contribution would also result in similar increases in widows' and incapacity benefits, without even touching the existing £20 billion surplus in the fund.

Another painful period followed the 2 per cent. bribe that was offered after the abolition of the Treasury contribution. That was one of the most shameful episodes in the career of that Parliament. In that disastrous campaign to sell dodgy personal pensions, people were invited to accept what was claimed to be a gift from the Government of £5,000. Part of that was a bribe of a 2 per cent. reduction in NI contributions, which was made at the expense of all those people—the majority—who stayed in the state scheme.

More recently, the fund has suffered massive losses through the introduction of a series of new taxes. I believe that we all admire the new laws that encourage environmentally responsible behaviour by employers. First, there was the landfill tax, then the aggregates levy and, most recently, the climate change levy. In each case, the Government decided to compensate employers as a whole by reducing labour costs, and the simplest way to do that was by reducing employers' NI contributions. That may make administrative sense. There may be a good reason for doing it that way and putting on a charge. It may be the most efficient way to do it. Regardless, the Treasury collects the money.

As a result of recent questions to discover the extent of the loss to the NI fund, I discovered that the fund will lose £1.2 billion this year in compensation for the climate change levy and £0.4 billion for the aggregates levy. I have been told that the effect of the landfill tax on the fund cannot be calculated, but it is entirely safe to assume that the three taxes together are costing the fund some £2 billion a year in reduced employers' contributions, although none of them has the slightest relevance to national insurance. Why on earth should a fund that is devoted mainly to rewarding pensioners for their contributions be looted in that way to pay for the whole country's responsibility for environmental taxes? It is entirely perverse and damaging that that should happen.

There has been a further obscure loss to the fund that is, perhaps, surprising. I believe that we would all agree that we should pay more taxes for the health service. However, when the extra 1 per cent. contribution for the NHS was introduced, the idea as promulgated was that it would simply be handed over to the NHS and that the amount of money available for pensions and other benefits would not be affected in any way.

The truth was revealed in paragraph 10 of the Government Actuary's report of February 2003. It explains that, although the extra 1 per cent. employers' contribution is payable only on earnings above the secondary threshold of £89 a week, the amount paid to the NHS is defined as a percentage of all earnings, not just earnings above the threshold. It is difficult to believe, but the result is that an extra £1 billion a year over and above the 1 per cent. contribution is being transferred from the NI fund to the NHS. Again, that is without logic or sense. It is grossly unfair to the principal beneficiaries of the NI fund.

What all that amounts to, adding up the results of all those changes, is that the current annual income of the NI fund has been reduced by some £13 billion a year and its annual expenditure increased by another £1 billion—a total loss of £14 billion a year. That is almost exactly one third of the total bill for retirement pensions. It is a vast amount that, if it were available, would easily allow the minimum income guarantee to be at the same level as the basic pension. The basic pension would then be paid.

As many hon. Members have said in the House, the great problem with the poorest pensioners is that they have lived their lives in self-respect and dignity and never taken a handout. Many pensioners will say with great pride that they have done that and never had to seek any handout from the state. When they reach retirement age, they say that they are not going to start doing it. They say that they have paid their dues—their contributions—and they see no reason why they should ask for income support to raise their income to what the Government define as a basic necessity of life.

Now we are in government, we have exchanged scripts from when we were the Opposition. I remember a Government spokesman saying that we must not talk about stigma, because that was a bad word and would discourage people from claiming income support—the same thing was said before 1997 by the Tory Government. That group of people still remains. Although we do not know the precise number, there are probably around 500,000 of the poorest pensioners living below the level of the minimum income guarantee.

Despite all the losses that the fund has taken and all that has gone on, there is still a massive and steadily growing surplus, which currently stands at £20 billion. That is over and above the working balance recommended by the Government Actuary. Is it any wonder pensioners reject the argument that says that an increase in the basic pension to the level of the minimum income guarantee is unaffordable? Is it any wonder that young people have so little confidence in a state system that says that they will be paid adequate pensions, as promised, when we see the chicanery that has happened under Labour and Tory Governments in recent years?

If the Government are looking for new ways to spend the huge surplus, there are many ways they could do it. One of the most heart-breaking situations is the suffering of Allied Steel and Wire pensioners and, to a lesser extent, those of Bell Lines in my constituency. Those people paid into their occupational pension funds and expected something at the end of it. They now feel that they will be short-changed, or that they may end up with no pension at all.

It would be far more appropriate if the Government found out what the finite amount involved is and decided—exceptionally, for a limited period—to

[Paul Flynn]

compensate those who have lost their pensions for no reason at all. There would be a very small amount involved, compared with the sums of money in the national insurance fund at the moment.

Kevin Brennan (Cardiff, West): My hon. Friend's argument is compelling and reveals a lot. Is he aware that one of the arguments advanced about why Allied Steel and Wire workers, and others in the same position, cannot be compensated is that the Government do not stand behind private pensions? He has, however, revealed to us this afternoon that the Government of the day raided the national insurance fund to subsidise dodgy private pensions, rather than the rock-solid private pensions that workers were told—indeed, compelled—to join when they went out to work. Would not it be much better to use any surplus in the national insurance fund to compensate those workers, thereby restoring confidence in occupational private pensions?

Paul Flynn: That is entirely right. We know the Government's objection to having a bottomless pit of compensation that might go on and on. However, the law could be changed to ensure that the disaster of Allied Steel and Wire would not be repeated in future. If there is any cause precisely associated with the social insurance fund that must be at the top of everyone's list, it is the one I am talking about. That is far more relevant than the green taxes, which have no connection with the national insurance fund at all.

After the sad effects of the past 25 years, we must make a move to restore people's faith in social insurance. A group known as Catalyst published a pamphlet called "Better Pensions: the state's responsibility". It suggests one possible way of restoring faith in our social insurance system. It proposes the appointment of a national insurance commission consisting largely of representatives of contributors and pensioners, which would be responsible for fixing benefit and contribution rates and proposing structural changes to the benefit system. The Government and Parliament will still have the final say, but if the Government want to impose changes to benefits or contributions that are contrary to the views of the commission, they would have to lay before Parliament a full statement of the reason, which could then be debated by the House.

That proposal is similar to one that was published a while ago by Tony Lyons in a booklet called "Our Pensions". He made a persuasive suggestion that the whole national insurance fund should be placed at arm's length from Government, so that they are not tempted to interfere with it when dealing with matters that are entirely extraneous to the fund. The fund should be divided into two sections: one that is invested and one that is kept as a static fund. Managers of the fund should be rewarded on the successes of their investments and on the contributions that they manage to pay out. That is where we stand.

David Lloyd George introduced a marvellous and brave law, but we are now far away from the bright new dawn that was then envisaged. There are dark clouds over the pension industry and pensions themselves. There is a way out, and that is to rebuild confidence in the social insurance principle, so that people know that if they put money in they will get it out at the end. Instead of getting ninepence for fourpence, sadly, the deal for many people is that they put in ninepence and get fourpence. All parties in the House should combine to restore the full confidence that the national insurance fund enjoyed in the past, and to recreate it on a fair, just and reasonable basis.

2.27 pm

Mr. Steve Webb (Northavon): One of the joys of these extended Westminster Hall debates is that they provide the opportunity to think and reflect. We should all thank the hon. Member for Newport, West (Paul Flynn) for giving us the chance to do just that this afternoon and congratulate him on a thorough presentation and documentation of what has been happening to the national insurance fund since David Lloyd George—who is his forebear as much as mine—introduced it 100 years ago.

I broadly agree with the hon. Gentleman's analysis of the problem and of where we have got to, but I part company from him when it comes to where we should go from here. I agree that national insurance has become, to all intents and purposes, another tax. It raises a pot of money that Governments feel free to dip into for whatever purpose suits them at the time, and a lot of what goes into the fund does not earn any entitlement anyway. Employer contributions, which are of course greater than employee contributions, earn no rights whatsoever, but are just a payroll tax. Class 4 national insurance contributions accrue no benefit rights; they are just another tax. Much of what goes into the fund is tax by any other name. The examples that the hon. Gentleman gave of what is done with the money—relieving employers of payroll burdens for green taxes and that sort of thing—is further evidence that we simply have a pot of money with an historic boundary around it, which is increasingly hard to justify.

I also agree that there are plenty of good things that we could do with the money. We can all think what we might do if we had £20 billion. There is sometimes the sense that this is free money and that we can spend it without it costing us anything—I do not accuse the hon. Gentleman of that. We need to remember that every pound spent from the national insurance fund using up that surplus is another pound on aggregate Government borrowing. If Government raised another tax and spent that money, it would have the same effect. I am not sure that we can spend that pot of money in any meaningful sense. The money is being raised through a direct tax and if we put the Treasury supplement back in, we would have to raise other taxes to pay for it. It is certainly not free money, and we must be careful not to give that impression.

If national insurance has effectively become a tax like any other—I suspect that that is the way that we have gone—what do we do about that? The hon. Gentleman's principled position is that one restores the original intent of the national insurance fund and recreates social insurance. My problem with that is that social insurance has become a system of exclusion. Social insurance today involves a set of rules that stop a set of people from getting benefits.

By and large, men pay national insurance; virtually all who work earn above the lower earnings limit, therefore virtually all accrue pension rights. A number of women

do not do so. Many women who have two part-time jobs below the lower earnings limit accrue no pension rights at all. The rights of carers are limited. Although the state second pension gives rights to carers when their child is up to five years of age, a mum who is not earning, or not earning up to the lower earnings limit, and whose child is six gets no protection.

National insurance today excludes a subset of people, predominantly women, and predominantly the low-paid. Do we really want to reinforce that structure, or do we want to develop a new one? We should move away from a situation where people's retirement pensions are linked in a complicated way to their record of national insurance contributions during their working lives. All that does is create a lot of infrastructure and administrative cost to keep a small number of people out. That is what national insurance does—it excludes a minority.

Henceforth, we should have a citizenship-based pension whereby each year one accrues a right to a year's worth of state pension—or a 40th, or whatever the percentage is—on the basis of having been a citizen of the country. The effect of that would be to bring in women who work part-time, are low-paid or carers and so on. That would ensure that people are getting a good pension in their own right, rather than excluding people.

The reason I suggest that now when it would not have been the right system 100 years ago is that Lloyd George's model for the pension was that what was needed—this was particularly true post-war with the Beveridge model—was that the pension should be enough to support the man and his dependants, not to support women in their own right. In other words, it did not matter that women were excluded from national insurance because they did not need pensions—they depended on their husbands. We do not want to reinforce such a structure.

We want a citizenship model that allows people to earn pension rights through being a citizen. Therefore, social insurance ceases to be relevant to the basis of entitlement for pensions. Under that system, men and women are treated equally and we do not have a bureaucracy to keep contribution records only to exclude a small number of people. It is an inclusive agenda and once everyone is getting a citizenship pension, the political cost to any Government of mucking about with it is much greater.

As the hon. Gentleman graphically demonstrated, because the present system in so complicated—no one really understands how it works—Government after Government and scheme after scheme can dip a billion here and there out of the national insurance fund and get away with it scot free as it has no political visibility. A citizenship-based pension that is nothing to do with complex social contribution rules, with people knowing that they as citizens have a right to a certain level of pension, would be a much better way of doing things.

Having said that, I accept that hypothecation—that is not what Lloyd George would have called it—has an important part to play. Hypothecation makes taxation more acceptable. People are more willing to pay any given level of tax, or any tax increase, if they know where the money is going, and it is going on something that they want it to be spent on. That is why the Liberal Democrats have increasingly come to the view that we should hypothecate the entire national insurance pot to the national health service.

There may be all sorts of arguments against that. Once a pot of money has been hypothecated to the health service, what do we do if we have a bad year and there is no national insurance? Do we cancel operations? We have a model. The Treasury does not set its goals from one financial year to the next; it sets them over the cycle. It says that that is necessary to satisfy certain economic rules over the cycle, not in each financial year. If one hypothecated the entire national insurance pot to the health service, one could have the independent commission that the hon. Gentleman suggested. It would set the national insurance rates so that over the cycle the national health service would have the funds that it needed for the spending plans that Parliament had set.

If, for example, the public wanted an improvement in the health service, politicians could say, "We will put your national insurance up," and by statute that money would be ring-fenced for the health service. Evidence shows that if the public believe that money is going where they want it to go, they will be more willing to accept an increase. A policy that lowers the political cost of putting more money into public services has to be good for those hon. Members who are positive about progressive taxation and an active public sector.

The Chancellor's increase in national insurance last year for the benefit of the health service was a watered-down version of what I am discussing. I used e-mail to poll hundreds of my constituents about the extra penny on national insurance and about two thirds said that they liked the idea provided that the money went to the health service. I did not ask them to say that—it was an unprompted response.

The principle of hypothecation is good. It reduces the political cost of providing enhanced public services. In a modern setting, the principle of hypothecation must not be to reconstruct state pensions based on an insurance model that excludes those who are too poor to pay insurance. It must be the basis of payment for the national health service—a different sort of national insurance.

The hon. Gentleman mentioned a couple of areas on which he would spend the surplus. We share a lot more common ground on that point. We share the view that the value of the basic state pension is wholly inadequate and that it is not good enough to re-link it to earnings from its present inadequate level. Keeping the state pension at its current percentage of average earnings will leave it substantially below the means test indefinitely, if the test is earnings linked. If it is price linked, the poorest households will lose out. We must increase pensions before considering indexation rules.

I am relaxed about whether that increase is made through a national insurance rise or a tax rise because the structure of national insurances is such that employee contributions are still effectively capped. Paying for a state pension rise through national insurance, which is capped, is less progressive than paying by income tax, which is not. I agree with the hon. Gentleman about the ends of an enhanced basic pension but I am not sure about the means. I am not sure whether clear and honest direct taxation is not more

[Mr. Steve Webb]

progressive than a contribution system in which those earning above £30,000 pay no more than those earning below.

The hon. Gentleman mentioned the position of people whose company pensions have been inadequately wound up and asked where we can find the money for them. I agree that we must find the money, but I question whether the national insurance fund is the right place. One would be asking employed earners—primarily those who are not in private schemes—to compensate those in private schemes. They might feel that that is unfair. If the general taxpayer funded the system, it would be fairer. Anything funded by national insurance is by definition funded from a subset of the population. It is not clear why that subset— those earning in particular income bands in particular employment—should pay, rather than taxpayers as a whole. That distinction does not help us any more.

I back what the hon. Gentleman said about compensation for people in schemes that are wound up owing to inadequate funding. It is unacceptable for the Government to say that in a few years they will protect people but that those who fall foul of a wind-up tomorrow will be completely abandoned. The Government are worried that there would be an element of retrospection if somebody whose pension fund had been wound up were compensated. However, compensation is by definition retrospective. Somebody cannot be compensated for an event until it has happened; it would not be compensation if somebody were paid before an event. Governments have always compensated people when things go wrong for example as a result of the legislative framework being incorrect.

To give an analogy—I am not straying from the topic, Mr. Deputy Speaker—when people had blood transfusions that were not properly checked for Creutzfeldt-Jakob disease, the Government said, "That is not right. We are going to do something." The action was retrospective in that it occurred after the event, but it was compensation and properly so. Likewise, given that people are sometimes forced to join pension schemes as a condition of employment, when the Government introduced the Pensions Act 1995, which states that if a scheme goes belly up people have got practically no rights, they took responsibility for it.

Retrospection is not an issue. Compensation should be paid and the hon. Gentleman is right about that. I do not care two hoots whether the compensation is from the national insurance fund or anywhere else. The Department for Work and Pensions has identified surplus funding for the coming few years in unallocated spending, and that is where I should like the money to come from.

The hon. Gentleman is right that we have come a long way from the founding principles of national insurance. The question is whether we rebuild that structure or build something new. My concern about rebuilding is that we live in a world in which women should be treated not as their husbands' hangers-on but as people in their own right. I do not want to rebuild a structure that treats women as second-class citizens. I would base the pensions system on citizenship rather than on contributions, which would help women, carers, the low-paid and the disabled, but preserve the idea of hypothecation—a ring-fenced tax for a ring-fenced purpose—and apply it in the 21st century to the health service as it was applied in the 20th century to pensions. The hon. Gentleman has done us a service by raising the issues because there is too little scrutiny of what happens to the national insurance fund. The House owes him its thanks this afternoon.

2.41 pm

Mr. Howard Flight (Arundel and South Downs): I add my congratulations to the hon. Member for Newport, West (Paul Flynn) on securing this valuable debate. I thank him for his analysis of the history of national insurance. I should like to focus on a few historical points before examining the political issues more closely in relation to this and previous Governments' uses of national insurance funds and, more generally, taxation.

I spent a period of my life studying the economic history of the 19th and early-20th centuries. As the hon. Gentleman outlined, national health and unemployment insurance was introduced by the National Insurance Act 1911 with mutually owned bodies and friendly societies operating the health aspects of the scheme and with contribution levels laid down by Parliament.

Interestingly, substantial pension arrangements and health finance had previously been provided by friendly societies and trade unions. Although there is debate about how serious the situation was, the concern was the big jump in life expectancy at the end of the 19th century, when cholera and typhoid were finally conquered. It was feared actuarially that those bodies would go bust, and the focus was therefore on what to do about it. Members will know that both Churchill and Lloyd George went to Germany to study what Bismarck had done. The subsequent campaign stated that,

"A Healthy Empire needs Healthy Bodies".

The provision was promoted not as a socialist measure, but as part of the heady imperialism of those days. Indeed, Lloyd George spoke about

"putting Britain ahead in this field on a level with Germany; we should not emulate them only in armaments".

It was a competitive imperial strategy.

Until 1948, our system was a bit like German health insurance today in that membership was not compulsory. As late as 1960, I can remember asking why one of my grandfathers got a state pension and the other did not. The gist of what I learned was that the one that did not had an income in the 1920s and 1930s when he was not obliged to participate in the system, as was generally the case, and the other one did not earn as much. As the hon. Member for Newport, West will know, for more than the first half of the previous century, it was not a universal scheme at all. Some changes in the 1960s brought everyone in to qualify for state pensions, even if they had not necessarily paid their contributions.

I was never clear whether the original intent was that that should be funded like an insurance scheme, or whether it should be a pay-as-you-go system from day one. There was some controversy on that question at the time, but the fact is that it has become a completely pay-as-you-go system, not a funded one, with individuals

paying money, at least in theory, into a general pot. Governments have for a long time treated that in reality as just another form of tax revenue, but with entitlements to what one can draw in benefits. Those are partly determined by contributions, but another category of welfare benefits is not determined by contributions. Since the 1960s, we have had a complete mish-mash in terms of what entitlement across the broad range of welfare benefits rests on. Some go back to the Churchill and Lloyd George measures and some date from Wilson's measures, when the concept was brought in—by accident, as I have always understood it—of rights to welfare.

In the community, there are very different views. If one talks to people of 50 or over, including me, they broadly still think that it is an insurance scheme, where we have paid our national insurance and are entitled to our benefits, and they get extremely annoyed when Governments fiddle around with it. They might greatly support the hon. Member for Newport, West in the argument that Governments have raided the scheme. However, people in the younger age group broadly see the scheme as just another form of taxation levied under different rules. In that sense, the whole accounting is something of an illusion. It needs to be done, but it is really going through the motions while the Treasury get at a particular source of taxation. Some people in both main parties have argued for merging national insurance and income tax, and I have spent a fair amount of time during my life examining such proposals. Largely on pragmatic grounds, I have concluded that that would be a bad idea, not to mention the problems that transition would cause for entitlement if any Government sought to do that.

I have sympathy with the hon. Member for Newport, West on the point that the integrity of what was originally intended has been undermined and made into grey territory. Talking about unused money in the fund is an accounting illusion, and it is not on politically to revert to a truly integral arrangement. If one were to do that, it would be necessary to consider a funded arrangement, for it to stand alone. National insurance receipts are treated today very much as part of general tax revenue. They are not invested and there is no separate fund. When national insurance was introduced, the Liberal Government were anxious not to raise income tax, and were looking at a way of solving a problem that had emerged with the financial difficulties that the friendly societies and some of the trade union welfare arrangements had encountered as a result of improved life expectancy.

In place of the Liberals, we have today a Labour Government in a very similar situation. They do not want to raise income tax, for fear of alienating voters, so we have had the politically convenient measure of increasing national insurance contributions by 1 per cent. without any ceiling, which is patently simply a tax on earnings and employment. Business leaders, as well as my colleagues and I in the Conservative Treasury team, have attacked the Government for those increases, which have been levied since last April. At the time they were introduced, people had forgotten about the tax increases that were already in the pipeline following the previous Budget and had quite a major shock when they opened their April pay packets.

It is absolutely clear that, because NICs are levied on business and personal taxpayers, the perception is of a tax on jobs and pay. Indeed, for the first time in a long time, disposable incomes after tax are falling, with the overall tax take in the current year, specifically boosted by national insurance, up by 7 per cent. and about £27 billion in aggregate.

The evidence suggests that it was slightly an unwise form of tax at a wrong time. Last week, Britain's biggest bank advised that it was going to shed 4,000 jobs, at least partly as a result of increased employment costs, which were put up by the national insurance rise. When the figures are not interfered with by changing to a different system, they show that we have a background of an 85,000 fall in private sector employment in the past year, matched by a larger rise in public sector employment. Therefore, increasing the costs of employment is, as expected, serving to reduce jobs.

We should not be surprised by that negative impact. The Treasury said in 2000:

"Lower National Insurance Contributions will act to promote employment opportunities"

and businesses will benefit from the cut in employer's national insurance contributions, which will enable them to employ more people. In the last general election campaign, the Prime Minister gave his word and spoke against any increases in national insurance charges. When asked whether any reasonable person would suppose that the Labour Government might increase national insurance charges, the Prime Minister replied that "they shouldn't" so suppose.

The hon. Member for Newport, West commented on recent Conservative announcements on state pensions. The thinking that lies behind those announcements, which is perhaps a little different from his thinking, is that the Government have got the country into a nightmare situation in which all incentives to encourage private sector pension saving, such as the stakeholder initiative, no matter how well intended, are completely negated by the pension tax credit.

More than half of the nation would be foolish to save for a private pension. They would have to save about £180,000 to be in a situation equal to that which they would enjoy under the pension tax credit. Yet, for the good of the economy as a whole, and as the Government's own target has set out, there is the desire to increase the proportion of private sector pension provision as a proportion of the total.

People are greatly discouraged from saving privately for pensions because they do not like the idea that, by 75, they will have to part with all their savings, buy an annuity and take a chance on whether it is a good time to do that and whether inflation or interest rates are rising.

The only solution to those two massive problems is to get the basic state pension up to the minimum income support level. That would mean that both measures would no longer be necessary. In that context, we concluded that the only way in which that could be done is by restoring the earnings link to allow basic pensions to rise. It will take some time to do that and it would be too expensive to do it more quickly. For the sake of clarity, that is the fundamental objective. The key to restoring better levels of private sector pension saving is a basic state pension that means that there is no longer a need for the pension tax credit, or to force people to buy annuities.

[Mr. Howard Flight]

May I say a little about NICs and health spending? Again, such is the myth about NI that one can say whatever one likes. I recollect that the 1 per cent. increase was presented as hypothecated to the health service. However, when the Chancellor of the Exchequer presented the actual figures in the relevant Budget, it was broadly shown that half of the increase would go to finance the health service and half would go to finance tax credits. Precisely how much of the extra NIC levy is in any meaningful way financing additional health spending is not clear. The reality is that it was a smokescreen for levying more tax on income and employment to pay for higher Government spending in aggregate.

Here lies the problem. The sudden and dramatic shift to tax and spend three years ago is failing dismally to deliver improved public services. Indeed, on the Government's own Office for National Statistics figures, 83 per cent. of the 50 per cent. increase in public sector spending since 1997 has gone on public sector inflation, which has risen from 1.6 per cent. to 6.5 per cent. and is now nearly 7 per cent. It is that failure that will be the main determinant of the next general election result.

For too long, health funding has been used as a political badge of honour or banner, rather than seen as a serious subject that affects the good of the country. Major reforms, not just ideological rhetoric, are needed to enable better delivery of health services. Above all, the Government should be concerned about output and delivery, not just spending. One could vastly increase spending and not get any material improvement in output.

In this territory, the Liberal Democrats seem as bad, or worse. Earlier this year, the then Liberal Democrat spokesman on Treasury issues, the hon. Member for Truro and St. Austell (Matthew Taylor), committed his party to a permanent ring-fenced tax for the NHS, without mention of the necessary reforms to enable the NHS to deliver better services. He said that he wanted to replace NICs with an NHS contribution tax to fund the NHS. I was not entirely clear from the contribution of the hon. Member for Northavon (Mr. Webb) whether that is still Liberal Democrat policy, after its changes.

Paul Flynn: May I clear up one point? The hon. Gentleman says that the reason why his party now supports restoring the link is not that it wants what pensioners tell me that they want. Pensioners want a guarantee that their income will not decline with inflation. They want reassurance that, whatever happens, their income will continue at least at its present level. However, I understand that the hon. Gentleman's main reason for restoring the link is to boost the private pensions industry, which benefited so well from the previous Tory Government, particularly from the 2 per cent. bribe and the way in which the state earnings-related pension scheme was cut in half. Personal pensions were actively promoted with the result that at least 6 million people were mis-sold pensions. Would he not embark on a disastrous road in making another attempt to support the private pensions industry, which is inefficient, wasteful and very costly to administer compared with the NI fund?

Mr. Flight: Of course, restoring the earnings link does just what it describes. The point that I was making was different from the sweet but inaccurate little caricature that the hon. Gentleman sketched. There is consensus across all parties that if private sector pension saving in whatever form is not increased—the Government's target is to move from 40 per cent. to 60 per cent.—the outlook for the overall economic welfare of our people and the ability to deliver welfare will be threatened. The economy will become bogged down like that of Germany with excessive levels of taxation, and will be unable to grow fast enough to produce the necessary growth to finance improved welfare. Therefore, the question is: how can the country move in the right direction? The present major barriers to increasing private sector pension saving are emerging as, first, the pension tax credit—no matter how well intended it is, it is a major disincentive—and, secondly, the obligation to buy an annuity.

No one denies that there were serious problems with private sector pension saving, but the hon. Gentleman would be mistaken if he did not realise that this country, prior to 1997, was to some extent the envy of the world in having achieved greater pension saving and greater participation in private sector saving, which was roughly at 70 per cent., than any other economy, and in having the economic advantages that went with that. The issue of tackling the proper selling of pensions, how they should be invested and managed, and other measures are being addressed and broadly enjoy cross-party support. If the hon. Gentleman believes that we can all have better welfare without the economy growing to a level that can finance that, he is deluding himself.

I close by going back to the issue of the debate. It has raised the major question: does our country stay with our rather mongrel national insurance arrangements, which in many ways are, on one side, merely another form of taxation but, on the other, a measurement of entitlement? Do we consider moving back towards what was originally intended, or even to a funded arrangement, or do we look in the other direction of merging national insurance and income tax?

My conclusion is that there should be a little more integrity, but the arguments against—in either direction—are rather more powerful than the criticisms of the present arrangements. Although the points of principle raised are perfectly justified, I certainly do not see an easy or powerful path without problems that would take us back to where national insurance came from in the beginning. However, I will certainly heed the hon. Member's words, and I think that the concept of a funded arrangement is well worth looking at.

Mr. Deputy Speaker: I call the Financial Secretary to the Treasury to reply to this fascinating and well-informed debated.

3.2 pm

The Financial Secretary to the Treasury (Ruth Kelly): I pay tribute to my hon. Friend the Member for Newport, West (Paul Flynn). I greatly enjoyed his

contribution. It was passionate and poetic, and I congratulate him on it. He has shown a long-standing interest in the subject, and I commend him for that.

It is probably worth starting with a few words of background about the national insurance fund. It was established in 1911, reformed in 1948 and it assumed, broadly, its current form in 1975, when the national insurance industrial injuries and the national insurance reserved funds were merged with it. It lies at the heart of the national insurance system, which was inspired by William Beveridge in his 1942 report and introduced by the post-war Labour Government in 1948. The Beveridge report set out the principle on which the fund is based. I quote from it:

"Every citizen of working age will contribute . . . according to the security that he needs . . . benefit in return for contributions, rather than free allowances from the State, is what the people of Britain desire."

In debates on the 1946 National Insurance Bill, James Griffiths MP said:

"I have no hesitation in saying—I have said it before outside and I will say it now in the House—this scheme is the best and cheapest insurance policy ever offered to the British people, or to any people anywhere."—[*Official Report*, 6 February 1946; Vol. 418, c. 1751.]

That is what it has been ever since: an insurance policy for every working family, ensuring that they have a right to benefits when they cannot work because of unemployment, incapacity or age, financed by contributions to the fund by employees, employers and the self-employed. As has been mentioned in the debate, it is based on a pay-as-you-go principle, which means that those working today are supporting those claiming contributory benefits today.

The national insurance fund provides security for those contributory benefits. It is ring-fenced and cannot be used for other Government expenditure. It is reviewed every year by the Government Actuary, who reports to Parliament on the effect of any changes to contributions or benefits and on the state of the fund. The Government Actuary also reports on the prospects for the fund every five years. The latest quinquennial review is due to be published shortly. The accounts to the fund are audited by the National Audit Office and published annually. The national insurance fund is, therefore, a clear and transparent mechanism for demonstrating the link between national insurance contributions and contributory benefits.

My hon. Friend has pointed to what he calls the fund's vast, unneeded surplus. I take issue with some of his comments. The fund is clearly in a healthy state. Income from contributions is more than enough to cover expenditure on benefits. As my hon. Friend pointed out, the Government Actuary's latest report shows that the balance at the end of 2003–04 is likely to be nearly £20 billion. That number needs to be set in context. During the current year, the fund's income is expected to be £63 billion and expenditure on benefits about £60.5 billion, 80 per cent. of which will go on retirement pensions. The difference, which is added to the balance, is only about £2.5 billion. Last year, the difference was £3 billion, and that is a small proportion—about 4 per cent.—of the amounts flowing through the fund.

As my hon. Friend said, the then Government were sufficiently confident of the state of the fund in 1989 to abolish the Treasury supplement. However, by 1993—just four years later—legislation had to be introduced to provide for a Treasury grant to prevent the fund from running out of money. That clearly illustrates how wrong it is to take a short-term view of the fund.

Paul Flynn: I think that my hon. Friend is defending a situation where contributions were going up at a high rate—the rate of the level of earnings—which led to increases in prices. Funds were built up between 1980 and 1987 by that method, but using such a system was fraudulent for the beneficiaries. However, following the introduction of the fund in 1911, the rate of money going in and coming out was roughly the same and matched inflation. I do not think that my hon. Friend is defending the Conservative position, but there is no question but that the surplus is unneeded. The surplus is defined. I have watched, as many others have, the surplus go from £5.9 billion in 1999 to £20 billion now, over and above the contingency fund. Surely, the surplus is not needed.

Ruth Kelly: In no sense am I trying to defend the decisions taken with regard to benefit levels during the 1980s. However, even when there is a positive surplus in the fund, it is tempting to think that it will persist indefinitely. In fact, events can mean that the surplus disappears quickly; between 1989 and 1993, in the space of just four years, the surplus that had led the Conservative Government to abolish the Treasury supplement disappeared so dramatically that they had to introduce legislation to allow a Treasury grant to supplement the income of the fund. I am arguing that, although a surplus might appear very large at any point time, it is not right to assume that it will not be needed for the purposes of the fund in future.

Paul Flynn: There was a call for Treasury funds in the early 1990s because of a self-imposed double whammy from the then Government. There were two losses to the fund. The 2 per cent. loss in contributions was caused by the bribe to persuade people to take out personal pensions. The reason for the shortfall was, therefore, because of a loss of income to the fund, which was to the great advantage of the private pensions industry. Those were peculiar circumstances, which are unlikely to be repeated.

Ruth Kelly: We will not have to wait long to discover the Government Actuary's view of the current surplus in the fund. Events—some of them, perhaps, inspired by the Government, in which instance there were obviously aggravating factors—can mean that the surplus turns around very quickly. I am cautioning against viewing a surplus above the 16.7 per cent. margin that the Government Actuary specifies as unnecessary and available to be spent.

There is a more significant point. The balance on the fund is not wasted. The hon. Member for Northavon (Mr. Webb) made that point. Any surplus in the fund is used to buy gilts, which provide security for contributory benefits and reduce the Government's need to borrow elsewhere. It is a mistake to think that there is a pot of money that could be used to fund spending on another purpose.

Mr. Flight: The point that the Minister has just made—if there is a surplus, it goes to fund other

[Mr. Flight]

Government activities by buying gilts—is in essence the mechanics under which the illusion of a separate fund is maintained, because the overall economic effect of national insurance revenues is that they come out just the same as any other form of tax, even though they are accounted for separately.

Ruth Kelly: I do not think that that is the case. The money that is built up in the fund is based on a system of contributions; the hon. Member for Northavon made it clear that people earn entitlements built up through the national insurance fund. The fund, and the availability of the capital in it, is protected and ring-fenced for contributory benefits. Because of the gilt system, the borrowing requirement is reduced elsewhere as well.

This debate touches on our pensions policy in general, and whether it is right to restore the link to earnings or to follow a different approach. Many challenges face us now and in the future. The most important of them are to combat pensioner poverty and to ensure that all of today's workers can provide a decent income for themselves in retirement.

More of us are living longer. Birth rates are falling. At current trends, in the middle of the century, pensioners will outnumber children: there will be a mere 10.1 million children, compared with 14.6 million pensioners. By 2020, 40 per cent. of our population will be over 50. There will be more older people with fewer working age people to support them. That has serious implications for the Government and for society as a whole.

When people decide to retire—they should be allowed to retire later, if they so wish—they currently have to face a retirement of about 20 years. As the century progresses and life expectancy increases, retirements may last up to 20 per cent. longer. People must consider how they plan to achieve their required income in retirement. They have to ask themselves whether they are on track to achieve their target level of income. Will they need to work longer or save more? The Government must put in place systems to ensure that our pension system remains sustainable, and that services are in place to serve an ageing population.

Our reforms are about tackling poverty and helping people to plan and to save for their retirement. For the past three years, we have increased the basic state pension by significantly more than the legal minimum requirement. We have guaranteed that for the rest of the current Parliament we will increase the basic state pension by 2.5 per cent., or the retail price index if that is higher. That stands in marked contrast to previous Conservative party policy. When it was in power, it increased the basic state pension only once, to compensate pensioners when it introduced extra VAT on fuel. The Conservatives left millions in poverty: they expected pensioners to live on just £68.80 a week. My hon. Friend the Member for Newport, West and other hon. Members will be aware that we also introduced the £200 winter fuel allowance and several other mechanisms to help pensioners.

Paul Flynn: The Government have certainly increased pension levels beyond the rate to which they would have risen had the link been restored in 1997. Is it not a matter of regret that the perception of pensioners is different from that? The lack of transparency in the fund and the fact that it does not exist as a separate unit has led to confusion in the public mind. If there were a simple, transparent system, where people put money in and got something out, it would be greatly appreciated.

Had the Government restored the link, which would have cost them nothing because of the large increase in 2001 and low interest rates, that would have been to their enormous benefit politically. It would also have given some satisfaction to pensioners to realise that the totem policy of restoring the link had been achieved at virtually nil cost to the Government between 1997 and now.

Ruth Kelly: It is worth reminding hon. Members that the pension credit was introduced only this month. If the present situation is compared to the 1997 system, one sees that, on average, pensioner households will be £1,250 a year better off in real terms as a result of Government measures, including the pension credit just introduced. That is about £24 extra a week. The poorest third of pensioners will have gained about £1,600 a year in real terms. If people had to choose between that and a rise in the basic state pension linked to earnings, they would choose to have the extra average £24 a week. Of course we can debate the matter, and I know that my hon. Friend holds his views close to his heart.

Paul Flynn: My hon. Friend is being very generous with time in allowing me to intervene. Will she address the position of the very poorest pensioners: those who are entitled to income support to raise them to the level of the minimum income guarantee, but who do not claim it?

Ruth Kelly: Yes. We have a take-up campaign to try to get people to claim the benefits to which they are entitled. However, one of the aspects of the pension credit is the Pension Service system, which means that the pension credit becomes an entitlement for pensioners and that they no longer have to use the old-fashioned means-tested system. As they approach the age of 65, pensioners will start to receive the credit as a matter of course for a period that is fixed for up to five years. The system and the culture surrounding it are changing, so that pensioners will view that credit increasingly as part of their normal retirement income.

Restoring the link between pensions and earnings would be unaffordable, unsustainable and unfair. It was not long ago that the Opposition spokesman for work and pensions, the hon. Member for Havant (Mr. Willetts), called restoring the earnings link

"a wild and uncosted policy".—[*Official Report*, 8 June 2000; Vol. 351, c. 440.]

It is hard to believe that that is now the policy of the official Conservative Opposition. He has also said that his Government in the 1980s had taken the "crucial" step of

"ending the link between the basic pension and earnings"

and resisted the

"seductive politics, but dangerous economics"

that had

"bedevilled state pension arrangements in other countries".—[*Official Report*, 8 July 1993; Vol. 228, c. 516.]

That was something that he was keen to pronounce not very long ago. As my hon. Friend the Member for Newport, West, said, if there were a Nobel prize for shameless political opportunism, the Conservative party would certainly win it.

Mr. Flight: I rise merely to comment that since then my hon. Friend the Member for Havant (Mr. Willetts) has costed that and found that it is affordable. He has set out precisely how we would pay for it.

Ruth Kelly: If the hon. Gentleman explores his party's policies and scrutinises them more closely, he will see that the hon. Member for Havant proposes, for example, to abolish the new deals for lone parents and for young people, which institutions such as the National Institute of Economic and Social Research have said pay for themselves.

The policy is completely uncosted, but more than that, it is unfair. Under the Tory plan, as the shadow Chancellor has conceded, nothing will be done to help the poorest pensioners, who will fall further behind and see any increase in the basic state pension knocked straight off their pension credit. That also fails the basis test of fairness towards poorer pensioners. We believe that the foundation of the state pension system on pension credit, the minimum income guarantee and increases in the basic state pension is a much fairer way to proceed.

We are also looking after the interests of future pensioners. The state second pension, which was introduced in April 2002, reformed the state earnings-related pension scheme. That, too, follows the theme of aiding the poorest. It allows greater accrual rates for the lower paid—those earning less than £11,200 a year are being treated as if they had earned that amount.

The accrual rate applying to earnings up to £11,200 is double the rate that applied under the state earnings-related pension scheme. For the first time, carers, people with disabilities and those with broken work records are helped to build the state second pension. When that is compared to SERPS, it provides extra help for retirement for around 20 million people.

Mr. Webb: Surely, it all depends what it is compared with. Mothers who receive child benefit get complete protection in the basic state pension but, under the state second pension, once their children are five, they do not. Mothers with children over five would have done better with all that money on a decent basic pension, rather than on a state second pension, under which they do not qualify for credits.

Ruth Kelly: Even the hon. Gentleman does not dispute the fact that some 20 million people will benefit from the state second pension and many groups of people in the circumstances he mentioned would not benefit from the basic state pension.

We have not only been active on the state pension. To return to the point that was raised by my hon. Friends the Members for Newport, West and for Cardiff, West (Kevin Brennan), we must protect the position of occupational pensions. Good occupational pension schemes play a major part in boosting income in retirement. We are taking action on that, too.

The most important question that was raised is: how do we protect the pensions promise? One of the proposals that we intend to take forward in the pensions Bill is to help to protect people in occupational pension schemes, if they are at risk of insolvency. For the first time in this country, our reforms will introduce the pensions protection fund to protect victims in such situations.

I understand hon. Members' concerns about the workers at ASW. Indeed, I met a delegation from there. My right hon. Friend the Secretary of State for Work and Pensions made it clear that we will consider any sensible, reasonable scheme put forward to help those people. The last thing I want to do is raise false expectations in people who have suffered a major blow to their hopes of a decent retirement income. We are very sympathetic to their concerns. However, the pensions protection fund is an insurance fund that looks forward to protecting people in future, rather than capturing that group of employees. We would, of course, always welcome suggestions on how we might help them.

The other strand of our pensions savings policy is informed choice. If people are to save, they need clear information, so that they can make informed choices. The Pension Service already provides forecasts for the state pension on request. Now it is going further. Having started with self-employed people last May, we are extending the automatic issue of state pensioner forecasts, so that people can see clearly what pension they will receive in retirement. We also want to extend the coverage of combined pension forecasts, which for the first time bring together information on an individual's state and occupational or private pension entitlement, to allow people to see more clearly what pension they can expect to receive when they retire.

I believe that, when people see their forecast income in black and white, they will take action and save more where they need to. We are committed to ensuring that people have the information that they need when they need it, through as many channels as possible.

Our policy is to target the poorest pensioners who need help the most. That will enable people to make informed decisions about how much they save, how and when they work, and it will introduce much greater flexibility to the system, as well as protect the pensions promise. That is the way forward and it contrasts with a Conservative policy that is unaffordable, unsustainable and unfair.

Mr. Deputy Speaker: We have finished a little early and the Minister for the next debate has not arrived, although the initiator of the debate is in his place in plenty of time. Therefore, I will suspend the sitting until 3.30.

3.24 pm

Sitting suspended.

UK Airfreight Market

3.30 pm

Mr. Mark Todd (South Derbyshire): Much of South Derbyshire is impacted by the activities of East Midlands airport. In positive terms, the airport provides jobs to local people both directly and through a variety of on-site and adjacent associated businesses. It also offers a fairly limited range of travel destinations. The negative aspects, however, are substantial. Aircraft noise affects the lives of my constituents along the flight paths to the west and south-west of the airport in communities such as Melbourne, Ticknall, Weston-on-Trent, Swarkestone, Milton, Barrow upon Trent and Findern. Although most people judge that acceptable in daytime, the increasing strength of the airport and its chosen core market of dedicated freight traffic have greatly increased night flying. No formal restrictions are in place through planning consent conditions or national regulation. That is unacceptable in its impact on local residents and its distorting effect on the freight marketplace. This debate gives me the opportunity to expand on both aspects.

Just-in-time logistics have driven faster delivery demands, met by specialist freight integrators. Globalisation of sourcing and trade liberalisation have prompted longer supply chains, particularly for high-value products. Airfreight thus carries a disproportionate 20 per cent. of our exports by value. Airfreight has expanded rapidly in the past few years, doubling between 1969 and 1989 and doubling again between 1989 and 1999. Growth is expected to accelerate, with forecasts of 8 per cent. growth per annum during the next 10 years. At present, 70 to 80 per cent. of freight is carried in the bellies of passenger aircraft. Provided that capacity is available, it is anticipated that dedicated and express freighter services will grow in importance. Considerably more than half the cargo flights from East Midlands take place at night. To ensure next-day delivery, night flights are necessary. That also helps to spread the stress on the surface network that is a critical part of the distribution of airfreight goods.

The Select Committee on Transport, when advising the Government on aviation after its consultation, stated

"if the UK were to reject night flights altogether"—

one can recall the court case at Heathrow, which suggested that that might happen—

"it would be rejecting a key means of support for modern industry . . . There are significant risks to the UK economy and its relative standing in Europe in the air freight market if no solution can be found."

However, one should not exaggerate. Constraints on market channels to meet demand will prompt innovation. During the 30-year period covered by the Government's airport consultation, many adventitious innovations will impact on products, demand and market channels. It is worth noting that the recent huge growth in airfreight would not have been predicted in a similar Government study 30 years ago. A leading freight integrator has confirmed that to me. It is accepted in the Government's consultation on the future development of air transport that the modelling of airfreight demand is primitive.

East Midlands is comfortably the largest freighter airport in the United Kingdom. It is claimed that expanding operations there will bring 26,800 extra jobs to the region over 30 years. A balanced approach to the development of the airport and its disadvantages, as well as advantages, is therefore necessary.

In the Government's projections, East Midlands airport's freight volume is expected to grow between tenfold and fifteenfold by 2030. Very little of that volume is expected to be carried in the bellies of passenger aircraft.

There are DHL, TNT and UPS bases at East Midlands, along with nearly 30 freight-forwarding and airfreight service providers. The largest users of those services are the fashion industry, professional services, engineering, telecommunications and aerospace, which are all core sectors of the midlands economy. The economic value of a typical airfreight air traffic movement is three to five times more than an equivalent passenger flight. However, airport slots are not allocated on economic value and returns from passenger sales increase the value of passenger traffic to airports, which, of course, allocate the slots.

Thus, predicted growth in passenger traffic will squeeze out freight at the margins. That is a certainty with the costs of passenger air travel expected to fall by 1 to 2 per cent. per year in real terms over the 30-year period, prompting more rapid passenger volume growth. Restricting airport growth will accelerate that trend if there is no market intervention. Capacity for freight traffic is already limited by night-flight restrictions at many airports, and I have emphasised that night flights are critical in providing express airfreight services.

Again, the Select Committee highlights that point. It states that there is a need to

"identify the extent to which night operations can expand at existing airports without compromising noise protection standards. This is likely to affect the location and nature of future development of the air freight industry."

If capacity at UK airports is constrained—the Government's consultation suggests that it may be—prices will rise and, if decisions are left solely to airports, slots will be allocated to those flights that attract the highest value to an airport. More marginal activity will be displaced first to less favoured airports and then entirely. It is clear that freighter traffic will be impacted by constraints, forcing up prices for freighter use and prompting greater selectivity in the use of that transport mode, which is welcome in terms of sustainability. The airfreight of relatively low-value items is not justifiable in terms of the environmental impact of the transport mode. That squeeze process is also likely to focus express freighter traffic at airports with minimal night noise regulation.

One of the thrusts of the Government's consultation on the future development of air transport is that East Midlands airport will further strengthen its already dominant position in the freighter market. That is not in the interests of airfreight users, as I will explain, and the Government should not encourage it. The current market share of East Midlands already poses competitiveness concerns. Further steps towards the monopoly supply of freighter slots would be unacceptable.

Freight integrators told the Select Committee that they would like to use an airport closer to the south-east since that is where most freight comes from and is destined for. A Federal Express spokesman told the Committee,

"Three of us operate out of Stansted and we have got a major investment there . . . simply because over the years we have been forced to move out of Heathrow and Gatwick",

which bears out a point that I have already made.

"We have a major concern for the South East because if that happens at Stansted as well we will not be able to offer businesses in the South East generally, particularly in Central London, meaningful services that we do now because we will be going too far away to another airport."

Furthermore, in terms of surface logistics East Midlands is a poor choice on which to base the whole strategy for airfreight. Surface communications to East Midlands airport are poor. There is a proposal to open the Donington loop to passenger traffic permitting a rail station at Castle Donington. There is also the long-delayed proposal for a station adjacent to the M1, but neither of those proposals would provide freight access to the airport through rail. The lack of provision ensures that all freight traffic to and from the airport travels by road or is moved on by air through the hub.

Road links are also poor. The airport lies close to one of the most congested sections of the M1. Although the A50 offers reasonable routes to part of the west midlands, links to the east are poor and rely on the M1. Accepting that further airport growth at East Midlands is achievable within the current built environment, it is essential that surface links are improved. The airport owners should meet the cost as a condition of meeting a set benchmark point of traffic growth.

National strategy needs at least one other airport that could absorb freighter growth and would be attractive to operators in logistics terms. I hesitate to commend an airport option that might well have impacts of which I am unaware, but an airport much closer than East Midlands to the south-east and well located for east-to-west and north-to-south movements would be appropriate. That airport would have to be permitted on the basis of freight use to prevent the squeeze by passenger services. It would also be wise to consider intervening in how airports allocate slots between freight and passenger services to protect freight access to some areas.

A large part of freighter activity necessarily takes place at night and has used the oldest, noisiest aircraft. The attractiveness of East Midlands to that sector is explained in large part by the consistent failure of any level of government to impose night noise controls similar to those at equivalent airports. The Government consultation notes the local night noise issue but hints that, since the area around the airport is relatively sparsely populated, it should be of no great concern.

The implication of the highest forecasts of freight traffic from East Midlands would suggest a flight every three to five minutes from the airport. That density is unacceptable. Even modern aircraft produce significant noise while climbing at low altitudes. It is essential that a reasonable night noise regime encompassing both flight quantities and noise volume is agreed between the airport and local representatives—if that is facilitated by the White Paper—or failing that, is set by Government. The current voluntary framework endorsed by Ministers is inadequate to deal with anything like the growth forecast.

I have already pressed the Minister to define at what point the current regime should be reviewed. The local planning process on airport growth will not fill the gap in regulation. There is already significant capacity for growth without major runway or building development, let alone a second runway. The lack of effective controls skews the freight market in favour of East Midlands and this is not in the interests of the local residential community or, as I have argued, the wider economy.

It is suggested that international environmental controls will save the day. Chapter 4 applies to all new aircraft manufactured after 2006—the first new noise standard agreed since 1977. Chapter 3 reduced noise only modestly and there is no agreed date for phasing out chapter 3 aircraft. With replacement rates of 20 to 30 years and given that freight aircraft are generally older than passenger aircraft, one could expect only gradual implementation on freight routes. Since most new aircraft now meet chapter 4 standards and it took 25 years to move from chapter 3 to 4 it would not be reasonable to expect much further progress from international regulation in the next 20 years. We should focus on the potential for accelerated European implementation of chapter 4.

The UK needs a thriving airfreight sector. It should bear appropriate environmental burdens and be forced to adopt modern technologies. The Government have an important role in driving development and the adoption of more demanding international aircraft noise standards. It is neither economically nor logistically sound to focus freighter traffic growth at East Midlands. The current light noise regulation of the airport distorts location choice for integrators and that trend will accelerate as other airports fill with passengers.

Although night flying is an essential part of freighter activity, the scale of growth projected at East Midlands would have unacceptable noise impacts on our communities even with the most modern aircraft. Some growth at East Midlands is inevitable. There should be clear and close benchmarks at which the need for formal regulation is reviewed. The Government should intervene in slot allocation to protect freight use of other airports and should identify a suitable south-eastern location for core freight activity so that we have a logistically coherent strategy, not one driven solely by where night slots are available.

Most of my constituents appreciate the needs of a growing airport; they seek a more balanced approach. Their interests and that of the wider economy largely coincide. I hope that the Minister will reflect further on how to proceed in providing for the freight sector and responding to local concerns.

Mr. Deputy Speaker: The hon. Member for North-West Leicestershire (David Taylor) has obtained permission from the initiator of the debate, the Minister and the Chair to take part.

3.45 pm

David Taylor (North-West Leicestershire): I am grateful to my hon. Friend the Member for South Derbyshire (Mr. Todd) and to the Minister for allowing

[David Taylor]

me to make a brief contribution to this short debate, as East Midlands airport is located in my constituency, although it is close to the Derbyshire border.

When the aviation White Paper is published in a few weeks' time, will the Minister reassure us that, when spelling out the future of airfreight in the midlands, the document will properly reflect the existing social and environmental impact of aviation on local airport communities in the three counties affected by East Midlands airport?

The contribution of air transport, in particular aircraft arrivals and departures, to greenhouse gases, air pollution and noise was recently calculated in a Treasury report to cost more than £1.4 billion per year, of which many millions are inflicted on my area.

As my hon. Friend said, the difficulty with East Midlands airport is that it is unique in the United Kingdom. It operates a very high volume of freight aircraft and a rapidly increasing number of passenger aircraft with few, if any, conditions imposed on it by local authority planners to protect nearby villages. The Government have so far declined to designate it under the Civil Aviation Act 1982 to restrict the impact of noise at night.

Although East Midlands airport has attempted to ameliorate the adverse effects of its operations by using noise-preferred routes, noise penalty schemes and sound insulation grants, that is not making a sufficient difference to the thousands of people whose human rights are infringed and whose sleep is seriously disturbed by freight aircraft at night.

Although economists shy away from putting a figure on such environmental blight in their cost-benefit calculations, will the Minister ensure that the White Paper takes a balanced view and prohibits any extra regional airport capacity without a common protective environmental framework being implemented?

Britain's airports must be removed from their fiscal cocoon and required to deal much more effectively with the adverse consequences of their night freight operations. "Things can only get noisier" will never be a sustainable aviation strategy.

3.47 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing the debate. The issue is important and it is made more so by the imminent publication of the aviation White Paper. I also thank my hon. Friend the Member for North-West Leicestershire (David Taylor) for his contribution. I had a useful discussion with both of them en route to East Midlands airport recently. Happily for them, they went off to do whatever they were doing for the rest of the day, while I stayed at the airport until about 11.15 pm seeing the pleasure that is DHL and its operations, as well as being entertained over dinner.

As my hon. Friend the Member for South Derbyshire said, freight is important to this country and business is increasingly international. We depend on our export services and on high-value goods, and as a freight-specific airport, East Midlands is unique. It ranks third in the country for net volume of freight handled, but those airports that are respectively first and second deal with belly cargo in passenger planes only rather than dedicated freight.

We depend on export services and high-value goods. In the 21st century, many of those exports depend on aviation and that trend is increasing. Set against that, our major airports are full or filling up rapidly, as my hon. Friend mentioned. In the south-east, which handles more than half our passenger traffic, Heathrow's two runways are full for most of the day, and so is the single runway at Gatwick. Those issues will be addressed in the forthcoming aviation White Paper. As the Secretary of State said when he announced the air transport consultation, doing nothing is not an option. It would be positively the wrong thing to do.

Although I do not want to dwell on the White Paper, it provides the necessary backdrop to our debate about the future of East Midlands airport. The key consultation questions on which we sought views were: how much, if any, additional airport capacity is needed; where could or should any new capacity be located; and, given what my hon. Friend the Member for North-West Leicestershire asked, what measures will be needed to control and mitigate the environmental impact of airport growth.

As and when the White Paper comes to fruition, we would very much like to develop a package for each and every airport covered by it in respect of their existing functions and role in the local economy, whether or not there will be expansion of capacity. In that context, especially if there is to be expansion, yes, it does mean a key package for surface logistics—the way in which my hon. Friend the Member for South Derbyshire referred to surface access—for noise abatement and mitigation, for environmental impact mitigation and for all the other elements to which both my hon. Friends referred.

The White Paper will most emphatically not be about one here, one there and half of one there. It is supposed to be about developing a framework for aviation in this country for the next 30 years and, in that context, must be done responsibly, above and beyond simply the allocation of capacity.

Yes, airport development is a matter of national interest and there are wide-ranging implications for people and the environment, as my hon. Friends said. It is right that the Government should look ahead and make plans to ensure that we can develop a sustainable airports policy and, equally, along with that and within the context of the Treasury's view, the economic instruments for aviation.

We must follow that approach everywhere. Clearly, London and the south-east is a key area, but we have examined in detail a wide range of options for the midlands as well as elsewhere in the country. All the options that we concentrated on have strengths and weaknesses. There is no perfect answer and, as I have told my hon. Friends on several occasions, we have made no decisions yet—the White Paper is in genesis, to say the least. We must consider the 400,000 responses that we have received.

The consultation highlighted a very important issue that we are now considering; namely, the future of the UK airfreight sector. That industry is worth a total of

about £5 billion to the UK economy. It accounts for some 50,000 jobs directly and as many again in indirect employment. It is vital for the success of British businesses in an increasingly competitive international marketplace and, as my hon. Friends have mentioned, it is growing. Airfreight traffic at UK airports has doubled in the past 12 years and we have forecasts of a sixfold increase by 2030.

The fastest growing area within the sector is express freight, which is expected to comprise more than half the UK freight market by 2030. As my hon. Friend the Member for South Derbyshire said, some of the main players have a significant presence at the East Midlands airport. I am sure that many companies in the region find it invaluable to have on their doorstep the means to dispatch consignments for delivery almost anywhere in the world within 24 hours.

DHL and UPS have suggested to me—I exclude TNT simply because I have not met representatives of that company—that they need slots closer to London precisely for the express market. The fact that the express end of the freight sector is expanding does not necessarily mean that all the expansion has to be at East Midlands. A strong case has been put by UPS and DHL for at least an early and night flight into and out of Stansted, where they are based—whether they stay there is neither here nor there—to deal with the express market. The entire sixfold increase will not go to the East Midlands airport.

However, as my hon. Friends said, such capability comes at a price. Night flights are essential to operation of the international next-day delivery market, and that means night noise. East Midlands airport is in a fairly rural area. It would be very easy to regard noise impact there as a lesser issue than at, say, Heathrow or Birmingham, but be assured that we recognise that it is a very real issue every night for the people in communities such as Kegworth, Melbourne or Diseworth. As my hon. Friends said, the airport company clearly takes the noise issue seriously. It has made good progress in implementing the enhanced noise control scheme agreed last year.

However, if East Midlands is to expand to accommodate growth in the freight market, further measures will be required. That is why we will want to consider the airport's proposals for mitigation of aircraft noise problems before we reach any decisions. Its proposals include property purchase and noise insulation. Indeed, I would go further. As I said earlier, given the capacity to expand that already exists at East Midlands, apart from any greater capacity, we shall consider how that expansion, should it come—it is not necessarily an issue for the White Paper—can be done in a sustainable and mitigated fashion. It is not simply about no management at all of that particular capacity.

Mr. Todd: May I press the Minister slightly? He and I have exchanged letters about setting precise benchmarks at which one could reasonably review the current regulatory environment at East Midlands airport, foreseeing growth in the future. Will he reflect a little further on that? I have just received his latest letter.

Mr. McNulty: I shall certainly reflect on the matter a little further, but I am unable to do that with my futurologist hat on, in the sense of the expansion that there may or may not be to the existing airport or any expansion that we permit or otherwise in the White Paper. I assure my hon. Friend and my hon. Friend the Member for North-West Leicestershire that, whatever the future road map—if that is an appropriate phrase—for East Midlands airport, there does need to be a notion of a development or growth brief in terms of expanding the existing facilities or any subsequent expansion of capacity.

As with all the decisions that will be taken on our new runways and our existing airports we must, as both my hon. Friends have suggested, strike a balance between maximising the economic and social benefits of more capacity and minimising environmental impacts such as noise, air quality and, as my hon. Friend the Member for North-West Leicestershire said, greenhouse gas emissions. The consultation exercise is helping to inform us where that balance should lie and answers on the Government's thoughts will be forthcoming by the end of the year in the White Paper. I reassure my hon. Friends that we are on schedule to publish the White Paper by the end of the year. I know that in terms of the stretch and import of the White Paper, their constituents in the east midlands as well as people throughout the country seek, if nothing else, some clarity about what that future will be, with or without extensive capacity.

I reiterate that, regardless of what happens at East Midlands airport, we will keep under review the essential package that is in place to control noise, which was mentioned my hon. Friend the Member for South Derbyshire. It involves phasing out noisier freight aircraft, especially DHL; a marked reduction in flight tracking noise level infringements; a noise charging regime; operational procedures to promote quiet operations; instigation of a noise insulation grant scheme; and extensive stakeholder and community outreach to build consensus about noise amelioration proposals. Those elements are constantly kept under review and that will continue. Whatever the future for East Midlands airport, I will continue to reflect on what amelioration package is needed given the expansion or capacity increases that there may be.

Mr. Todd: May I press the Minister on one other point? I mentioned ensuring the availability of slots in other parts of the country where it is necessary to provide express freight locations. As he said, it would be foolish to base the entire growth in the east midlands. That would not work logistically. How can we ensure that other slots are kept available for freight?

Mr. McNulty: Certainly in the express freight market, which is where the real significant growth is, market forces are doing that as we speak. I suspect that my hon. Friend cannot continue to push beyond that this side of the White Paper. I would resist that up until then. The notion of the White Paper being about more than simply the allocation of any airport capacity that we determine is real. It is about regional access to the London and south-east hubs, and a consequential, managed development of the freight sector. In that context, I am sure that the sort of issues that my hon. Friend raised will be considered. However, there is nothing that I can say today to my hon. Friend that will move the matter on further.

[Mr. McNulty]

I congratulate my hon. Friends on their contributions. My hon. Friend the Member for North-West Leicestershire is twitching, but I will not give way to him as we are running out of time. This is a serious issue, and I am sure that we will address it again after the White Paper has been published.

Television Reception (Rural Areas)

3.59 pm

Mr. Alan Reid (Argyll and Bute): During my summer tour of my constituency, the most common complaint raised by constituents was difficulties obtaining television reception. The matter kept cropping up in all parts of Argyll and Bute. It is a problem that does not affect only the highlands and islands. Since I was granted this Adjournment debate, many Members from throughout the country have contacted me to say that their constituents experience it.

The fundamental problem is that the terrestrial analogue signal does not reach many parts of the country. Many constituents who cannot receive a decent reception from terrestrial signals sought to solve the problem by buying a Sky digibox. Until recently, they were able to receive the five terrestrial channels from a BSkyB satellite via their digibox on a free-to-view basis using a Solus viewing card. However, the BBC has decided to end its contract with BSkyB, and it has moved its digital services to a new satellite. The effect of that is that BSkyB can disable those Solus viewing cards at any time. If that happens, those viewers will no longer be able to use their Solus card to receive ITV1 and Channels 4 and 5. Unless they pay a subscription to BSkyB, their cards could be disabled at any time and then they would be able to watch only the two BBC channels.

In addition to buying a Sky digibox, many of those viewers also paid a year's subscription to BSkyB because its adverts led them to believe that their contract with BSkyB would allow them to view the five terrestrial channels indefinitely at no further cost, after the expiry of their year's subscription. Having paid a licence fee, bought a digibox and paid a year's subscription to BSkyB, they were told out of the blue that they must pay further annual subscriptions to BSkyB to receive the terrestrial channels ITV 1, and Channels 4 and 5.

That is outrageous, bearing in mind that most of the country takes these services for granted. BSkyB, ITV and Channels 4 and 5 are negotiating to try to reach an agreement that would allow viewers with a Sky digibox to continue to view ITV1 and Channels 4 and 5. It is possible that they have already reached an agreement and not announced it yet. Even if an agreement is reached, I am sure that there will still be a cost to the viewers, and there will also be uncertainty about what will happen when the contract between ITV and BSkyB ends.

A fundamental principle is at stake. People who have bought a TV licence should have the right to watch the five terrestrial channels without having to pay more fees to private broadcasters. The present system is chaotic. It is wrong that viewers who have bought expensive equipment and paid up-front costs such as a year's subscription to Sky can be led to believe that they can watch the five terrestrial channels from then on so long as they pay the annual licence fee, only to find that their TV can be blanked out as a result of a deal between major corporations. A deal between Sky and ITV and Channels 4 and 5 may resolve the situation in the short term, but the uncertainty will continue and the Government must sort this situation out in the long term.

The licence fee is a hypothecated poll tax. The money raised goes to the BBC. Everybody who pays that poll tax should receive the five terrestrial channels in return. Otherwise, taking the licence fee off those viewers is tantamount to fraud.

If the situation with regard to ITV and Channels 4 and 5 were not bad enough, viewers who receive the BBC digitally via the satellite, cannot even watch all BBC programmes. As one of the Minister's responsibilities is sport, I am sure that he will appreciate the anger felt by viewers when I explain that one of the effects of the BBC's decision to broadcast its regional channels throughout the UK is that digital viewers of BBC Scotland cannot watch Scottish football.

The Minister for Sport and Tourism (Mr. Richard Caborn): I will not be tempted by that.

Mr. Reid: The Minister would have a feeling for the scale of the outrage if he found that Sheffield United games were to be broadcast throughout the whole country but blanked out in Sheffield—his postbag would be full. That is what happens in Scotland at the moment. The BBC is blanking out Scottish premier league matches from its digital service because its contract with Scottish premier league says that those matches cannot be broadcast outside Scotland and the digital version of its regional channels are now broadcast throughout the UK.

I find it galling that the BBC can pay millions of pounds of licence payers' money to the Scottish and English football authorities, yet cannot find a solution to the problem. Surely either a technical solution can be found or the BBC could simply renegotiate its contract with the Scottish premier league. Again, the fundamental principle should be—this is where the Government should step in—that if people pay the licence fee, they should have the right to watch all BBC programmes.

Other gaps in television reception mean that many parts of Argyll and Bute cannot receive the new Freeview service; many parts cannot receive Channel 5. As an example of the frustration felt by my constituents, I shall read out a letter that I received from a constituent in Kilmelford. I received it after I had sent her a copy of the standard letter that the Minister for Media and Heritage, the noble Lord McIntosh, sends out to MPs who complain about television reception in their constituencies. This is the reply to that letter:

"Regarding the installation of a satellite dish, I have made enquiries, but it would have to be put on a post 200 metres up the hill from my house at a cost of £220 over and above the Sky charge. I would also have to pay £12.50 per month to Sky and being a pensioner, still paying for my TV licence",

she says that she cannot afford the additional monthly cost. She continues:

"I would have to get permission from the farmer who owns the field, and according to people I've spoken to in the village they had 'Sky' dishes fixed on posts on the hill and the livestock kept chewing through the cables".

Those are some of the problems that people trying to receive decent television reception in rural areas face.

The standard reply from the Minister advises viewers to contact a reputable local installer through the Confederation of Aerial Industries. A reputable installer will have experience of local reception characteristics and can advise on the location and orientation of a satellite dish. I generally find that when I send on that standard letter to constituents, they have already spoken to a reputable aeriel installer before contacting me, and it is simply not possible to achieve decent quality television reception in many places.

Another cause for concern in rural areas is the Government's plan to switch all the terrestrial television channels from analogue to digital no later than 2010—only seven years away. Many viewers in rural areas, outside the reach of analogue signals, rely on self-help relay schemes to receive the terrestrial channels. Those are small cable systems that carry the signal from an analogue relay station situated on a nearby hill. In years gone by, such schemes received financial support from the BBC, but no longer. Government policy is that no central Government moneys are available to assist in the funding of self-help schemes.

There also appear to be no plans to convert those small analogue relay stations so that they will be able to receive and relay digital signals around the village. Many of the villages served by the self-help schemes are in glens that cannot receive digital signals from the satellite because of the high mountains round about. The self-help scheme is the only way those villages can receive TV.

Unless the Government change their policy of no assistance for the self-help schemes, those villages will be left without TV when the analogue signals are switched off. One of the Government's criteria for the analogue switch-off is that

"everyone who currently receives the main public broadcast channels in analogue form must be able to receive them digitally".

It is not clear from the criteria whether viewers who receive the terrestrial channels via a self-help relay system count as viewers who must be able to receive digital before the analogue switch-off. Perhaps the Minister can clarify that. I hope that he will agree that those viewers should count in the statistics. If he does, will he tell the House that the Government will pay the cost of converting the self-help relay systems to digital?

Another criteria for the analogue switch-off is affordability. The criteria here is:

"Switching to digital should be an affordable option for the vast majority of people."

"Vast majority" is a worryingly vague term, whereas other statistics in the Government's criteria involve specific percentages. I earlier explained the vast costs that some viewers have gone to to receive digital TV. But even then the plug can be pulled from their TV set by big corporations doing some deal. Such uncertainty does not encourage viewers to invest in expensive equipment.

I am concerned that we will see two divides in TV-watching in our country. The first will be urban/rural. The urban viewer will buy a TV licence and be able to receive all programmes with no problem. The rural dweller will either have no decent reception at all or will have to pay out vast sums of money to be able to watch TV. The other divide in our rural communities will be between rich and poor. Those who can afford it will be able to buy the equipment and pay the subscriptions necessary to watch TV, but those on low incomes will be left out.

Hywel Williams (Caernarfon): Does the hon. Gentleman accept that there are further problems in

[Hywel Williams]

parts of rural Wales? Some people wish to watch Channel 4 because they cannot understand Sianel Pedwar Cymru, S4C, the Welsh language fourth channel and have invested in equipment specifically to watch Channel 4 and Channel 5. With the current proposals, that is a problem for Welsh constituents.

Mr. Reid: The hon. Gentleman makes a very important point and I agree. The Government should be making available the Welsh TV channel on a free-to-view basis as well as the other five terrestrial channels.

Mr. Alistair Carmichael (Orkney and Shetland): Can I suggest that this problem is yet a further compulsitor towards the depopulation of the highlands and islands? The families that we want to keep there are those with young children. The inability to receive television signals of the sort that my hon. Friend has outlined will be another factor that they will take into consideration when deciding whether to remain in those communities.

Mr. Reid: My hon. Friend makes a very important point. The highlands and islands have suffered depopulation for many years. We want to encourage young families to stay and other young families to come and live there. If they cannot get decent affordable television, that will be one reason why they will move away.

The Government should adopt a simple principle. Everyone who pays the licence fee should be able to receive all programmes on all terrestrial channels on a free-to-view basis. I hope that the Minister agrees.

Mr. Deputy Speaker: I believe that the hon. Member for Brecon and Radnorshire (Mr. Williams) has sought the permission of the initiator of the debate, the Minister and me to take part in the debate.

4.14 pm

Mr. Roger Williams (Brecon and Radnorshire): I shall take a short part in the debate. Thank you for your great kindness in allowing me to do so, Mr. Deputy Speaker. I want to build on the point that the hon. Member for Caernarfon (Hywel Williams) made about S4C, the Welsh language station, particularly as it relates to my constituents and those of my hon. Friend the Member for Montgomeryshire (Lembit Öpik) who live up and down the Welsh border. Television viewers receive their terrestrial analogue signal from relay stations on the other side of the border. The result is that they generally receive Channel 4 when they would like to receive S4C, the Welsh language station, to get news and political developments from Wales.

Another issue is that my constituents often receive midlands ITV signals. The regional programmes, and particularly local political issues, are from the midlands rather than from Wales. We saw the digital solution as enabling the people to have a choice between S4C and Channel 4, and between midland ITV and the Welsh independent television service. We would be pleased if the Minister could come to us with a solution. Without such a solution, those facilities will not be available to our constituents.

Mr. Deputy Speaker: The Minister is full of solutions.

4.15 pm

The Minister for Sport and Tourism (Mr. Richard Caborn): I was reflecting on the comments made by the hon. Member for Argyll and Bute (Mr. Reid). I congratulate him on securing the Adjournment debate. As he explained, the issue is important. However, I have just left a meeting about obesity in young children who watch too much television. It shows that one can become schizophrenic in this job if one is not careful. I am grateful to him for raising the issue of rural television.

Lembit Öpik (Montgomeryshire): We want rural children to have the right to watch too much television in the same way as their urban counterparts, which they sadly cannot do in Montgomeryshire at the moment.

Mr. Caborn: It is all a matter of choice.

I have a great deal of sympathy for viewers who installed satellite equipment in good faith, who chose to go free to view and who have been told that their Solus cards will not work after a certain date. We have received more than 800 letters about the matter, and we have also received more than 150 letters from MPs, some of which have been cited in this afternoon's debate.

I will give the Chamber an update on how the broadcasters are trying to resolve the issue, but first I want to explain the background to the Government's policy on digital television and the digital switchover, which the hon. Member for Argyll and Bute also raised.

The growth in take-up of digital television is a significant development in broadcasting in this country. We are close to the point at which 50 per cent. of all households have digital television. The current take-up level is 48 per cent., and we believe that it will have gone over 50 per cent. by Christmas.

The successful launch of Freeview and the continued growth of Sky have been central to the increase in digital television. The launch of Freeview has been helped by technical changes to improve the signal since its launch last year. All six digital terrestrial television multiplexes are available to around 73 per cent. of households.

The enthusiastic take-up of digital makes the Government believe that switching off the analogue signals at some time is the right decision for the economy and viewers alike. Indeed, on 18 September my right hon. Friends the Secretary of State for Culture, Media and Sport and the Secretary of State for Trade and Industry published a cost-benefit analysis showing that switchover will bring a quantifiable benefit of between £1.5 billion and £2 billion in net present value terms.

There is still some way to go to convince people that switchover is the right thing, and this debate provides a timely opportunity to set out the arguments. First, we need to switch off because we can extend DTT coverage more widely because of the limitations of terrestrial broadcasting. Analogue is the incumbent mode of terrestrial broadcast, which means that analogue transmissions have exclusive use of channels that have been cleared internationally for full power transmission.

Digital television uses the same spectrum as that used for analogue television, with digital transmission interleaved between the analogue services. That means

that the number of clear frequency channels that can be used for DTT without causing interference with other services, nationally and internationally, is severely restricted.

Those limitations mean that digital terrestrial cannot be extended until the completion of switchover. In planning the current DTT transmitter network, the broadcasters decided to concentrate on developing the 50 main transmitter sites and 30 of the larger relay sites, which would deliver the maximum coverage, given spectrum constraints. Inevitably, that means that at present rural and remote areas fall outside the scope of digital terrestrial coverage.

Secondly, there is the cost of duplication. Broadcasters are spending significant sums on transmitting programmes in analogue and digital form. The terrestrial broadcast network will need major capital investment in the next decade or so. As the majority of households switch to digital, it makes less and less sense to continue with that uneconomic arrangement.

The third factor is the sheer inefficiency of analogue broadcasts in spectrum terms. Digital transmission uses a fraction of the capacity of analogue broadcasts while increasing choice, giving access to interactivity and driving electronic programme guides to help viewers in a multi-channel environment. Switching off will allow us to work the spectrum much harder.

We are clear, then, that the question is not whether we switch off analogue broadcasts—that case has been made—but when. We must ensure that digital is right for all viewers. That is why we have established a consumer experts' group to ensure that there is an effective conduit for working through issues affecting consumers. Ofcom also has a consumer panel, and it will be involved in the exercise, too.

There are many other issues to be resolved before we can set a date. We are still on track for 2010, but progress depends on the response of consumers, broadcasters and other stakeholders.One of the tasks of switchover will be for broadcasters to produce proposals on the level of digital terrestrial coverage at switchover. Their decision will be based on a judgment about the cost effectiveness of a complete conversion to the 1,100 transmitters and the relays in the UK.

The Government and Ofcom will need to review the broadcasters' proposals, and to consider whether sufficient provision is made for those who have no access to digital terrestrial. We will consult on those proposals next year. The points that the hon. Member for Argyll and Bute raised about switchover will be factored into that consultation. The decision on when we move to switchover will be based on the outcome of that consultation.

Pete Wishart (North Tayside): Not much that the Minister has said will be of comfort to my constituents who cannot receive services. Would he be prepared to ensure that Ofcom provided satellite services if we do not make any progress on that issue in the foreseeable future?

Mr. Caborn: Let me complete what I have to say, and then the hon. Gentleman may want to come back to that subject if there is time. What I have to say will probably cover his question.

One of the main considerations will be the option of free-to-view cards when public service broadcasts are encrypted. That is a particular concern for people in remote areas who may only have access to satellite when switchover takes place.

As has been said, in May the BBC decided to move its broadcast services from the Astra 2A to the Astra 2D satellite, and to enable consumers to receive BBC services in the clear without a viewing card. However, that new arrangement ended payments by the BBC to Sky for provision of Solus viewing cards to digital satellite viewers who do not have a subscription to a pay-TV service. A consequence of that decision was the problem of how access to the free-to-view commercial channels—ITV, Channels 4 and 5—could be maintained on the satellite platform. Sky made it clear that it was not prepared to fund supplying new viewing cards to Solus card viewers, but said it would facilitate a new scheme.

ITV, and Channels 4 and 5 have been working hard to develop a solution, following the representations made by my right hon. Friend the Secretary of State. Good progress is being made and we believe that the broadcasters are close to a solution. Indeed, today I am able to announce good news: they have made a deal. The details are not finalised yet, but we already know that those people who have no subscription satellite viewing card, and who wish to continue receiving the commercially funded public service channels without paying subscription to Sky or other broadcasters will be able to get a new card. They will be offered the opportunity to buy a viewing card for £20 plus VAT. Those cards will last until Sky does another card swap-out, and for at least two years if the next swap-out is sooner than that.

Channel 4, ITV and Channel 5 are contributing hundreds of thousands of pounds to cover the overheads of the scheme. Sky is not expected to disable existing cards until the new scheme is up and running. All the affected viewers—those who have not received new viewing cards from BSkyB because they are not current subscribers—will be alerted to the new scheme through an on-screen message, which will direct them to the call centre where they will be told what to do. Those on-screen messages should appear on Monday 27 October or the following week on 3 November. We believe that is a good outcome. It has not been easy to achieve and I want to take the opportunity to thank the broadcasters for their hard work in coming to that solution. We are aware of other issues affecting rural television coverage and those are concerns.

Mr. Reid: The announcement that the Minister has just made about the £20 plus VAT charge, although a step in the right direction, is still not the ideal solution. The Government provide free television licences for the over-75s. Will they be consistent and offer viewing cards for free to the over-75s?

Mr. Caborn: The difference between being 75 and over and living in a particular area is that of choice. People do not have a choice about being over 75. There is a rationale to the idea and if representations were made, it would be a decision for the Chancellor of the Exchequer. I hear what the hon. Gentleman says, but it is not a decision for the DCMS.

[Mr. Caborn]

I was pointing out that the planning rules on the installation of dishes are too restrictive, especially for people living in national parks and other rural designated areas. The Office of the Deputy Prime Minister published a consultation paper in April outlining options for reform. I understand that the Scottish Executive are to publish a consultation paper shortly and we are also looking at other constraints affecting tenants, particularly those in public sector housing. Those points were raised, and the ODPM will produce a consultation paper.

The hon. Member for Argyll and Bute touched on television coverage being part of the wider digital divide. The Government are looking at several possible solutions, such as broadband aggregation and satellite broadband. I can assure the hon. Gentleman that we are committed to doing everything we can to stimulate the market. The Government have looked at the satellite platform's ability to offer an attractive consumer broadband solution either independently or as part of a combined digital television and rural digital package and that work is continuing. I hope that the hon. Gentleman and his colleagues will make representations to ensure that we get that right.

Hywel Williams: I am still trying to take in the announcement the Minister made about those over 75. Will he answer a simple question? Does he mean that those over 75 will pay twice for the same thing?

Mr. Caborn: There are two clear rules. One applies to those over 75, which was put in place by the Government to ensure that they have access to television—because of their age, income and circumstances a political decision has been made that they should have such access. That was made in its own right and on its own merits. We are discussing a totally different issue in this case—*[Interruption.]* We are still dealing with those over 75, but if they live in certain areas, conditions apply there. That is no different whether someone is under or over 75. Anyone who is over 75 will deal with those conditions that apply for anyone who is that age in the United Kingdom.

Mr. Carmichael: Why is someone who is over 75 and living in the west side of Shetland to be treated differently from someone over 75 who is living in Glasgow?

Mr. Caborn: The rules that apply for someone over the age of 75 do not change. If they live in certain areas where the same conditions apply to everyone, 75 and under, or those over 85, they will still get what any other over-75-year-old will get via that Act. That concession has been made.

The problems of rural coverage cannot be resolved separately from digital switchover. It is not sensible to improve analogue services when an increased number of householders are voting to go digital. Our framework for switchover will ensure that people in rural areas who receive public service broadcasting channels on analogue—BBC1 to Channel 4, S4C and Channel 5—have access to those public service channels when analogue is switched off.

It being half-past Four o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 22 October 2003

[DAVID TAYLOR *in the Chair*]

Law Commission Report (Child Deaths)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Paul Clark.]*

9.30 am

Dr. Desmond Turner (Brighton, Kemptown): The publication of the Law Commission report represents what I hope is nearly the end of a saga. For me, it has been going on for at least five years; for many others involved in child protection, it has been going on much longer.

Over the past five years, while the topic has been under earnest debate, approximately 750 children will have been killed or seriously injured by their parents or carers. That gives us an insight into the scale of the problem. Of those deaths and injuries, few will have resulted in prosecution—and virtually none in prosecution for an offence that reflects the gravity of the crimes that have been committed.

The problem first came to my attention when a series of babies in my constituency died over a number of years. Only with the last two deaths was it realised that the deaths were not accidental but were the result of gross neglect and physical abuse. The National Society for the Prevention of Cruelty to Children reports of those cases made the same sort of harrowing and grisly reading as the account given in the Climbié report.

Not unnaturally, the matter was taken very seriously. It was the result of a total failure on the part of the child protection services, and it led to a prosecution. The parents were jointly charged with murder. However, the trial did not proceed far: the judge stopped it, I think even before the prosecution had finished their case, on the ground that it was not possible to bring a safe conviction against either parent because, from the evidence given to the court, it was not possible to decide who had done it.

That is the nub of the problem of joint enterprise. Everybody knows that one or both members of a couple—or even more—must be guilty of a serious crime, yet it is impossible to find evidence to decide which of them struck the fatal blow. I hasten to add that there was a successful prosecution of the couple in the end, but only for neglect. They received prison sentences of one and a half years and two and a half years respectively, and were probably released almost immediately.

My first action on hearing of that case was to see the then Home Secretary, together with the detective inspector who had been involved in the case, and relatives, to put to him the seriousness of such cases and the fact that gaps not only in the provisions of the law but in court procedures and rules of evidence had prevented a successful prosecution. The Home Secretary was sympathetic and promised that he would refer the case. He then referred it to Lord Justice Auld, who was conducting a review of the judicial system. It was later referred to the Law Commission for consideration. After years of earnest deliberation, we finally have the commission's report.

The National Society for the Prevention of Cruelty to Children convened a working group with the aim of gaining an idea of the number of such cases in the country. The same detective inspector undertook an intelligence-gathering exercise involving 43 police forces in England and Wales, the results of which were disturbing. He found that in the three years covered by the investigation, an average of three children under 10 were either killed or seriously injured every week. Of those cases, 83 per cent. involved children under two. In 61 per cent. of cases, there was no prosecution because of decisions taken by the police or the Crown Prosecution Service. There were convictions in only 27 per cent. of those cases, and those were only for the relatively minor offences of neglect or cruelty.

The disturbing situation is that murder—the only reasonable description—is being committed with impunity by parents or carers, and that there are no prosecutions because of the conundrum of not knowing who did it. If neither party is prepared to give evidence against the other, it is difficult to decide who did it. I cannot imagine that the police or the CPS would allow an adult murder to go unpunished and unprosecuted so easily.

It is a sad fact that the authorities do not pursue cases involving the deaths of small children with the vigour appropriate to the gravity of murder. I put it to hon. Members that the unlawful death of a human being is equally grave whether the victim is one month old or 70 years old. How can we resolve the imbalance of justice that allows the most serious of crimes to go unpunished in literally hundreds of cases? The balance of justice is very much tilted in favour of the perpetrator of the crime because of the perfectly natural and laudable legal principle that before a person can be convicted of a serious crime, one must be absolutely confident that he or she did it.

Unfortunately, that principle gets in the way of successful prosecution. That is echoed in the Law Commission's early consultative report, which states:

> "We conclude that there is ample evidence from disparate sources that the present rules of evidence and procedure which apply in criminal trials represent a significant obstacle to effective investigation into and identification and punishment of those who are guilty of the most serious offences against the most vulnerable member of society. Furthermore, the alternative offences, for which the present rules and procedures do permit convictions, do not appear satisfactorily to reflect the responsibility for the death of a child, either through the labelling of the offence which attaches to the conduct or in the severity of the penalties available."

I doubt whether anyone would disagree with those words. What we need now is action. For many years, learned colleagues have cogitated on it and, until now, failed to find a way through the dilemma. Sooner or later, in every judge's deliberation, the classic case of Lane and Lane comes up, and we can go no further.

The question is what to do in a situation in which it is known, beyond all reasonable doubt, that either one or both of two people were responsible for a capital offence. Clearly, it is not possible to prosecute for the full gravity of murder in such circumstances. However, the original proposal, which was the line of thinking of

[Dr. Desmond Turner]

the then Home Secretary, was a slightly lesser offence of killing as a result of cruelty, which would carry a sentence of, say, up to 14 years, which can be prosecuted according to the lesser standard of evidence, as long as we are confident that the murderer or murderers were part of a couple. That is what we have come back to.

I submit that that is reasonable, because even if one of the couple was completely innocent of throwing the baby at the wall, for example, they were complicit in, or at the very least accessories to, the act of murder by virtue of their silence, given that they knew the circumstances, and of their failure to take steps to protect the child. It would be reasonable, in such circumstances, to prosecute for joint enterprise. That also means changing the rules of evidence and procedures in court, and the Law Commission's recommendations coincide reasonably with the amendment to the Criminal Justice Bill tabled by my hon. and learned Friend the Member for Redcar (Vera Baird) and me. We did not press it to a Division, as we were awaiting the outcome of the Law Commission's report, which is now before us.

I remind the Minister that Baroness Gould tabled the same amendment in the House of Lords, which corresponds to, takes into account and anticipates the Law Commission's recommendations. There is still time for the Government to incorporate them into the Criminal Justice Bill by accepting the amendment. I await my hon. Friend's response to that fact with great interest.

Alternatively, the Government could proceed by putting the Law Commission's recommendations into effect on their own. I hope that my hon. Friend will tell me that they will do so. The recommendations are couched at great length in legal language, but the nub of them is fairly simple: the offence of killing by cruelty; a further offence of failing to protect; the requirement for a judge to allow the full case to be presented to the court before intervening to prevent the possibility of what he believes could be an unsafe conviction; and for the court to be able to draw conclusions from the silence of either or both of the accused, so that the court can bring in a verdict under the conditions of joint enterprise.

If the Government are not minded to accept the amendment, which is currently being considered in the House of Lords, I seek an assurance that they will legislate to put the recommendations into effect at the earliest opportunity. The current Home Secretary, Lord Falconer and the Solicitor-General have assured me that the Government have a strong will to do so. I will put my hon. Friend on the spot—that is what Ministers are for—by seeking from him an assurance that the Government will accept the legislative opportunity offered by our amendment to the Criminal Justice Bill or that the Queen's Speech will announce a domestic violence Bill that incorporates the new charges and changes to rules of evidence that arise from the report's recommendations.

This is a very serious matter. The current situation totally undermines the work of child protection agencies. It is not that prosecution by itself is necessarily a deterrent—we know that the abolition of the death penalty made no difference to the incidence of murder—but that society expects a reasonable degree of punishment for a very serious offence. It can do nothing for the morale of social workers, investigating police officers or health visitors, who must go through some difficult exercises to do their work, to know that they will end up with no result other than a dead child. It is therefore essential that this large gap in the operation of the legal system should be plugged at the earliest opportunity. We do not guarantee that this will stop parents from neglecting, battering or murdering their children, but it will contribute to a reduction in the incidence of such horrendous occurrences.

9.49 am

Tim Loughton (East Worthing and Shoreham): I am grateful for the opportunity to speak on this subject, in which I have been interested for a number of years, both as Front-Bench spokesman on children's issues and from constituency experience, which the hon. Member for Brighton, Kemptown (Dr. Turner) knows well. I congratulate him on raising the subject again in this Chamber. As he said, he has been involved with it before. Uncharacteristically, I want wholeheartedly to support his case and the comments that he eloquently made. As he says, there is a gap in the law that must be plugged: it amounts, literally, to adults getting away with murder.

We in Sussex know—all too well, sadly—the problems of child abuse, cruelty and murder. The hon. Gentleman recounted several cases from his constituency, and I want to refer to a specific case that happened in my own. There was the murder of Sarah Payne a few years ago. I have been attempting to push the child rescue alert scheme, which was piloted by Sussex police, as a means of countering child abductions. The Minister knows that we currently have a few problems with that; I am glad that I shall meet his colleagues in due course.

Part of the problem nationally is that too many children are still being killed, let alone suffering abuse and serious injury, at the hands of their parents or carers. The number of children who die at the hands of their parents or carers is still said to average 79 or 80 a year, of whom—incredibly—over half are under the age of one. That figure has been fairly consistent over a number of years, despite improvements in the system of detection, and a greater awareness of child abuse problems, and it is still alarmingly high. We hope that improvements will take place as a result of Lord Laming's Climbié report, and the Green Paper that the Government announced last month, which we greatly welcome—but the proof of the pudding will be in the eating, and we need to see much more detail. We hope that, as part of the linking exercise between those who come into contact with children—be it social workers, teachers, GPs, other health workers, or police—that we can do something to bring down that number of deaths. At the same time, the point of today's debate, and the required legislation, is to ensure that the deterrent against those parents or carers who commit such heinous crimes is of sufficient severity to discourage them from doing so. A two-pronged approach is needed, which is why it is right that the hon. Gentleman proposes changes in the law.

The NSPCC, working with the Sussex police child protection unit, has done a lot of work on the subject. The hon. Gentleman referred to a study in which it

considered a number of cases of non-accidental child deaths at the hands of carers, and surveyed 366 cases. In 225 cases, no further action was taken, not even the charging of parents or carers with a lesser offence—those cases never even proceeded to court. The perpetrators obviously got away with their crimes scot free. There were convictions in only 99 of those 366 cases, very few of which were for murder, as most were on lesser charges. The indictment rate for such cases has also been falling in recent years. It seems that the law is not being tightened up; if anything, it is going the opposite way.

I have taken up the issue in most of the six years that I have been in the House. Earlier this year, I revisited the subject with a private Member's Bill, urging the Government to do something about the joint enterprise loophole. What brought my attention to it was the case in my constituency in 1999. A four-year-old, John Smith, who I think was in the care of Brighton and Hove social services, had been placed with foster carers in Fishersgate in my constituency. The carers were the child's prospective adopters and were apparently sufficiently trusted by social services to put him in their care.

On Christmas eve 1999, the child died from brain injuries after six months of systematic abuse, resulting in 54 bruises, three adult bite marks and numerous burns being found on the body when the child eventually succumbed to the abuse. Those responsible, Simon and Michelle McWilliams, were prosecuted. In 2001, they were jailed for eight years, but on a charge of cruelty rather than murder, because each one denied responsibility and did not try to pin it on the other, so the joint enterprise loophole came into play. Amazingly, the couple appealed against their conviction, but fortunately the appeal was turned down and they are still serving part of that eight-year sentence—they could well be out in four years for good behaviour.

The verdict was an enormous blow to all the people who knew that the parents were guilty of a much more serious offence than cruelty. The report had enormous ramifications: social workers lost their jobs and health workers, including my constituents, were heavily criticised. Systemic failures were exposed in the case, and we hope that the Green Paper recommendations will resolve them. The frustration and demoralisation of professional workers who just want to do their best for the young people in their care is enormous when they see people getting away with murder altogether or facing much lesser charges.

The Government must revisit this issue. Whether through the amendment in the House of Lords, which the hon. Gentleman mentioned, or otherwise, we need to find a solution to plug the loophole. I am not a lawyer and do not know the technicalities of what would and would not wash in the legal system. However, I do know that a solution must be found and I support his proposal, as I, too, have suggested that there should be a charge of killing by cruelty, for which the sentence would typically be a maximum of 14 years.

The hon. Gentleman spoke about a responsibility on a parent or carer to have a joint duty of care for the welfare of the child and to take action if he or she reasonably believes that the partner is abusing the child. We can learn from the Scottish system. Changes made to Scottish law in the 1990s introduced a duty of care over children for whom parents or carers had a joint responsibility.

I do not suggest any practical, specific solutions at this stage, but I add my weight to the case advanced by the hon. Gentleman. The number of children who are abused and killed in our society is a terrible indictment of it, certainly when compared with the experience in other European countries. There must be a two-pronged solution. We need a better system working to prevent such cases, with properly joined-up professionals who are properly in touch with the intelligence on the ground and who have the power and the teeth to do something about it. The buck should stop with the person who can ensure that something is brought to bear. Equally, the law must be tightened up so that anyone who is minded—incredibly—to inflict the terrible injuries on children that we all find extraordinary will think twice about the odds of being prosecuted and the severity of the implications of a successful prosecution. At present, the chances of a serious prosecution with serious consequences are simply not high enough to act as a deterrent.

I hope that the Minister will take those points on board and that we can see a change in the law to make such child killings a real offence, punishable by a charge equivalent to murder.

9.59 am

Vera Baird (Redcar): First, I apologise for my late arrival, which was attributable to the Victoria line for about the 15th time in the past few weeks. It is discourteous of me, and it also means that I did not hear what my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) said. If I start to repeat what he said, I hope that someone will pull a face at me. I pay tribute to both him and the hon. Member for East Worthing and Shoreham (Tim Loughton). Both have worked with great fortitude to change the anomaly in the law, and I am pleased to be able to add my support.

Reference has been made to the work done by an NSPCC committee, which collected figures on children who are killed or receive serious injury. I heard the hon. Member for East Worthing and Shoreham talking about the numbers—476 children in three years, which amounts to three a week. On those figures, by far the highest homicide rates for both males and females are among infants. A casual thinker might guess that young men between the ages of 18 and 20 or 25 were the most likely people to be killed. In fact, 33 such young men per million are killed by homicide, whereas 44 little boys per million are murdered.

The causes of death are almost as horrific as the numbers. More than 60 per cent. of the 476 deaths were caused by either a skull fracture or an intracranial injury, including a haemorrhage, which suggests that the child was shaken, thrown against a wall or banged on the head. Another 10 per cent. of deaths were from suffocation or strangulation. The hon. Member for East Worthing and Shoreham noted the different figures. Let me specify the important one: only a quarter of the cases that were reviewed resulted in a successful prosecution.

As the hon. Gentleman demonstrated, and I am sure that it was said earlier too, that is principally because few cases go to court. When cases reach court, the

[Vera Baird]

conviction rate is well above average, but few get there. The point has also been made that although the rate is above average, convictions are often for a lesser offence, under section 1 of the Children and Young Persons Act 1963.

Like others, I must pay tribute to the NSPCC's work and the "Which of You Did It?" working group, which has been chaired by Judge Isobel Plumstead and in progress since 2000. A principal reason why convictions are difficult is that more than one person often bears direct responsibility for the child's death. Even when they are not killed, small children are often unable to say who harmed them, and a child old enough to give information is rarely able to go to court.

Carers cannot be compelled to give an account, as there is a justifiable privilege against self-incrimination in court. I have never understood why people are surprised about that privilege. People cannot be forced to talk; we do not torture them. However, we can back up the exercise of that right with consequences if it is unreasonably exercised.

As I am sure that others have referred to the case of Lane and Lane, I shall do so fleetingly. It ruled that in the absence of evidence that indicated which person of several had inflicted assault or that they acted together, none of the people involved could be convicted of murder or manslaughter. In some cases, conviction for cruelty or neglect under section 1 of the Children and Young Persons Act 1963 might follow, but there is no reason to settle for that. If a person has been killed at the hand of another, the right charge is murder or manslaughter, depending on how the facts marry up. There is nothing to justify having only lesser charges available when the killing is of the most vulnerable youthful members of society.

Section 1 of the Children and Young Persons Act 1963 has served as an excellent back-stop in many cases, but even that is sometimes difficult to achieve. The law was not designed to be the way it is, and nobody wants it to be so. We have a common-law system and a non-codified criminal system, which means that if an issue arises in a trial or on appeal, the decision in strict law is made in a piecemeal way and is specific to the case. That then stands as a precedent for other cases that cannot be distinguished from it, unless or until it is overturned by a higher court.

One could never have expected the Lane and Lane case to be overturned in a higher court, because it conforms to the main principles of criminal evidence and justice. The courts do not say, "This is not how it should be, so we will change it." They apply the law; they do not take into account what might be called public policy if it conflicts with ordinary criminal law. They take little account of what is desirable in society, or in that case, of what is utterly undesirable. In Lane and Lane, the Court of Appeal said that, distressing though it may be, a serious crime is likely to go unpunished. It is absolutely certain that one of two people in that case, and in most such cases, committed the most serious offence known in law on a child, so that statement was a significant understatement.

Lane and Lane took place in 1987. The verdict was never morally correct, as opposed to technically correct in the limited confines in which judges are allowed to think. For 17 years that has been the law, and nobody has done anything significant about it, although many social workers and CPS lawyers have tried to find a way around it, usually through section 1. However, that law has prevailed, many children have been killed, and many deaths have gone unpunished for an extremely long time.

For the courts, it represents what Lord Justice Buxton described to the Law Commission as a

"depressingly accurate account of the way in which the courts have felt obliged to subordinate the particular interests of child protection to the demands of general and non-situation specific rules of English procedure".

It is curious that judges have the responsibility to apply the law systematically and almost mechanistically. When they see, as they must, something wrong with that application, there is no systematic channel for ensuring that that news passes to those who could, many years ago if the will and knowledge had been available, have done something to change it.

Before I discuss the current proposals for change, I want to point out that the figures collected by Judge Plumstead's working group showed a large discrepancy in the outcome of such cases among the police forces that were surveyed. The figures are small, so not too much can be based on them, but it is worth noting that although the West Midlands force achieved a successful prosecution in 50 per cent. of all cases that came to it—not just those that it took to court—in Essex, there were only four successful prosecutions, which represent 8 per cent. of the total. The remainder of cases in Essex resulted in no further action and did not get near court. That is a massive discrepancy between the two.

It is possible that, because of Lane and Lane, which has existed for so long, police, CPS lawyers, lawyers at court and judges may have developed the idea that there is not much prospect of success if there is a possibility that two or more people committed the offence. That may then become a self-fulfilling prophecy, rather analogous to the way in which rape has historically been treated. If there is perceived to be only a remote prospect of a successful outcome, it is probable that less effort is put in all the way along—for example, there might be insufficient active investigation to try to secure evidence that would point to A as opposed to B.

There is also the possibility of the impact of imminent legislative changes. I am strongly opposed to the admission of previous convictions in prosecutions because those convictions are there. However, if the Criminal Justice Bill successfully completes all its stages and is implemented, it will be possible for previous offences, acquittals and violent behaviour to be admissible, where relevant, in cases of this kind.

Before turning to the new proposals, I shall make only one further point, because it is difficult, in a debate of this sort, to have the sort of debate that one would have in Standing Committee about the technical nature of the law. However, I shall make that point as strongly as I can.

There is powerful evidence that cruelty to children, assaults on children, and killing of children are closely linked to domestic violence in general. As long ago as 1996, evidence presented by Brandon and Lewis showed that in half of 105 cases of children who had been killed or injured by a carer, domestic violence had taken place in those families.

Two conclusions may be drawn from that. First, with regard to what I said earlier about the Criminal Justice Bill and the proposed wider admissibility of evidence of previous conduct, if domestic violence has occurred, there may be evidence of earlier violent conduct by one party or another, demonstrated by police call-outs.

Secondly, the domestic violence victim is a potential witness, particularly if the woman concerned called out the police. As we know, 90 per cent. of domestic violence is man on woman, so I shall speak as if the woman was the victim, while taking due regard of the fact that it is sometimes the other way around. As is fairly well known, women tolerate a very great deal in domestic violence cases. They sometimes ask for help and often stay even after the help has come, but it is often when an assault has occurred on a child that the link breaks, and the woman realises that she must make the move. An assault that results in death or serious injury can happen suddenly, so the woman has no time to protect against it or to leave, but in that situation she may be a useful witness, rather than a defendant.

However, the approach taken must be a cautious one. Women do not easily talk about domestic violence; it fills them with shame and guilt, and they are sometimes too afraid to talk about it. That represents a challenge for the police. They must be aware that there is a well-proven link between child killing or child injury and domestic violence against an adult partner, but it is critical that that issue is approached with care. It is also critical that policewomen be involved in that delicate area, and that both parties are represented by solicitors who understand the implications.

Even now, prior to any change in the law, some steps could be taken that might mean that more cases are successfully prosecuted. I have discussed the provisions of the Criminal Justice Bill and the understanding of the potential impact of domestic violence, which is likely to have been present, and have asked the question whether the existence of Lane and Lane for so long has led to a state of mind in which the police and the CPS do not pursue cases as actively as they should.

I respectfully suggest that a thematic review by the inspectorate of constabulary and the inspectorates of the CPS of how such cases are prosecuted would be a good step, pending legislation—I do not know when it will be possible to legislate, and I am as keen as other hon. Members who have spoken to encourage it quickly. That would not be like the usual inspections of police forces in, say, Cleveland or Essex; rather, we should look at all the police forces and ask how they are doing this. Is there best practice that can be learned from? Is there best practice that can increase the rate of conviction, even on the law as it currently stands?

In 2002 there was such a thematic review of the law on rape and how rape is prosecuted, which was very important indeed in unlocking some of the measures that are now being taken to improve prosecutions and convictions. A similar course could unlock some of the no further action cases and lead to more being carried on with, irrespective of any changes in the law. However, there are also good recommendations from the Law Commission for changes in the law, and I, too, urge that they be taken up quickly.

At trial, the prosecution go first and present their evidence. Given the evidence, they might say, "It's more likely to have been A," or, "It's more likely to have been B," or, "The circumstances suggest that they were working together on this," or, "In the instant when the action took place, they were of the same mind and are parties to a joint enterprise." If so, the case just stops, because the defence then have a right to say, "We don't have anything to answer here, as there is no case against either A or B." That has happened many, many times. A and B will have said nothing in the police station, and will of course never have to face the prospect of saying anything in court, because only the prosecution are heard from. The two do not have to answer if there is no case presented against them at court.

It is not the work of wicked lawyers to tell people not to speak, however. In the aftermath of Lane and Lane it would be gross negligence if a lawyer did not say to a person in the police station, "You must say what you wish, but let me tell you, if there is no evidence that picks out that it's either you or her, there will be no conviction against either of you."

There is an inference in the law from silence, but it does not work at that early stage, when the prosecution case is being called. It therefore cannot carry someone over that halfway stage, because they have not been given a chance to speak or say nothing in court in order to rectify their silence in the police station, so the inference does not work. There is an excellent proposal from the Law Commission that echoes the amendment that my hon. Friend the Member for Brighton, Kemptown and I tabled in Committee, which is that the right to submit that there is not a case for a defendant to answer should be deferred to the end of the defence case and not taken at the end of the prosecution case.

At first sight there is a logical inconsistency about that proposal, because it is a bit funny to make a submission that there is no case to answer after one has given one's evidence or chosen not to do so. However, that is just a pedantic turn of phrase. We need a system in which, because solicitors will perhaps for the first time not give such advice so freely, people will have to consult their conscience about what they intend to do. Their child or a child whose care they were responsible for has been killed. They are now before a court, a case has been presented and the jury are looking to them. Can they sit throughout the case when the judge says to their barrister, "Have you told this person that now is their opportunity to give their explanation? Have you told them that it can be held against them if they don't?" In such circumstances, people will find it far harder to keep their heads down and their mouths closed through that stage, and more are likely to speak.

The Law Commission also has a proposal to beef up the adverse inference that would follow if either or both of the accused did not speak. Once one has passed the end of the prosecution and has started on the defence, the adverse inference works—juries can draw such inference as they think proper from the failure of defendants to speak, and in many cases they will. However, there is an irony in that. Because one cannot carry the adverse inference over from the end of the prosecution case and set up a case to be answered, if there is no more evidence at the end of the defence case because the defence have not spoken at all, but have kept mum and brazened it out, there is no more evidence than there was at the halfway mark. Logically, the adverse inference should not carry one any further in the absence of positive evidence one way or the other.

[Vera Baird]

That is why the Law Commission proposes beefing up the process by setting up a statutory duty on a person who has care of a child, so that should anything happen to that child, he or she would have to give an account of how it occurred and what he or she knows about it. The Law Commission believes that that is key. It will permit more powerful adverse inference to be brought into play: in court, the moral pressure will be twice as large if one does not merely recite the ordinary rules but says, "You have a statutory duty to speak now," and the person still remains quiet. The Law Commission's view is that if somebody remains quiet in the face of that, the adverse inference should be large enough to allow for a conviction.

Mr. Dominic Grieve (Beaconsfield): Clearly, it will remain the case that, notwithstanding any adverse inference, if the evidence is not there at the close of the defence case—even with the statutory obligation to give an account—some prosecutions will have to be thrown out by the judge. That issue has troubled me, too. Can the hon. and learned Lady give examples of cases in which the statutory duty to give an account will make a difference if the evidence is not there in the first place that would have carried the prosecution through under the present rules?

Vera Baird: I know exactly what the hon. Gentleman means. While I was in durance vile on the Victoria line, I went step by step through the proposals, trying to cast my mind around what difference it would make in practice.

First, we should think about the period before trial and consider the police investigation. It would be a potent tool for police to tell people that they had a statutory duty to tell them what had happened, and that if they did not speak out either then or when the matter came to court, everybody would know that they had failed in their statutory duty. When the matter came to trial, it would also be a powerful tool for the judge to announce in the face of a jury that the person would be failing in that statutory duty by not speaking. I hope that the impact will be to encourage more people to speak, but it might work in the odd case even if they do not.

Dr. Turner: Is this not a lesser problem than it might seem, because we are talking strictly about a situation in which we have hard evidence of every element apart from which defendant did it. We know that there is a dead child, and we are confident that one or both of the two people were responsible. It is a self-confining and self-defining situation, and the proposed new rules will put enormous pressure on both defendants, if they wish to defend themselves, to speak. If they fail to speak, they can be reasonably assumed to be guilty.

Vera Baird: I am grateful for my hon. Friend's intervention, although I do not entirely accept his last point. For instance, one would have to be very careful in a case where domestic violence could have taken place, because the victim of that violence may be intimidated and so not speak. Only the adverse inference that it is proper to draw can be drawn. If the jury think that A is not speaking because A is scared, or is protecting B rather than himself or herself, that will still lead to some difficulty. Creating a statutory duty, rather than leaving the law as it is now, can make a difference. All the pressure that I have referred to will come to bear on people, and will enter the mind of the jury as a factor for consideration.

A judge who thinks at the end of a defence case that there is no evidence that points either way or shows joint enterprise will still have a duty to throw out the prosecution. Some cases will have to be withdrawn; we are not legislating to achieve 100 per cent. convictions. In fact, it is probably not appropriate to have 100 per cent. convictions. However, we are trying to improve matters in the ways that we can.

As my hon. Friend said, one could envisage that in certain circumstances, where there was a dead child, the jury would see A and see B and assess from their silence in the face of their statutory duty whether the evidence about the circumstances allowed the view to be formed that the two might well have acted together. There are juries that convict because it is clear that two defendants are acting together in deciding not to speak. Members of the jury take back an inference that if the defendants are conspiring to keep quiet, it is probable that they conspired together before.

All such circumstances need to be examined carefully, and the jury will have to ask whether there is something in the evidence that, coupled with the silence of A and of B, makes it possible to be satisfied either that A is responsible, or that A and B were acting together. The extra power that the Law Commission proposes to add to that inference is probably important. It also suggests an extension of the section 1 offence, which would include neglect or assault from which death follows. That would be helpful, but it cannot be a substitute for charges of murder and manslaughter.

My hon. Friend the Member for Brighton, Kemptown and I toyed with another approach. That was to state that anybody with a duty to protect who is present when a child is killed or injured, is guilty, unless they could say that they took all reasonable and practical steps, and could satisfy the court that they did so. In other words, they would have to speak or they would be convicted. That would not reverse the burden of proof once they had spoken; that is, in a sense, the Law Commission's idea of a duty to explain—backed up by a conviction. That approach, however, is probably a step too far.

In the 1997 case to which the hon. Member for East Worthing and Shoreham referred, an inquiry took place in Sussex. In April 2000, the police met the then Home Secretary, now Foreign Secretary, who said that the Home Office was urgently considering changing the law. The "Which of You Did It?" working group has been sitting since 2000.

My hon. Friend the Member for Brighton, Kemptown and I raised the issue at the outset of the Criminal Justice Bill. We both raised it in Committee. The then Home Office Minister, my right hon. Friend the Member for Leeds, Central (Hilary Benn) said that it is wrong that those who abuse children should be able to play the system and get away with it. The Law Commission was asked to produce a consultative document in haste, in the hope that something could be

put into the Criminal Justice Bill. On Third Reading, the Home Secretary said that he was keen to legislate. Finally, last week, on 15 October in the other place, Baroness Scotland said that the Government were immensely keen to legislate. All of that has passed, the Law Commission has done its best and the final report of "Which of You Did It?" is imminent and is going to be far more about procedure and less about the law, because the Law Commission has dealt with that.

My question is now: have we not passed the stage at which asking as a tool for examination the rhetorical question, "Which of you did it?" has got to change to asking the Government directly, "When are you going to stop it?"?

10.30 am

Mr. David Heath (Somerton and Frome): I congratulate the hon. Member for Brighton, Kemptown (Dr. Turner) on having secured the debate. We have already heard two very important contributions. Sadly, the 10 minutes allotted to the Front Bench in these circumstances is barely adequate to cover a matter that has been niggling away for years. I pay tribute both to the hon. Members who have already spoken and to organisations such as the NSPCC and various constabularies, particularly that in Sussex, for taking the subject so seriously. They do so because all of us consider infanticide to be a uniquely repugnant crime and all of us are concerned about the apparent gap in the law that is so amply demonstrated by the huge disparity in the prosecution rates for those suspected of killing a child in their care and those suspected of killing a child who is a stranger. That tells an important story.

As has been said, we had a canter down this course during the Committee stage of the Criminal Justice Bill. I see many of the contributors to that debate in the Chamber today. As the hon. Member for Brighton, Kemptown and the hon. and learned Member for Redcar (Vera Baird) know, in Committee I was very supportive of their amendment, with one exception. They included a provision for admitting pre-trial incriminating statements made by one defendant against another. I was unhappy with that, feeling that it was likely to be a breach of human rights legislation, and I am happy that the Law Commission formed the same view.

We need to dwell on what the Law Commission has said in dealing with the narrow legal points, but we should also recognise that there is a wider aspect to the matter. Improvements need desperately to be made in protection—I do not say deterrence, because I accept the view expressed by the hon. Member for Beaconsfield (Mr. Grieve) that deterrence is of limited value in this area. Protection is certainly a proper concern, and we should provide a better service to children and young people.

I would also consider investigation. I wholly endorse what the hon. and learned Lady said about a thematic review of both investigation and prosecution procedures. That is a sensible suggestion that should be acted on at the earliest opportunity. I also feel that there is a gap in paediatric pathology that needs to be addressed as a matter of urgency. We do not necessarily have experts who are doing the job as well as they should be, and that has been illustrated in a number of cases.

I am pleased that the Law Commission is absolutely clear about the need for the prosecution to prove that a crime has been committed before the rest of its provisions come into force. There have been serious question marks over some cases that have been brought even though it is not clear that a crime has been committed, and people have been wrongly convicted on the basis that a crime has been committed, although the event was happenstance or accident. We must clearly distinguish such cases, because to put them together is to confuse the situation.

Various hon. Members have referred to Lane and Lane, and I am not going to quote others unnecessarily. I think that the hon. and learned Lady quoted Lord Justice Croome Johnson. It is a huge misfortune that, so many years after that case, nothing has been done. Looking back, I was surprised that the royal commission on criminal justice in 1993 came to such a weak conclusion about identifying an area of difficulty. It did not accept an argument about evidence at that stage, and expressed sympathy about the public concern over such cases but did not come to firm conclusions. That was an error.

Since then, some cases have provided partial remedies. The Law Commission refers to them: in relation to inferring joint enterprise it refers to the cases of Marsh and Marsh *v.* Hodgson, and Russel and Russel, as well as matters relevant to increasing the penalties for lesser offences. However, it does not get to grips with the basic issue that the Law Commission has now addressed.

As we have heard, the Law Commission has made proposals relating to the evidential and procedural arguments, and to new offences, with the statutory statement of responsibility. I believe that that is a productive and beneficial move, which ties in with what hon. Members proposed for the Criminal Justice Bill. A knock-on consequence, which has been referred to briefly, is a requirement for separate legal advice for the parties in the case, because the possibility of conflict of interest becomes so much greater. That must apply from the moment of arrest and interview at the police station. A change in solicitors' procedure may be needed for such cases.

The second point made by the Law Commission is that in certain cases the judge may not decide whether the case should be withdrawn from the jury until the close of the defence case. The hon. and learned Member for Redcar explained the consequences of that. Her analysis is correct, and I support her in it. The Law Commission has also dealt with the inference from failure to provide evidence.

As to the new offences of cruelty contributing to death and failure to protect a child, I cannot believe that anyone would argue about the first of those. It is self-evidently a valuable prosecution tool that that offence should be available, to be treated with the greatest seriousness. There is an argument for extending the offence of failure to protect a child, to make it apply more widely than to those with the connections set out in the Law Commission framework, resulting in a wider and more general duty to protect a child. I can see that it would be a difficult matter to enforce or prosecute, but it might also be a useful deterrent in statute. I should like to explore that possibility further.

[Mr. David Heath]

The other question that needs to be discussed in relation to failure to protect a child is the maximum penalty of seven years. I can see the balancing act that the Law Commission is trying to carry out. Clearly, the offence is a lesser one than murder, but in some cases it may be a substitute for a murder charge. Is seven years the appropriate maximum penalty? I am not sure. In due course we shall need to address that matter.

What the Law Commission has come up with is a viable framework for reform, which appears in the draft Bill on offences against children. We have already heard that the Government are committed to act on this. The then Home Office Minister, who is now Secretary of State for International Development, said:

"We are committed to legislating on the matter, once we have found the right solution."

That was keeping the door open. He went on:

"We will then proceed with legislation as quickly as possible, either in the Bill if there is still time,"—

he was referring to the Criminal Justice Bill—

"or in a future Bill, because we are committed to making a difference on that aspect of the law."—[*Official Report, Standing Committee B*, 4 March 2003; c. 1269.]

It is clear to me that the matter that we are considering is one of urgency in the law. The Law Commission has done good work on it. There remains theoretically an opportunity to amend the Criminal Justice Bill. I would understand if the Minister's response was to say that there are so many interconnections between the proposed legislation and other legislation currently passing through the House that it would be better to have a freestanding Bill in the next Session. If that is his argument, I will accept it, provided that there is indeed a freestanding Bill in the next Session. What I cannot countenance, and I hope that he will not accept this either, is the matter simply sitting on a shelf gathering dust while the situation described by the hon. Member for Brighton, Kemptown continues. This problem is susceptible to a remedy, which the Law Commission has pointed out, and it behoves Parliament to do its job by producing legislation at the earliest opportunity.

10.40 am

Mr. Dominic Grieve (Beaconsfield): This debate has been needed for a long time, and the hon. Member for Brighton, Kemptown (Dr. Turner) is to be warmly congratulated on bringing this matter to our attention.

I declare at the outset that I am in favour of a reform to the law in this area, so I hope that the hon. Gentleman will forgive me if I start with two words of caution before I talk about the details of the Law Commission's proposals. The first point, which my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) made very tellingly, is that the number of incidents in which very young children are killed by their carers or parents is surely an indication less of wilful evil in those carers or parents and more of an appalling and systematic failure in socialisation and the teaching of parenting skills in this country.

It is noteworthy that that failure has been constant for a very long time. I therefore do not believe that we should look to legislation that may raise the conviction rate in such cases to provide a deterrent against the perpetration of the offences. I very much doubt that if we were to increase the rate of conviction to 90 per cent., there would be a substantial diminution in the number of these terrible killings.

We have always hoped that society would evolve and become a better place through education and the intervention of social services, and that we would be able to see an improvement. The terrible truth, which I know from numerous episodes in my constituency, is that social services departments are ill equipped to deal with these problems, which continue from one generation to another. Parents who are likely to be violent to very young children, out of frustration or because they have violent personalities that have never been subdued and contained through the usual processes of education in their own childhoods, have often been subjected to violence themselves. The remedy that we are looking for in legislation will not solve that problem.

The second issue, which the hon. and learned Member for Redcar (Vera Baird) properly highlighted, is that there is no point in saying that Lane and Lane is an outrageous statement of the law. Lane and Lane is merely a statement of the general principles of our law, which no one, as far as I am aware—certainly no one during the passage of the Criminal Justice Bill through Parliament—has said they want to tear up, applied to the particular problem that arises when two or three people must have committed the offence but no one can tell who did it.

The only reason why we focus on this problem in this particular framework is that it happens over and over again that a young child is killed by carers, one of whom must have committed the offence, but there is a risk of convicting the person who had nothing to do with it if we start tinkering with the existing rules and principles of our law, which state that the prosecution must satisfy the jury that they are sure that the defendant was involved in the offence. The difficulty in such cases is that it is a question that the court knows only too well the jury will be unable to answer—as in cases such as Lane and Lane, where there is no evidence on which one could decide which of the two people did it.

I am sympathetic to seeing what could be done to try to address that problem. However, I must tell the hon. Member for Brighton, Kemptown and others who have participated in the debate that we must be careful not to construct special rules that do away with the general principles of our law. Although one or two hon. Members have suggested that they should be done away with, on the whole such a move is resisted, and the Government have never suggested that they should go. Indeed, the human rights convention, which is now incorporated into our law, derived many of its principles from the way in which our common law had been applied. The privilege against self-incrimination, the right to a fair trial and the burden of proof being on the prosecution are all principles that I would not wish to be done away with.

It seems to me that the Law Commission has come up with an interesting formula. I have no difficulty with the principle of changing evidential and procedural rules for murder and manslaughter, as suggested by the Law Commission, in order to allow a decision to be taken at the end of the defence and not at the end of the prosecution case. If it has the beneficial result that the

hon. and learned Member for Redcar suggests, I would be wholly comfortable with it. I question the extent to which that may happen, but I emphasise that we should not raise too many hopes that it will lead to a revolutionary new position in respect of murder or manslaughter trials of two carers or parents accused of killing a young child. It may lead to some benefit, but it will not lead to a major shift. Indeed, the Law Commission considered a number of draconian proposals that would do away with the general principles of English law, but it rightly decided to reject them.

I am also quite happy about emphasising to the jury that they should take into account the responsibility on carers or parents for the welfare of a child when considering whether an inference can be drawn against the defendant or whether the case has to be withdrawn at the close of the defence's case. However, as I pointed out in an intervention, although that may help in one or two limited grey area cases, as defendants often stay silent until the end of the defence case, and as their lawyers argue that there is no evidence to say which of the two people did it and no evidence of joint enterprise, I think that we will still see acquittals under the commission's proposal.

I believe that the Law Commission is right to look beyond that to whether there should be changes in the substantive law, and the principle that an offence of child cruelty under section 1 of the Children and Young Persons Act 1963 that leads to death should incur a much bigger penalty. Again, I think that it is right to consider whether 14 years is the correct maximum. That is a matter that the Government should take on board.

I also welcome the idea of a new offence, where a person who undertakes responsibility for a child fails, so far as is reasonably practical, to protect that child from serious harm deriving from ill-treatment. The merit of such an offence is that it would enable action to be taken if a parent or carer had allowed the other parent or carer to carry out a systematic campaign of cruelty towards that child, potentially leading to its death.

These are important proposals, and I welcome the opportunity to discuss them. However, they are complicated. If they were to come back as an amendment to the Criminal Justice Bill—as a Lords amendment, to be discussed in the Commons—it would be rather difficult to be satisfied that we had achieved the correct outcome. I would urge the Government to introduce a short Bill in the next Session—I assure the Minister that the Opposition would co-operate to achieve short Bills on discrete issues—or to use the vehicle of the proposed domestic violence legislation. There is certainly a close correlation between the two offences. I look forward to the Minister's response.

10.49 am

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on securing this important debate. He said that he became interested in the issue with a constituency case, and that is often the driving force for hon. Members to raise issues of national importance and policy. The hon. Member for East Worthing and Shoreham (Tim Loughton) reminded us of the dreadful case of John Smith. He, too, has rooted his concerns in that constituency case.

I pay tribute to my hon. and learned Friend the Member for Redcar (Vera Baird) and others, who have assiduously pursued the issue at each and every opportunity. We have had debates on the matter on the Criminal Justice Bill and, as recently as 15 October, in the House of Lords. Baroness Gould moved amendments that were not the same as those moved by my hon. Friend and his colleagues in the House of Commons. My noble Friend Baroness Scotland asked for those amendments to be withdrawn, given the assurances—I give them again—that the Government will introduce legislation at an early date.

I pay tribute, as other hon. Members have done, to the work of the NSPCC. The "Which of You Did It?" initiative has clearly been instrumental in informing and expanding the campaign, and the analysis provided is very helpful. The deeply worrying conclusion that only one quarter of cases result in a successful prosecution should concern us all. The challenge—as simple as it is complicated—is how to prosecute a case in which a child is looked after by two people, in which the Crown can prove beyond reasonable doubt that the child has suffered non-accidental death or injury, and in which it is clear that one or both must be guilty of the offence, but either through silence or because they blame each other, it is impossible to say precisely who. Parliament is united in a deep conviction that it is entirely wrong that, whatever reason is given, people can walk away from the court, one guilty and neither convicted.

Whether that is a cynical ploy on the part of the two people involved, or the result of domestic violence, it is clearly a matter of deep concern. My hon. and learned Friend spoke about the issue of domestic violence and how it is relevant. I accept that, for many women in domestic violence situations, this is the breaking point at which they decide that enough is enough. I can only begin to imagine the anguish of a woman who cannot protect her child and at the same time cannot protect herself. We also need to bear that scenario in mind.

We now have the Law Commission's report and recommendations. It is a detailed analysis on which it has consulted widely. We are always grateful for the commission's thinking on issues involving extremely complex areas of the law, particularly in a case such as this, in which the issues have seemed intractable for such a long time. The analytical part of the report brings home how widespread the problem may be, so it is good to read its conclusions and believe that it may have helped us to get a little closer to the solution.

The Law Commission proposes two new offences and a number of procedural measures designed to tackle the problem. The first builds on the current offence of child cruelty in cases in which the child dies. The second applies to a much wider group of people and goes beyond circumstances in which a child is killed. I assure the House that we are carefully considering those offences with a view to introducing firm proposals. We have been working closely with the Law Commission and shall continue to do so, but I do not think that we have yet arrived at the complete answer.

The Law Commission published its report on the non-accidental death or serious injury of children on 15 September 2003. The report recommends two changes to the substantive law. First, an offence of cruelty contributing to death—a new and aggravated form of child cruelty offence—should be created. Secondly,

[Paul Goggins]

there should be a new offence of failure to protect a child, which would be committed if a person responsible for a child failed to take reasonable steps to prevent the commission of the offence. The commission also advocates evidential and procedural changes, to which my hon. and learned Friend referred. They include a statutory responsibility on all those responsible for the child when he or she sustained the injury or was killed to give the police or the court such account as they can of how that came about.

There is a second recommendation, that in certain cases the judge must not decide whether the case should be withdrawn from the jury until the close of the defence case, so the defence will have to decide whether to give or call evidence without the protection of the present obligation on the court to consider a submission of no case to answer at the conclusion of the prosecution case. It also recommends that if a defendant in such a case fails to give evidence, the jury should be permitted to draw such inferences as may be proper from that failure.

Helpful as the Law Commission's work has been, we are concerned that the two offences that it proposes do not solve the problem. The first offence would still require there to be a causal link between the assault or neglect, the child cruelty offence, and the eventual death. That means that we would need to know a considerable amount about how the child died and, probably, who committed the act as a result of which the child died.

We are not sure that building on the child cruelty offence is the best way forward. Child cruelty and neglect are mainly offences that are proved on the basis of past abuse. In those circumstances, both defendants may be found guilty, but it does not follow that the court will accept that one or both can be found guilty of a more serious offence when the prosecution has been unable to prove who was responsible for the fatal blow.

The second Law Commission offence is of failing to protect a child. It is drawn very widely to include any relative of the child. It requires the prosecution to prove that the defendant had not taken reasonable steps to prevent the offence, but it would apply to the risk of an offence taking place anywhere, so the parent who knows that the child may be attacked or injured by a bully at school but does not take action, or the 16-year-old babysitter who knows that a child is at some risk from someone and does nothing about it would be caught. That is to draw the offence very widely indeed, and deals with a different set of issues from that of ascertaining who actually killed the child.

We are considering the evidential and procedural measures proposed by the Law Commission. There is merit, for example, in the proposal to delay the point at which the judge decides whether a case should be withdrawn until after the defence has presented its case. We are keen, too, to ensure that inferences from silence should be capable of being drawn in appropriate circumstances. We need to think carefully whether a statutory duty to co-operate with the police would provide further help in these cases.

We need to consider carefully how any new offence would interact with the procedural and evidential measures that have been proposed. As far as possible, we wish to produce a coherent and integrated set of proposals that will encourage people to give evidence and is targeted on the problem cases that we have discussed.

It seems from previous comments that I am the last in a long line of Ministers who have promised hon. Members that we intend to legislate. I make that promise again today. I cannot confirm to my hon. Friend the Member for Brighton, Kemptown precisely when the measure will be announced or when it will be introduced, but it will be at an early opportunity. We must be confident that the offence is correctly drawn up, and about how it will interact with the procedural changes that we may also introduce. We have to know that it is compatible with human rights legislation and we must have an appropriate Bill within which to include it. In dealing with this matter, soon is not soon enough, but we must introduce the legislation properly so that killers are brought to justice and those who stand by are brought to account. I cannot confirm when, but I can confirm that the Government will introduce the legislation.

Zimbabwe

10.59 am

Kate Hoey (Vauxhall): As the Minister knows, I visited Zimbabwe during the summer under cover. I am grateful to both the Minister and the Foreign Secretary for taking a copy of my report and spending some time discussing it with me. Among the many brave people whom I met while I was there were some of the staff of *The Daily News*. That was a vital and precious source of information for the oppressed people of Zimbabwe as it was the only daily newspaper not controlled by Mugabe's ZANU-PF. I saw how, whether they are photographers, reporters, directors or street corner news-vendors, those people and their families live in fear of violent attack from gangs dispatched by the ruling ZANU-PF regime.

The crisis in Zimbabwe has now dragged on for a very long time. Every time it plumbs new depths we are told that it can plunge no deeper and the regime must surely soon collapse. That is not so. Since my visit, when things were already desperate, the situation has taken a grave turn for the worse. The ban on *The Daily News* closed down the last vestige of independent reporting. Associated Newspapers of Zimbabwe, the newspaper group that launched *The Daily News* in March 1999 and *The Daily News on Sunday* in May 2003, refused to register with the state-run Media and Information Commission because it regarded the law that established it, the infamous Access to Information and Protection of Privacy Act, as unconstitutional.

On 11 September the Supreme Court of Zimbabwe ruled that because it had not registered, the ANZ was operating illegally. The following day police raided *The Daily News* offices and printing works to stop production, occupied the premises and confiscated all computers. After the Supreme Court ruling, the ANZ unsuccessfully applied for registration with the MIC, which rejected its application on the basis that it was an "illegal" organisation and did not meet the requirements of the law. The ANZ has now appealed to the administrative court to have the MIC's decision overturned, claiming that the commission was both biased against it when it rejected its application and improperly constituted.

The closure of *The Daily News* is the culmination of a long campaign of intimidation by ZANU-PF; in January 2001 its printing presses were bombed and its editorial staff have endured frequent harassment and detention. Every day, journalists who worked on the newspaper are still being called in by police and face prosecution. On 25 September I chaired a meeting in the Jubilee Room to help to mobilise an international response from media and human rights lawyers, trade unionists and press organisations. Among the organisations represented were the International Bar Association and the Commonwealth Press Union, both of which have played a magnificent part in alerting their respective professions to developments in Zimbabwe and in mobilising a response.

One of the most moving contributions made at that meeting came from Ephraim Tapa, President of the Zimbabwe Civil Service Employees Association, and a member of the general council of the Zimbabwe Congress of Trade Unions. In February 2002 he and his wife Faith were abducted, and he was held hostage for nearly a month, during which time he was regularly beaten and tortured. He told us that thanks to the fact that he was able to smuggle notes to *The Daily News*, which then told the people of Zimbabwe and the wider world what was happening to him, just as his captors were preparing to kill him he was freed and his life was saved. He stressed that under a tyrannical dictatorship such as that of Robert Mugabe an independent press is not simply a debating forum; it can be, as in his case, a matter of life and death.

Also at that meeting in the Jubilee Room less than a month ago was Beatrice Mtetwa. She is the courageous lawyer who has defended many of those whom the regime has sought to persecute. We saw her on our television screens berating officials as they bundled Andrew Meldrum, *The Guardian* correspondent, out of Zimbabwe in May this year. She was also, for a time, a director of the ANZ. I had met Beatrice when I was in Harare in July. When she came to London I spent some time with her, and even managed to get her on to the London Eye. I think that she was able to forget, for a few moments, the terrible things that are happening in her country.

Last week, we heard that Beatrice had suffered severe bruising and cuts to her body after being beaten by the police. That incident occurred on 12 October, when she called the police to assist her after thieves had attacked her car. When the police arrived, they accused her of driving while under the influence of alcohol. She was held in custody for three hours and beaten by a policeman in the car on the way to, and while at the police station. She was kicked all over her body and sustained blows to her face that rendered her unrecognisable to colleagues. The assault was in full view of other policemen, who refused to intervene. On her release from custody, Beatrice sought medical treatment for her injuries and had them documented. The fact that one of the police officers told her that, "The tables have turned," shows that the police knew who she was, and that the attack was clearly a vicious act of retribution for her past legal work, or an attempt to intimidate and silence her. She will not be silenced.

I thank the Foreign and Commonwealth Office for sponsoring Beatrice's visit to this country. Similarly, I congratulate the Government on standing firm on refusing to break the EU travel ban on named members of the Mugabe regime by not granting visas to attend the Inter-Parliamentary Union annual conference, which was due to be held here next March. The conference will now be held elsewhere, but it would have been entirely unacceptable to welcome the Speaker of the Zimbabwean Parliament, Mnangagwa, who is Mugabe's right-hand man. He is a former head of the dreaded state security service and is responsible for the deaths of tens of thousands of Matabele people in the massacres of the early 1980s. The action of Her Majesty's Government in upholding not only the letter but also the spirit of the travel ban stands in stark contrast to some of our partners in the EU, who are prepared to waive the ban at almost any opportunity.

The EU has been an unnecessary constraint on Government policy on Zimbabwe. France, in particular, appears to see any split between Britain and its former colonies as an opportunity to extend French influence. It has been difficult for us to hold the EU to a

[Kate Hoey]

firm stance. Our policy has been to maintain EU unity on the issue, which has meant accepting the lowest common denominator for EU support. Will the Minister consider taking action without waiting for EU agreement?

So far, when Britain has acted, it has by and large done so only as an EU member; for example, with targeted sanctions against the ZANU-PF leadership. We have avoided having our own policy on Zimbabwe. If the aim of that approach was to deflect Mugabe's anger, it has not worked. Britain is still singled out and vilified far more than any other EU member.

Britain has historic responsibilities towards Zimbabwe that we have tried hard to observe. We strongly disapproved of white racist minority rule, so we refused to recognise Smith's regime, and we imposed sanctions for 15 years at considerable cost to our own economy. We then guaranteed a democratic settlement and supervised elections, helping to usher in majority rule. We gave the new Government every assistance, including development aid and financial support for land reform.

That all means that Zimbabwe is a very special case for Britain, yet our high commissioner in Harare is routinely the target of insults and outrageous allegations from Mugabe and other members of his Government. Only last week, Sir Brian Donnelly was accused of conspiring to wreck the Zimbabwean economy by colluding with so-called Zimbabwean traitors to engineer shortages of fuel.

Her Majesty's Government make no reply to many such allegations. Even when we are alleged to be acting illegally—plotting war, or conspiring with the opposition—our responses, when there have been any, have been extremely mild. The most extreme example of that happened when I was in Zimbabwe: Mugabe openly threatened to use British and US citizens in Zimbabwe as hostages in the event of any Anglo-American attempt at regime change. At the very least, we might have declared in no uncertain terms that we would not tolerate such threats to British subjects, but we did not. The headlines of *The Daily News on Sunday* stated that Mugabe had warned the US that if it attacked Zimbabwe, US children would be killed. That was also a warning to Britain.

The general message is that the regime is free to use Britain as an Aunt Sally whenever it wishes. The US mission also attracts Mugabe's criticism, but it is not vilified to anything like the same extent, even though the US has been far more outspoken against the Mugabe regime than we have.

I am sure that the Minister knows that the demonisation of Britain has virtually nothing to do with the way it behaves. It is an imperative of the mobilisation of the ZANU-PF faithful that Mugabe should re-fight the colonial struggle, putting us in the dock despite the fact that his fight was with Smith, not the British. We were his ally as a co-liberator, and the midwife of independence, handing over power after the elections.

I want my Government to adopt a far more robust attitude in refuting the lies and misrepresentations put out by Mugabe's propaganda machine. They are all too easily and conveniently accepted at face value by world leaders who should know better. The targeted travel bans and assets freeze against 79 individuals were portrayed in the communiqué from the recent Southern African Development Community summit in Tanzania as sanctions that hurt ordinary people.

Our food aid should be extended only on the basis that food supplies must be for the needy, without discrimination on any grounds other than need. We cannot trust ZANU-PF on aid, and I hope that the Minister, together with colleagues at Department for International Development, will continue to examine ways to ensure the fair and impartial distribution of food, free from interference from ZANU-PF. Food distribution should also sometimes be done independently of aid officials, who need to send back glowing reports to ensure that their careers are not set back by an admission of failure.

Britain's response to Mugabe has been constrained by a wish to maintain Commonwealth unity, which, in practice, has meant trying to keep Presidents Mbeki and Obasanjo on side. President Mbeki in particular has given advance notice that he wants Zimbabwe to be accepted back into the Commonwealth by the end of the year, without debate. He reckons that, as soon as Mugabe and the Movement for Democratic Change can be said to be talking to each other, there can be no grounds for excluding Zimbabwe. He will try to rally an African and Commonwealth majority to his view. If Mugabe, who is an acknowledged torturer, murderer and election-rigger, were accepted back into the fold, all the Commonwealth's democratic pretensions would fall away.

If we are honest—I hope that the Minister will be honest today, as he always is—we acknowledge that President Mbeki of South Africa has been a huge constraint. Like Mugabe, he is domestically fearful of the trade unions as a political threat to ANC supremacy. He has little time for Morgan Tsvangirai and the large number of his supporters with roots in the trade union movement. President Mbeki also tried to rig the verdict of election monitoring teams to say that Mugabe was properly elected. He provides electricity and other resources on credit to Mugabe, and continually insists that the problem is on the verge of solution, which is merely a way of buying more time for Mugabe and protracting the suffering of the Zimbabwean people. The latest version of that is to insist that Mugabe may be going soon—never now, always six months later on a constantly receding horizon.

For a long time President Mbeki insisted that the Zimbabwe problem should be left to his quiet diplomacy, which was simply a cover to support Mugabe. It is now more than three years since the Victoria Falls conference in April 2000, when he publicly undertook to resolve the Zimbabwe crisis, and all his attempts have utterly failed. Dialogue does not work, but just buys more time for Mugabe and his kleptocratic colleagues to pillage Zimbabwe.

There will be celebrations in London this week to mark 10 years of majority rule in South Africa, and senior figures of the South African Government will be in London. I hope that the Minister will take every opportunity to remind them of the international support that was mobilised in support of their struggle. I am struck by how many of those who are standing up

against the ZANU-PF regime in Zimbabwe also stood up against apartheid and the Rhodesian Front regime. The South African Government must face up to their responsibilities and stand alongside the people of Zimbabwe in their hour of need, and their struggle for freedom and democracy.

Any celebrations of majority rule in South Africa will be hollow as long as its Government organise vetoes at the UN and other international bodies of any resolutions referring to the lack of respect for human rights in Zimbabwe. The South African Government's blind solidarity with the corrupt and violent regime of Robert Mugabe, rather than with the suffering of the oppressed people of Zimbabwe, stands in sad contrast to the noble battle fought by many around the world for freedom in South Africa. Sometimes we have to tell our friends the truth. That is why there will be a picket this weekend to call on South African Foreign Minister Zuma to acknowledge the situation in Zimbabwe.

EU targeted sanctions such as travel bans and assets freezes on senior PF officials must be stringently enforced. Many people that I met in Zimbabwe urged that spouses and children should also be included in the ban, since both groups are able to escape the hardships that the party has created in Zimbabwe, and they may act as a means of moving illegally acquired wealth out of the country. Will the Minister respond to that specific question? Britain has decided that it must defer to South Africa on the matter, which is tantamount to deferring to Mugabe.

We must remind Commonwealth Heads of Government, and the Commonwealth's own election observers, that they concurred with the USA and EU that President Mugabe rigged the last election and so cannot be considered a legitimate Head of State. The human rights abuses of which he has been guilty have steadily worsened, so there is no prospect that he can be allowed back into the Commonwealth if that body preserves any pretensions to democracy.

During my visit I met many victims of torture and, as a Member of Parliament, met a number of Opposition MPs who had been tortured and abused. The accounts were horrifying. In January this year, one Opposition MP, Job Sikhala, was tortured by having electrodes attached to his genitals and given electric shocks. He was beaten on the soles of his feet with planks of wood and forced to drink toxins and urine. I spent an evening with an MP whose election agent had been abducted and is presumed murdered; he has never been seen again. Intimidation against the MDC is constant.

We must ensure that these stories are widely known amongst Commonwealth parliamentarians so that Mugabe's charade of pretending that the crisis is about land reform can finally be laid to rest. The chaotic and illegal fast-track land reform process has not resulted in the resettlement of the landless poor. It has been a tool for a dictator's patronage: coveted farmsteads have been handed out to keep party officials sweet. Meanwhile, the rich agricultural land reverts to bush and skilled farm workers are prevented by force from cultivating even small plots for their own subsistence—I saw the effects of that for myself. They are made to depend on food handouts paid for by the UK and USA—the countries that Mugabe vilifies at every opportunity. Have the Government seriously examined ways of ensuring that the human rights violators who now occupy so many of the farmhouses are not able to get rich quick by selling plundered produce through British markets?

Ahead of the Commonwealth Heads of Government Meeting—an important conference that will be held in Nigeria at the beginning of December—we must constantly remind African, Caribbean and Pacific members of the Commonwealth that this crisis has lasted for more than three and a half years, in which time Mugabe has abided by none of the agreements made. He seems to be listening to no one. I would be interested to hear from the Minister what steps the Government have taken to disseminate reports of human rights violations by the Mugabe regime and to alert other Commonwealth members to Zimbabwe's many breaches of its obligations under international law. What will the Government do if Mugabe turns up, without an invitation, at the meeting in Nigeria?

The crackdown continues day to day. Only two weeks ago, on 8 October, when the Zimbabwe Congress of Trade Unions called a national demonstration, heavily armed police arrested more than 150 protesters in Harare, Mutare and Bulawayo, including the secretary-general of the Progressive Teachers Union of Zimbabwe, the president of the ZCTU, Lovemore Matombo, and the union's secretary-general, Wellington Chibhebhe. When trade union demonstrators were injured in running battles, police refused ambulances permission to carry them to hospital.

The attack on trade unions has led to widespread international protest from other trade unions. I have with me a copy of a letter from Derek Simpson, the general secretary of Amicus, which is the largest private sector trade union, with 1.1 million members, to the Zimbabwe high commission. He writes:

"We are appalled to hear that members of the Zimbabwe Congress of Trade Unions . . . were arrested.

We believe that this action by the Zimbabwean Government is a violation of human and trade union rights and urge the Zimbabwean Government to release immediately all those trade unionists arrested this morning.

Amicus firmly believes that the right to peaceful demonstration is a right that should be afforded to every person throughout the world and is a fundamental human right."

We are seeing more and more activity from trade unions in the UK, which are not prepared to allow the situation in Zimbabwe to continue.

I hope that the Minister will be able to tell us how he plans to go about alerting the world to the fact that Mugabe's dictatorship grows more vicious month by month. An abiding impression that I brought back with me from my visit to Zimbabwe was that Zimbabweans of all backgrounds expect that the British Government should be able to do something to help them. They feel no animosity—although some feel forgotten or overlooked. It was interesting to see that more black than white Zimbabweans now have close links with the UK. They either have family members living here or were educated here. The bonds between Zimbabwe and the UK are more than an historical accident; they are a current reality. Zimbabweans feel that we owe them a responsibility in this time of crisis.

The Daily News may have been silenced for the time being, but until there are free and fair elections in that beautiful country the people of Zimbabwe will never

[Kate Hoey]

give up. I know that the Minister may not like *The Daily Telegraph*, but I shall conclude by reading the final section of an editorial on the position of Zimbabwe which appeared in that newspaper yesterday. The editorial examines the different things that have happened—the history and the terrible abuse of human rights—and ends as follows:

"Almost exactly a year ago, Tony Blair publicly pledged himself to Africa. Yet in the country where Britain has the most recent responsibility, he has been reluctant to act. Far more could be done, with active support for pro-democracy activists"—

and trade unionists—

"and genuine sanctions against the regime's supporters, including the seizure of their assets pending possible compensation claims by their victims. It is too late to avert disaster, but at least we can salvage some honour."

11.19 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): My hon. Friend the Member for Vauxhall (Kate Hoey) raises a very serious issue. Her commitment to the cause of democracy in Zimbabwe is well known and much appreciated. She sets out in graphic detail the oppression faced by journalists, democrats and many other people in Zimbabwe. I shall not rehearse the facts in the short time available, except to say that the events that she describes are wholly unacceptable, and to pay tribute to the many brave Zimbabwean journalists and others who work daily in a climate of fear and intimidation and who are continually at risk of arbitrary arrest.

It is not without irony that a newspaper in the 1960s called the *African Daily News* was banned by Ian Smith's Government for questioning the policy of the Rhodesian Front regime. Nearly 40 years later, the Government of the new Zimbabwe behave in exactly the same way as the old colonialist regime. The man who was the founding editor of the *African Daily News* is now ZANU-PF's Secretary for information.

I understand that *The Daily News* has appealed in the administrative court against the commission's decision not to grant it a licence and that a ruling is likely to be made on Friday. I shall follow proceedings with great interest.

My hon. Friend will be aware that there was a strong international reaction to the closure of *The Daily News*. My right hon. Friend the Foreign Secretary made two robust statements. The European Union made a statement and plans further representations to the Government of Zimbabwe. The World Association of Newspapers protested to the Zimbabwean Government. The International Press Institute unanimously condemned the events, and the Commonwealth Press Union spoke out. The South African National Editors Forum raised the issue with the Government of South Africa. In many people's view, *The Daily News* has become a symbol of the oppression and lack of respect for human rights that are a daily reality in Zimbabwe.

There are still one or two other independent newspapers, although they are published weekly, not daily, and even those have been threatened of late. The head of the Media and Information Commission is reported to have said recently to a journalist from one of those newspapers, "Oh, you're from *The Standard*. We will be coming for you." The Information Minister described the remaining independent newspapers as "trash" and "imperialist running dogs", but those newspapers continue to operate in that atmosphere. Again, I pay tribute to the brave journalists who continue to work.

State-run newspapers now have a monopoly of the daily market. One of the strangest things in Zimbabwe's wonderland world is that the access to information Act makes it an offence to publish any statement knowing it to be false, yet the state-run newspapers print blatantly false information every day, and they form the only source of written information available to many Zimbabweans.

I understand and share my hon. Friend's frustration at the apparent lack of progress in Zimbabwe. As she said, South Africa has a key role to play, and we see increasing signs that many South Africans are keen to play that role. I mentioned the South African National Editors Forum. Other important South African bodies, notably the Congress of South African Trade Unions, have also called for an improvement in the situation in Zimbabwe. Archbishop Desmond Tutu, who we would all agree is a truly great South African, recently said:

"The time has come for African leaders to stand up and express their concern over the deteriorating human rights abuses in Zimbabwe. If human rights abuses continue to worsen, the political and economic crisis in Zimbabwe will be difficult to heal."

I agree with that.

My hon. Friend mentioned the forthcoming Commonwealth Heads of Government meeting. As she knows, Zimbabwe is suspended from the councils of the Commonwealth, and President Obasanjo of Nigeria and the Commonwealth secretary-general have confirmed that, in line with precedent, Zimbabwe and Pakistan, which also does not have a democratically elected Government, have not been invited. The question of Mr Mugabe's attendance therefore does not arise. President Obasanjo has said publicly that it would take a sea change in Zimbabwe for him to change his mind. I would welcome any such change, but at present there is no way in which the Prime Minister, or several other Commonwealth Heads of Government, would wish to attend a summit in which Mr Mugabe participated.

Kate Hoey: My point was about our position if Mr. Mugabe turned up anyway. What would it be?

Mr. Mullin: As I said, President Obasanjo made it clear that Mr. Mugabe is not invited, and the Nigerians naturally control access to Nigeria. I repeat: there is no way in which our Prime Minister, or several other Commonwealth Heads of Government, would want to attend a summit with Mr. Mugabe. That is clear.

We are discussing Zimbabwe's role in the Commonwealth with many other Commonwealth partners. Some, such as the Pacific Islands Forum countries, have gone on record about their abhorrence of the degrading human rights situation. Others, including a number of African and Caribbean countries, take a similar line with us in private. If it is Mr Mugabe's aim to split the Commonwealth along racial lines, he is failing.

My hon. Friend suggested that the UK should be more outspoken on Zimbabwe. We have not been quiet, and I cite the Foreign Secretary's recent statements about *The Daily News* and the arrests of trade unionists as evidence. My hon. Friend quoted *The Daily Telegraph*, so let me quote back to her an interview that Morgan Tsvangirai gave to that paper in June, which I always bear in mind. In it, he said that Britain should keep a low profile to avoid

"playing into Mugabe's hands and giving him an excuse to launch more nonsense propaganda".

We will not be silenced on Zimbabwe, but nor will we give Mugabe and his supporters the chance to ignore the real causes of their country's crisis by pretending that it is all our fault.

The right approach is to work multilaterally with partners who share our analysis of the situation in Zimbabwe, which is why we work closely with our partners in the EU. ZANU-PF would say that the EU has a common position on Zimbabwe simply because the UK dragged its partners into it. If only working in the EU was so easy—the EU has a common position, because its member states decided unanimously to make a stand against the human rights abuses taking place in Zimbabwe. It is because we take that common position seriously that we took our stand on the Inter-Parliamentary Union conference, which was planned to take place in London next year but now will not.

My hon. Friend raised the idea of putting the families of human rights abusers on the banned list. We have not done that yet, as there are strong arguments that spouses and children should not suffer for the actions of their fathers or mothers. However, there are also arguments that such people are the chief beneficiaries of the elite's constant feathering of their nests, and so their travel and assets should be frozen. I am sure that that will be discussed when the EU next debates the Zimbabwean banned list.

My hon. Friend also suggested that some of the other EU countries are not as robust in enforcing sanctions as we are. France recently refused Robert Mugabe a transit visa, for which he applied to travel to the United Nations, and I am sure that she will agree that that is a welcome sign.

The problems facing *The Daily News* are a clear symptom of the humanitarian crisis in Zimbabwe, and it is especially important that the world focuses on the daily erosion of human rights. The Commonwealth secretary-general, speaking in Johannesburg last week, stated that Zimbabwe would have to meet five conditions to be readmitted to the Commonwealth. I do not have time to set them out, but it was a robust statement. I look forward to the day that Zimbabwe meets those conditions and those who are friends of Zimbabwe can get together to help its people reconstruct democracy in their beautiful country.

11.29 am

Sitting suspended until Two o'clock.

Police Funding (Norfolk)

2 pm

Norman Lamb (North Norfolk): I welcome this opportunity to raise serious concerns about the funding situation facing Norfolk police, and I want to make it clear from the start that Norfolk MPs of all three parties have presented a united front in arguing the case for a fairer deal for Norfolk. I am pleased to see here the hon. Members for Mid-Norfolk (Mr. Simpson), for North-West Norfolk (Mr. Bellingham), for South Norfolk (Mr. Bacon), and for Great Yarmouth (Mr. Wright), and I know that the right hon. Member for South-West Norfolk (Mrs. Shephard) would have been here, but she is away from Westminster today.

Norfolk is a widely dispersed rural county, and that presents policing problems. The Minister will be aware of a widespread perception in rural Norfolk, and in comparable areas, that people are unprotected and vulnerable. Crime rates might be relatively low, but fear of crime is very real. Norfolk police have done what they can with the resources that are available to them to maximise their presence. They have introduced three mobile police stations that tour rural areas and stop off in village centres. However, the fact remains that Norfolk has the fourth lowest ratio of police officers to population in the country.

I shall describe the financial pressures with which the police authority has to grapple. Norfolk police authority inherited in 1995 a force that was seriously under-resourced as a result of many years of underfunding. There were insufficient support staff; it was one of the few forces with no information and communications technology infrastructure—essential for effective policing, I am sure we all agree—and there had been little investment in other technology and equipment, or in the estate. Staff were working from poorly maintained and inappropriate buildings, and they had no dedicated air support unit, which is particularly important in a geographical area that is as large as Norfolk.

That was the situation in 1995. What has happened since then? It is important to acknowledge that there has been a significant increase in financing for Norfolk police. The Chartered Institute of Public Finance and Accountancy confirms that there has been a 21.3per cent. increase between 1995–96 and 2002–03—from £86 million to £104 million. I welcome that. However, I have serious concerns about how some of that money is spent. My main case is that the increase in the number of police officers that we have achieved should not be put at risk. Indeed, the force wants to see the number of officers increase still further. The authority has undertaken a review, and it has concluded that the minimum police officer establishment in Norfolk should be 1,800. We currently have about 1,500, and there is no hope of getting anywhere near the total that the authority believes is needed.

I also want the police authority to be in a position to complete the development of the ICT infrastructure. There are several other aspirations, including full-time air support coverage. Those objectives must be achieved without putting a still heavier burden on those on low incomes, including many pensioners.

[Norman Lamb]

That brings me to the current financial situation. As things stand, it looks as though the average budget increase that local forces are likely to receive for 2004–05 is 3.3 per cent. However, it is estimated that, simply to stand still, forces will require a 6 per cent. increase in funding. I understand that that comprises about 3 per cent. for pay and price increases, 1.5 per cent. for police pension costs and another 1.5 per cent. for information and communications technology, forensic science and other technology costs. The problem is that for every 1 per cent. shortfall in police force budgets, it is necessary to increase the council tax precept by some 4 per cent.

Norfolk is therefore facing a likely increase in the police precept of around 15 per cent. That comes on top of last year's increase of 21.5 per cent. That situation is not unique; the Association of Police Authorities is so concerned about the national situation that it has launched its own campaign. Our impression is that the Home Secretary shares these concerns. To some extent this debate is an opportunity to strengthen the Home Secretary's hand in his negotiations with the Treasury.

The Government should be in no doubt that the funding situation is dire. If nothing changes, the prospect is of totally unacceptable increases in council tax or the Government-imposed capping of increases, which could lead to painful and damaging cuts in front-line services. The Association of Chief Police Officers has warned of possible reversals in civilianisation programmes and a loss of some civilian staff, which would result in police officers having to replace them and losing their presence on the front line.

The burden on the Norfolk council tax payers has shifted over the past few years. The Chartered Institute of Public Finance and Accountancy has produced figures that show a dramatic increase in the extent to which council tax funds the Norfolk police. Funding from the council tax—a heavily regressive tax—has increased by 104 per cent. from 1995–96 to the current year. In 1995–96, just over £13.5 million of the Norfolk police budget came from the council tax, whereas the figure is now more than £27.6 million. There has also been a steady decline in the Home Office contribution as a proportion of the total funding of the Norfolk police authority. The proportion of council tax has inevitably had to increase to offset that. In Norfolk over that eight-year period, it has increased from 15.5 per cent. of total financing to 26.5 per cent.—a steeper increase than the average for other non-metropolitan police forces in England.

There is a growing recognition that the council tax has reached the limits of public acceptability—a view shared by the Minister for Local Government, Regional Governance and Fire. A Government who purport to believe in progressive taxation can no longer justify the shift to such a regressive system of taxation to finance local services, including the police. Pensioner households on low fixed incomes are bearing the brunt of financing our police forces and other local services.

There is a sense of gross injustice in my constituency of North Norfolk, which has one of the highest proportions of pensioners anywhere in the country. My mailbag—I am sure that other hon. Members' mailbags are no different—shows the strength of feeling among local people. Until the Government accept the case for the abolition of the council tax and its replacement with a fairer and more progressive system, they must provide sufficient support.

There is also a widespread view that bureaucracy has burgeoned, which takes money away from policing. The APA points out that in 1995–96 there were only two sources of ring-fenced grants, whereas now there are a staggering 28, which include funding for police community support officers, the Airwave police radio project, the street crime initiative and the crime-fighting fund for additional officers. Those are all good, but the funding is ring-fenced. Most of those initiatives involved a bidding process, which can be enormously time-consuming. It ties up authority and force staff in unproductive work, and fails to allow police authorities, in Norfolk and elsewhere in the country, to determine their own local priorities and to decide where they want to spend the money to meet local needs. A simplification of the funding system is surely long overdue.

There has been a substantial increase in the extent to which performance is measured and monitored locally, and that is then interpreted nationally. I have been told by an authoritative source that the Home Office has now increased the number of civil servants dealing with its own bureaucracy, enforcement and micro-management to nearly 10,000. That is twice the number of extra officers on the front line.

In Norfolk, there appear to be about 83 staff who might be defined as unproductive. That excludes staff working for the police authority; it consists of those working on the bureaucratic burdens that I have described. Measuring performance is important, but it seems that the balance is horribly wrong. Another result of centralised control is that Home Office rules sometimes get in the way of pragmatic, practical solutions.

For example, Norfolk desperately wants and needs full-time coverage for air support. I understand that Home Office rules provide for a possible 50 per cent. of the funding for a new helicopter. The problem is that Norfolk police authority cannot afford the other 50 per cent. from its budget, which is already under intense strain, so it came up with a practical solution. The authority planned to purchase a second-hand helicopter for half the price so that the Home Office would pay for it. That would have involved no extra cost to the Home Office and Norfolk would have got its helicopter. However, that is not allowed under the rules; funding is permitted only at the 50 per cent. level.

What about a grant to allow the force to extend the rental agreement with the current provider? That would be an excellent example of public-private partnership in action, but Norfolk police authority tells us that that is not permitted under the rules either. Its efforts to think outside the box and to come up with new ways of sorting out the problem were thwarted by over-restrictive Home Office rules. Would the Minister agree to look into that, and to get back to us?

One other problem faces Norfolk police authority. It has relatively few capital assets. The main police station in Norwich, on Bethel Street, is occupied on a licence from the city council. That goes back to the local

government re-organisation in 1974. However, the consequences of the arrangements fixed in 1974 continue to hold back the authority.

Many other forces have been able either to sell assets to finance investments, such as information and communications technology, or to use assets as collateral to borrow money. Norfolk cannot do that. The authority surveyed 39 other police authorities and found that Norfolk had the 10th lowest stock of assets. That means that one alternative route for funding investment is not open to it. Can the Minister investigate that? Could an authority's level of assets not be taken into account in determining Home Office grants to local police authorities? It clearly constrains how they are able to raise money for local investment.

I have raised a number of issues and I hope that the Minister will respond constructively. We are confronting the issue on an all-party basis. We want the best for Norfolk police authority, and for Norfolk policing. We know that there is enormous pressure from the authority and local people for a good level of policing in our county. We are held back at the moment by over-restrictive rules and unfairness in the allocation of money to authorities. In our view, Norfolk is not getting a fair deal.

2.13 pm

Mr. Anthony D. Wright (Great Yarmouth): I congratulate the hon. Member for North Norfolk (Norman Lamb) on securing the debate. The hon. Gentleman has spoken well. I am sure that many of the facts, figures and issues will be repeated in the debate.

It is important that we in Norfolk build on the successful partnership that has been developed between the Government and Norfolk police authority in a clear and transparent way. That is certainly true with regard to the potential shortfalls for 2004–05 that were outlined by the Norfolk police authority. Although I differ from my Norfolk colleagues on many issues surrounding the unprecedented policing standards achieved over the past five years, which were achieved through investment in the Norfolk police constabulary and the hard work of the force, I agree with their call for the funding gap faced by the constabulary to be closed as quickly as possible.

The gap, which is primarily the result of an increase in the cost of pay and pensions, represents a threat to the continued increase in standards that we have come to expect from the force. It must be made clear as soon as possible whether the additional resources to close that funding shortfall, which are estimated at about 6 per cent., will come from the Government or from increased council tax contributions. A reduction in force effectiveness by making cuts to front-line services—a radical way of addressing the funding gap—is an unacceptable third alternative that should be avoided at all costs, because it could hamper the good partnership that the Norfolk constabulary and the Government have forged in bringing safety and security to our county.

With regard to safety from criminal activity in Norfolk, Sue Howl, crime reduction director for the eastern region, welcomed the 2003 figures on crime in the east. She said:

"It is reassuring that this region is still one of the safest places to live and work, and that across the board we fare well. That however does not make us complacent and we are working hard alongside the police forces and local crime and disorder reduction partnerships to make sure people are—and crucially feel—safer in their own homes."

In line with a broader national initiative backed by the Home Office, the force is setting tough targets on tackling domestic violence, and it is investing in order to raise the numbers of arrests made in cases of domestic violence to 60 per cent. in 2003–04.

The Department for Work and Pensions, the Pension Service, the immigration service, Norwich and district citizens advice bureau, the Norfolk fire service and the First bus company have worked in partnership to establish a mobile bus service to help to address rural concerns in the county. By fielding various inquiries and visiting 40 locations every month, the bus provides a vital link to our communities. It shows how integrated partnership between the Government and the Norfolk constabulary can go to the heart of our community.

Funding of the Norfolk family protection unit has been an essential strategy of the Norfolk constabulary. In line with new legislation brought in by the Home Office in 2002, new victim focused supporting witness suites are to be introduced throughout the county. The county's intention to invest in those centres, and in police premises in general, received another boost with a recent Government announcement that as well as the 4 per cent. funding increase, which is inclusive of centrally spent funds and ring-fenced monies that the Norfolk constabulary will gain this year, the constabulary can also submit two bids with a maximum capital grant of £500,000 each, as part of the premises improvement fund. For the second year, the fund is channelling an additional £20 million to forces throughout England and Wales.

Operation Harrier is another example of money well spent on the Norfolk constabulary. More than 200 arrests were made during the first month of an operation to deal with those who perpetrate drug, theft, burglary and other offences. The Norfolk constabulary is prepared to respond toughly to criminal activity. That operation is coupled with community partnerships to deal with criminals.

When examining how funding has improved Norfolk's crime fighting figures in general, we have to remember the positive achievements that I have already outlined, and realise that changes in the reporting of crime statistics make comparison with previous years impossible. Despite those changes, which led to higher crime rates being officially recorded, the figures show that Norfolk suffered only a marginal increase in the reporting of burglary and vehicle crimes. The increase of 4.5 per cent. in burglary and 9.6 per cent. in vehicle crime is not a true reflection of the increases in relation to past years, and I believe that in 2004 the rigorous targets set by the Norfolk constabulary in conjunction with the Home Office will be more than met.

However, I am concerned about the increase in violent crime, because although the rise of around 75 per cent. this year was largely due to the change in reporting measures, part of it cannot be based on that. I am looking to the constabulary to find new and innovative ways of tackling the increasing problem in Norfolk.

The policing of Norfolk, backed by continued investment and support from the Government, includes new, fresh and innovative ways of tackling local issues

[Mr. Anthony D. Wright]

in a community-centred way. In addition to what I have already outlined, the air support unit has assisted in more than 782 cases, and has directly assisted in more than 130 arrests. Ring-fenced funding for Airwave is bringing state-of-the-art technology to the battle against crime on the front line in Norfolk. In areas with fixed and mobile cameras, serious accidents have reduced by more than 50 per cent., indirectly saving the local health authority hospitals an estimated £4.6 million and providing another example of money well spent.

Perhaps the Minister will comment on that aspect , and will say something about directing resources into those initiatives. Those success stories should be built on through addressing the funding gap. That is what we are achieving through the investment and partnership that the Government have promoted over the past five years.

I want to show what increased central spending and strong joint Home Office and police targets have meant for the Norfolk constabulary. The constabulary's annual report and policing plan summary of July 2003 stated:

"The year 2002/03 ended with the largest number of police officers Norfolk has ever seen. The Constabulary's target of 1,500 officers meant there would be another 26 officers to police our county in addition to the 46 extra officers of 2001/02. Not only was this achieved, the year actually ended with 1,505 officers. This is 5 over target and reflects the importance that the Police Authority, within the resources available, attaches to increasing officer numbers."

Additional resources were also provided in Norfolk for 12 community police support officers: funding for those officers totalled £136,000. They will be an excellent addition to the Norfolk constabulary in its fight against crime. It will bring more police on to our streets with the powers to arrest and detain people in Norfolk, and they will be greatly aided by the powers in the Anti-social Behaviour Bill.

In the past five years there has been continued investment in human resources, resulting from an overall increase in Government investment for the service, coupled with stronger legislation and higher standards in the fight against crime. In Norfolk, the combined total of the police grant, transitional grant, police standard spending assessment, SSA reduction grant, central support protection grant and capital financing SSA increased from £86.5 million in 2000–01 to £91.5 million in 2001–02—an increase of 5.8 per cent. The Home Secretary announced a further rise in the budget that local forces will be expected to receive in 2004–05, from an average 2.5 per cent. for this year to an estimated 3.3 per cent. next year.

That increase is part of the continued improvement in funding of local police authorities that Norfolk constabulary has benefited from since 1997. However, owing to pay and price increases of 3 per cent. and the rise in the cost of police pensions of 1.5 per cent., as well as a 1.5 per cent. increase for ICT, forensic and technology costs, a funding gap has emerged this year. Norfolk police will require a 6 per cent. increase to maintain their current structure and service without risking a loss in front-line services or increasing local council tax charges by around 14 or 15 per cent., which would be unacceptable.

In view of that, I ask the Government to look seriously into the potential funding shortfall, which is largely caused by pension and pay increases within the police force, and to decide whether the burden of the increase should be borne nationally by the Government or locally through an increase in council tax—I hope not the latter. The Government should state clearly whether capping powers would be enforced in relation to police forces that are attempting to close the deficit.

Through the clear and defined approach to the funding shortfall that the Association of Police Authorities has announced, the police will be able to continue the rapid movement towards increasing police standards and further driving down crime figures. With regard to ring-fenced funds, in the spirit of partnership that I have mentioned, there must be a true understanding of the need for local police forces to be flexible about community needs and for the Government to ensure that the priorities that they set to increase our safety and security are met in the most effective and economical way.

The increase in funding for Norfolk police authority of around 4 per cent. next year will be reduced to 2.5 per cent. after account has been taken of central costs and centrally ring-fenced funding for projects such as Airwave. Concern has grown about the relative merit of such ring-fenced initiatives. In my opinion, the right balance has been struck. As the annual report for 2003 stated:

"The current roll-out of our high-tech computer support systems is vital to the provision of information technology and underpins the delivery of information, applications and modern infrastructure facilities across the county."

The Government want to ensure that that happens in Norfolk, providing mobile forces with access to information on the ground to fight crime more effectively. That will continue to be implemented.

I commend the Norfolk constabulary on its performance, and support its request that the funding shortfall that it has predicted for next year is adequately filled. That is in line with the Government's commitment over the past five years to better county police forces. Year on year, past neglect has resulted in shortfalls in funding and personnel. I certainly do not want us to return to those days of neglect, or for this issue to become a party political matter, but I am concerned that a true and practical consideration of the matter could be lost, despite the cross-party support that we have seen today.

We have moved on in Norfolk, thanks to the new partnership developed between the Government and the police. I do not want cross-party politics to hijack that partnership or to take away from any investment in the force. I refuse to have the campaign for better resources in Norfolk and Great Yarmouth hampered by prejudice.

I urge the Minister to give a clear response. How does she propose to make up the shortfall, and to ensure that the benefits that have been brought to the Norfolk constabulary in the past five years will not be forgotten?

2.25 pm

Mr. Keith Simpson (Mid-Norfolk): I, too, congratulate the hon. Member for North Norfolk (Norman Lamb) on initiating this important debate.

Norfolk MPs may have a sense of déjà vu because we debated similar issues a year ago, not only on police funding, but on the local government finance settlement. We have not progressed very far in one year. Sadly, our pessimistic conclusions have become a reality, and we are here again, putting our case to the Minister.

Last year, local government funding was taken directly from the shire counties and redistributed to other areas. Whatever Ministers say, that is a fact, and one that is known by local Norfolk councils of all political background, and by local council tax payers. Alas, we face the prospect that that will be repeated this year. As two hon. Gentlemen have pointed out, central Government's grant for local policing is falling well short of the amount required to keep policing at a standstill position, as the hon. Member for North Norfolk put it.

Last year, the national gap was £162 million. This year, it is estimated to be £250 million. Last year, the average precept rise by authorities across the country was 25 per cent., which was, on average, slightly more than that in Norfolk. That was a great shock to our taxpayers. Nationally, the highest level was 76 per cent. According to the latest Home Office information, the average budget increase that police forces are likely to receive in the year 2004–05 will be 3.3 per cent. Authorities will be subject to a floor of 2.6 per cent. and a ceiling of 3.5 per cent.

I cannot emphasise enough that forces will require at least a 6 per cent. increase simply to achieve a standstill position. In Norfolk, a standstill position would entail a similar uplift in budget. Nationally, an average precept increase of 14 to 15 per cent. would be required to hold services at their current level. It is estimated that, for the Norfolk police authority, that would be about the same, or slightly higher, at 19 per cent.

Local government and police authorities, not only in Norfolk but nationally, are between a rock and a hard place. The Norfolk police authority is determined to protect front-line operational services, and to maintain the progress made since 1995 in officer numbers and resources, as the hon. Member for Great Yarmouth (Mr. Wright) put it. However, it is aware that any significant increases in the precept or council tax will be opposed, particularly by pensioners. I am sure that the Minister is aware, from her own constituency, of how much anger there is.

I would like to hear from the Minister on the Government's policy on this issue. We hear a lot about joined-up government, but we seem to get conflicting messages on capping. The Office of the Deputy Prime Minister is on record as having threatened capping but, in a meeting attended by the Prime Minister, Ministers, chief constables and police authorities, the Home Secretary gave the impression that police authorities will not be capped. Who is correct: the Deputy Prime Minister or the Home Secretary? We need to get that clear today.

Those budgetary decisions will have a real impact on the police, the public and crime in our county. Norfolk is the second largest county in the United Kingdom, with a very long coastline. It has large urban areas such as Yarmouth, King's Lynn and Yarmouth, where there is social deprivation. There is also social deprivation in rural areas in mid-Norfolk, such as in my constituency. We have between 3 million and 5 million visitors and tourists to the county every year. Many of them—the overwhelming majority—are honest and law-abiding, but a minority are not, so we have enormous churning in our population.

We not only have local crime, but we are vulnerable to commuting criminals from the east midlands. If my hon. Friend the Member for North-West Norfolk (Mr. Bellingham) is lucky enough to speak, he may comment on the repercussions of the case of his constituent Mr. Tony Martin. We also have criminals commuting from Essex and London. Fear of crime in rural areas is real, precisely because the police appear either not to be there at all or to be a long way away, which does not mean that they cannot respond, but that perception is very strong indeed.

As the hon. Member for Great Yarmouth put it, the Norfolk police authority and the chief constable are now successfully targeting crime. The previous chief constable, Ken Williams, put in motion many of the things that his successor, Andy Hayman, is now carrying out. Operation Harrier is but one high-profile operation to take the offensive against criminals. I had the pleasure of being at the police headquarters on 30 July for the launch of the Norfolk home watch association, which is an important, active part of police operations.

As the hon. Member for North Norfolk pointed out, we now have three mobile police stations, which I commend. They are working in my constituency and are an excellent example of the police showing their presence and gathering information. In the market town of Reepham in my constituency there is a one-stop community office, for which the police are paying the rent and where there is a police presence, the old police station having been closed down—I can well understand the reasons behind that.

The problem for the Norfolk police authority is that the budget is being squeezed owing to central Government devolving more and more responsibilities and new costs. National insurance is an obvious example and is affecting all the public sector. A lot of the budgets, as other hon. Members have said, are top-sliced and ring-fenced. One aspect of the Norfolk police authority budget which creates a great deal of cynicism among councillors and the police is the best value exercise, which costs the authority £650,000 a year. Norfolk does not think that it gets very much out of that exercise, and it would rather have the £650,000 to deploy itself—perhaps to acquire a helicopter permanently.

The Norfolk police authority has a long priority list for funding. I want to conclude by emphasising merely two of them. First, will the Minister confirm that any changes to the police funding allocation do not disadvantage Norfolk and that ring-fenced funding that is currently outside the formula, such as the rural policing fund and the crime fighting fund, will continue to be provided at least at the current levels? If they are not, we are in for an even worse budget than we thought.

Secondly, the hon. Member for North Norfolk made the point that I took up with the Minister's predecessor a year ago, which is the need for dedicated air support. Norfolk is one of only four forces in England and Wales that does not have a helicopter available round the clock. Will the Minister consider that again, to see if the

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Home Office can provide some funding, or at least some flexibility in funding? We are the second largest county, with a very long coastline. We are lucky at times to have the support of the Royal Air Force, which provides support that it is not legally forced to provide. I shudder to think where we would get the necessary air support from if there were a major terrorist incident in Norfolk.

Will the Minister look again at that serious issue, and can she guarantee the funding that Norfolk receives already under the rural funding? That would go some way to meeting our concerns. Our concern is that a standstill budget, which is the best that we have to look forward to, would mean that we should have to cut back on the operational effectiveness that the Government have already provided for Norfolk. That would have a detrimental effect on our constituents.

2.35 pm

Mr. Richard Bacon (South Norfolk): I am grateful to have the opportunity to speak, and add my congratulations to the hon. Member for North Norfolk (Norman Lamb). I am grateful also because it is not often, after one takes part in a debate and the Minister has wound up, that one has a chance to wind up on the Minister's winding-up. In the debate on the police the other day, she mentioned the question— referred to by my hon. Friend the Member for Mid-Norfolk (Mr. Simpson)—of extra burdens on the police. She was worried about my description that

"the need to introduce diversity in the police force and to deal with child protection"—[*Official Report*, 15 October 2003; Vol. 411, c. 219.]

were bureaucracy. I was quoting from the chief constable of Norfolk's report to the police authority, and I hope that she will accept that I was enumerating a list of burdens. Whether good or bad, they are still burdens. I shall not list them all again, but they are at column 208, and include everything from best value—which is of questionable value, as my hon. Friend said—to things such as activity-based costing, the recommendations of the Climbié report, and equal opportunities. I was making the point that whether such things are good or bad, if the Home Office requires local constabularies—including Norfolk—to do them, they impose extra time and resource costs.

I also want to pick up on my hon. Friend's point about helicopters, and the fact that we do not have air cover. I have read a study published by the Public Accounts Committee on the royal family's air and rail travel. By adopting a more flexible approach, and by starting to lease and charter more, the royal family succeeded in more or less doubling the miles that they flew while cutting overall costs from about £17 million to £5 million. The Government constantly remind us that they are accruing assets for the future by paying for them over a period, such as the private finance initiative building for the Home Office, never mind that for the Treasury, so what is sauce for the goose should be sauce for the gander. During our visit to the chief constable of Norfolk's top team, we were told that the Home Office had said, "We will give you a cheque now for half the capital costs of the helicopter, but the rules do not allow you to lease or charter". That seems insane. I hope that the Minister will take that seriously.

I want to raise four issues: first, the effect of under-policing in rural areas, such as parts of my South Norfolk constituency; secondly, custody provision in the central area, including the city of Norwich, the urban parts of Broadland district and all of south Norfolk; thirdly, the special constabulary; and fourthly, Government targets.

The central area is central to the operation of Norfolk constabulary because it includes the city of Norwich. As one officer told me, if central area is performing well, Norfolk constabulary is performing well. The central area comprises the urban parts of Broadland and all my constituency, which includes some very rural areas, down to the Waveney valley and along the south-east to the borders of Yarmouth—some of the most rural and sparsely populated parts of Norfolk. Under-policing has an even more dramatic effect in those rural areas. The majority of crime occurs in the area around Norwich, so the biggest gains are made by deploying most of the central area's resources in and around Norwich. As a result, there is a constant battle in my constituency of South Norfolk to get anything even approaching adequate cover. The police sector that is managed from Diss, which excludes the north-west of my constituency around Wymondham but includes almost all the rest, covers a population of some 70,000 people and an area of about 270 square miles, but has only two police vehicles and four officers. Greater London is just over 600 square miles, so the area is about half the size of Greater London. To use an example closer to the Minister's home patch, the city of Manchester—not Greater Manchester—is 45 square miles, so the area is six times bigger than the city of Manchester. As I said, there are four officers in two vehicles, and that is assuming that nothing happens. That thin cover can be removed when there is the slightest problem.

The entire custody provision for the central area is undertaken in Bethel street police headquarters in Norwich. I visited those facilities to see the conditions in the early hours of the morning, and I can vouch for the fact that the quality and quantity are insufficient. On a busy night, it is not uncommon for the Bethel street custody suite to be closed simply because it is full, so that officers who apprehend people have to take them elsewhere.

A few months ago, a police night crew arrested someone in Loddon in my constituency and had to transport the individual to King's Lynn, which is in the constituency of my hon. Friend the Member for North-West Norfolk (Mr. Bellingham). That is some 55 miles by road, so it is a three-hour return journey, which more or less renders the crew inoperable for the rest of the shift. If we add on the processing time once they get there, they are not only inoperable, but out of area for the rest of the night. If there is then just one extra incident in the city of Norwich that requires one extra crew to be called in from South Norfolk, as sometimes happens, an area half the size of Greater London has no police cover at all. My hon. Friend the Member for Mid-Norfolk was correct to say that this is sometimes a matter of perception, but unfortunately it is also sometimes a reality that very large swathes of rural England, covering many tens of thousands of people, have no police cover for long periods.

That brings me to my third point, which is about specials. In Diss, there used to be 12 members of the special constabulary; there are now eight. Nationally, the figures have fallen significantly—by several thousand. The Government should look into that seriously, because apart from anything else, providing specials is financially smart. It is also good recruiting ground for the regular constabulary. It may be appropriate to pay a bounty. I think that some forces are doing so. When I was in the Territorial Army, a bounty was paid. It was not significant and I certainly did not join the Territorial Army because of it. I joined because I wanted to play my part in ending the cold war, and I am pleased to say that within five years of my joining the Territorial Army, the cold war had ended. I felt, therefore, that I could leave.

My fourth point is about Government targets. There are targets for burglaries, robberies and vehicle crime, as has been said, but one officer said to me that when he meets people in my constituency, in police forums and at parish councils, he finds that for the most part those are not typically the crimes that people worry about. He said that people worry mainly about crimes such as graffiti, vandalism and the other low-level crime that we hear so much about, and certainly people complain directly to me about that sort of incident. The problem is that the targets lead the police to take those issues rather less seriously, even though they know that those are the main concerns of local residents. The incentive is to prioritise other crimes, which people do not necessarily complain about quite so much.

Those are the key issues that I wanted to raise. I again congratulate the hon. Member for North Norfolk on initiating this Adjournment debate, and I look forward to the Minister's reply.

2.43 pm

Mr. Henry Bellingham (North-West Norfolk): I, too, congratulate the hon. Member for North Norfolk (Norman Lamb) on securing this important short debate. I also praise the Norfolk police authority and particularly its chairman, Jim Wilson, for the excellent briefing with which he provided Norfolk Members, for the consistent pressure that he has been applying and for the considered and effective way in which he has always argued his case.

In recent years, the situation has improved for the Norfolk constabulary in terms of police numbers, initiatives and resources, but that was not always the case. It is worth remembering that, from 1997 to 2000, when I was outside Parliament, there were cuts in Norfolk's police budget, with the result that we had fewer officers. Only now has the nominal roll of police officers in Norfolk been made up to the 1997 level. However, progress has recently been made, which I will describe later in my remarks.

My hon. Friend the Member for Mid-Norfolk (Mr. Simpson) mentioned my constituent, Tony Martin. I had not intended to refer to Tony Martin, but I will do so because it was as a result of that case that the Norfolk constabulary came into public focus. As a consequence of the case, several important initiatives were introduced and, as a consequence of those initiatives, one or two important measures are now in place of which we can be rightly proud.

One of those initiatives was to set up a beat station in Terrington St. John, in west Norfolk. There is now a beat station in that marshland area of Norfolk, which is sparsely populated and where policing is difficult because of the distances involved. In the past, policing in that subdivision was carried out from Downham Market.

The use of Ford Galaxies and mobile police stations are excellent ways of enabling the police to get out into the community and provide a much more visible police presence.

I should like to congratulate chief superintendent Alan Hayes, who has been an extremely proactive and imaginative area commander in our area. He believes in a zero tolerance policy. He takes the view that if a crime is important to local people, it is important to him. It does not matter if the crime is broken windows, graffiti or other antisocial behaviour, it is important to him to try to sort it out, and he will make every effort to prioritise it.

I have attended several parish council meetings with chief superintendent Alan Hayes. His can-do, no-nonsense attitude and zero-tolerance approach to policing, which is, I gather, endorsed by the chief constable, Andy Hayman, has done a great deal to reassure the public and build up local confidence in the police.

I should also like to congratulate Alan Hayes and his team on the way in which they responded to Tony Martin's release. When a high-profile prisoner such as Tony Martin is returned into the community with hundreds of press and cameramen in attendance, who pursued him relentlessly after his return to Bleak house, imaginative and sensitive policing is required. Obviously, such policing can take place only in the context of what the individual is prepared to put up with and co-operate with, but in that situation the police were marvellous. I should like to put on record my gratitude to them and also congratulate them on the way in which they responded to a difficult and sensitive situation.

We have heard today about some of the current budget challenges. The hon. Member for North Norfolk mentioned that a 6 per cent. increase will be necessary simply to stand still. I agree with what he said about the bidding process for the different schemes—bidding for those costly "pots" is far from simple and straightforward, and takes up a great deal of time, resources and effort. I have spoken to many police officers who find the whole process very stressful.

I am sure that the Minister will discuss the overall figures for police budgets. We must remind her that, although they may look good on paper, much of the global figure is being kept back by the Home Office. Some £155 million is being held back for centrally controlled national initiatives and priorities. Top-sliced funding of £586 million will be held centrally by the Government and earmarked for more specific initiatives. If the Minister wants to avert what will undoubtedly be a serious funding crisis, it would help if those schemes could be made simpler, but it would also be helpful to trust local constabularies to run schemes that will suit the problems and conditions on the ground. Rather than holding all that money back, why not give it to the police forces and trust them? When there are chief constables of the competence of Andy

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Hayman, and area commanders of the ability of Alan Hayes, surely they can be trusted to get the job done locally. They do not have to be put in a bureaucratic straitjacket and be drip-fed funds from different pots. They should be left to get on with it.

I endorse what several hon. Members on both sides of the House said about air support. The response to Norfolk constabulary's reasonable request for a helicopter was Government pigheadedness gone mad. Some common sense is needed to cut through the prevailing Whitehall attitude.

I will bring my speech to a close, as we want to hear from the Front Bench spokesmen, and especially the Minister, as we will be very pleased with what she has to tell us. No one would deny that excellent progress has been made, as the hon. Member for Great Yarmouth said, but that is threatened. Morale will suffer enormously if there is not the opportunity and ability to continue with the schemes.

I endorse what several hon. Members have said: it would be completely unfair and utterly perverse to place a burden beyond the rate of inflation on the council tax payers of Norfolk. As my hon. Friend the Member for Mid-Norfolk said, many of them are on fixed incomes and it would be wrong to ask those people to pay more money when there have been year-on-year inflation-busting increases in the council tax.

I look forward to the Minister's reply. We have an increasingly effective local police force and we want that to continue.

2.51 pm

Mr. David Heath (Somerton and Frome): I congratulate my hon. Friend the Member for North Norfolk (Norman Lamb) on securing the debate. Being surrounded by a posse of Norfolk Members on all sides of the Chamber must be of great help in pressing the case for Norfolk. The boundary commission was hardly imaginative in naming constituencies in the county, which have a marked similarity to each other.

It is a coincidence that yesterday the Government published their police performance monitoring book for 2002–03. I looked at the entry for Norfolk, and took seriously the Minister's point in her press release that the diagrams are simple to look at. That may be so, but to understand them is a different concept. I am not yet convinced by the spidergram as a useful tool for understanding.

Setting aside the crime statistics—I take the point made by the hon. Member for Great Yarmouth (Mr. Wright) that there is a heavy qualification on the figures for this year—what worried me in Norfolk's case was the score for those residents who think that the police do a good job. It was shown as 43 per cent., one of the lowest of any force in the country. From what I have heard in the debate and elsewhere, the Norfolk constabulary are not doing too bad a job with their available resources, but there is a mismatch between the public perception of the efforts made by the chief constable and his officers and the results on the ground. That should concern all of us, not least the Minister, as it is reasonable for her to say that extra resources have been put into policing in the past year or so.

I entirely agree with the point made by the hon. Member for North-West Norfolk (Mr. Bellingham) that when the Government took office they delayed putting extra resources into policing. There are now extra police, yet public confidence is not increasing, and we should take careful note of that. Despite extra personnel in Norfolk and in almost every other force, resources are stretched to breaking point and beyond. Despite falling crime in some areas overall, the perception of vulnerability to crime, particularly in rural areas, is growing exponentially. Somehow, a way must be found to reconcile those issues.

Two concerns for Norfolk have been expressed today. The first is rural policing, which is a subject dear to my heart in my constituency. The second is the council tax increase. I would like to talk briefly on both topics.

Many people in rural areas suffer from a small crime rate in comparison with the national or international average. However, it is also true that their level of concern has increased over recent years, because they feel intensely vulnerable, and do not believe that they have a level of police service that is consonant with the level that they want in order to feel reassured. That feeling can be picked up in almost any village or small town in the country. It is made worse by the influence of larger conurbations, as referred to by the hon. Member for South Norfolk (Mr. Bacon) in his comments on Norwich. Norwich is hardly the crime capital of the country, but it is a significant large city. From the point of view of my constituency, Bristol is unfortunately a significant area for crime.

The fact that resources are constantly sucked into the cities away from rural areas has a real and immediate effect on the level of policing in rural areas. Now is the time to address rural policing differently, although I am not about to deliver a new policing policy on behalf of my party. I am rapidly reaching the conclusion, which I think is shared by others—I hope for a serious and sensible debate—that the issues of serious, organised and national crime are interfering with keeping the peace throughout most of Britain. We must separate the tiers of responsibility and the functionalities of the police to give a better deal and a more efficient system. That needs to be considered carefully, and I think that all three parties are coming to a similar conclusion.

We need a much closer relationship between the level of policing in rural areas and the aspirations of the local crime reduction partnerships and local authorities. We need almost a contractual arrangement for a minimal level of service, which would mean that police officers would not be continually abstracted from the rural beat to help out with the latest national policing objective in the big cities.

We must consider how to achieve a higher visibility for the patrol function in rural areas. I understand why there are no longer police officers in small rural police stations or police houses in villages, and why the police need to be on the move and in a car. However, local communities need to see visible signs that they are being policed. We need more of what I have always called intelligent patrols, to ensure that the police are seen in the right places at relevant times. In that way, people are reassured and can share in community policing by passing on low-level intelligence when they see police officers. I do not know what the Norfolk police

telephone system is like, but I must say that the system in my constituency is a disaster for the public who want to get in touch with a local police officer.

Mr. Bellingham: One of the complaints that I keep getting is that people ring the Norfolk switchboard and talk to someone in Wymondham who does not know the nooks and crannies of small villages in north-west Norfolk. I am sure that my three Opposition colleagues agree that that is a real problem.

Mr. Heath: I am grateful to the hon. Gentleman. He has confirmed what I suspected. This is not just a problem for my constabulary; it is a national problem. The more efficient we make these call centres, the less well they serve the public because they are more remote and it is more difficult to get the right message through to the right person in the right place at the right time. That is a concern.

There are things that could be done immediately. I have long argued that we need a new status of police officer in rural areas. We need the retained officer, which is not so different from what the hon. Member for South Norfolk described. We have done it for firefighters for years. We could not run a fire brigade in Norfolk, certainly not in Somerset, without the retained firefighter, and yet there is no such category of police officer. We rely on either the special police constable or the regular full-time police officer. I accept that there are now some part-time officers, but we have nothing analogous to the retained officer. That is a mistake. If we want visibility in policing in rural areas, that is one way to achieve it.

The rural crime fighting fund has plugged some gaps but it is centrally administered. There is no certainty of continuity. If we are convinced that there is a problem with the formula as it applies to rural areas, let us wrestle with that and get the formula right rather than constantly adding little bits to try to put it right later. That is not the way to run a distribution formula, and it puts rural forces at a huge disadvantage.

We are quickly reaching a crisis in council tax increases. I will not repeat either the figures for Norfolk or the national figures. The public and we, on behalf of the public whom we represent, are saying that enough is enough. It is simply not acceptable to have huge increases in the council tax year after year without a corresponding increase in the level of service. Like my hon. Friend the Member for North Norfolk, I have grave doubts about whether council tax is an appropriate mechanism for raising the funds for local authorities and whether there are not better alternatives. Even within the context of the current tax, the gearing on it and the reduction of effective support from central Government have resulted in an unsustainable situation. People are being asked to pay a lot more each year without getting an improved service.

Years ago we asked people whether they would be happy to pay an extra fiver in return for a better police force, and they said yes. There is no shortage of good will here, but people are not prepared to pay a 14 or 15 per cent. increase in their precepts this year on top of the double-figure percentage increase that they paid last year if they cannot see any results. There will be a real problem for the Government unless they address it before the announcement of the support levels for next year. We know what the Treasury's intention is and that it is entirely inconsistent with what the Home Office is trying to achieve in policing levels.

We cannot have that argument in this Chamber. We can merely support the view that the Home Office has to be extremely clever at presenting its case with the Treasury and that the present projections simply will not work. The hon. Member for Mid-Norfolk (Mr. Simpson) pointed out the inconsistency between the Home Secretary's intentions and the Deputy Prime Minister's plans for capping. We need clarity on that because it is important to police authorities in planning their budget for next year. However, even if there is the utmost clarity it will not help the poor council tax payer who will receive an increased bill unless something else gives.

Constabularies such as Norfolk need "a new deal", to use the new Labour term. Let us have a new deal for rural policing that recognises the difficulties besetting these forces. Let us recognise that there are bigger issues that perhaps are properly dealt with at a different tier. Many Members referred to the air support that is available to Norfolk. When I was chairman of the Avon and Somerset police authority some 10 years ago, I was in the same position, as we had no air cover, so we ended up making collaborative arrangements with our neighbouring police authority in Gloucestershire, in which one helicopter served both areas. However, I agree that the current rules are a nonsense and should be changed.

If we are to see a real and sustainable improvement in policing and increase the figure of only 43 per cent. of residents in Norfolk thinking that the police do a good job, we will need security of funding that goes a long way beyond what is now available. Unless the Home Secretary acts quickly, we will see a great deal of trouble in the near future.

3.5 pm

Mr. James Paice (South-East Cambridgeshire): I was interested in the opening comment of the hon. Member for Somerton and Frome (Mr. Heath) about the Boundary Commission's unimaginative terminology for Norfolk constituencies. Given the problem that many Members have in pronouncing Somerton and Frome correctly, the general geographical approach adopted for Norfolk is probably wiser.

I was also interested in the hon. Gentleman's statement that he would not announce a new Liberal Democrat policy; we await with interest an announcement that there is one at all.

I add my congratulations to the hon. Member for North Norfolk (Norman Lamb) on securing the debate. As my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) said, it is a re-run of one that has taken place before. We could have a similar debate on every force in the country—if I were not debarred because I am on the Front Bench, I could introduce one about Cambridgeshire. However, it is particularly appropriate that we are debating Norfolk, because Jim Wilson, chairman of the Norfolk police authority, is leading for the Association of Police Authorities on the problem of next year's funding.

My constabulary in Cambridgeshire shares a secretariat with Norfolk, which shows what co-operation can take place. It seems odd that I receive all

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my communications about Cambridgeshire police from Wymondham in Norfolk, but that is the way that the force operates.

All hon. Members referred to council tax and increasing bureaucracy. The hon. Member for North Norfolk was generous to the Government in saying that just under 10,000 civil servants are employed in the central part of the Home Office, as the figure is actually nearer 11,000. That is nothing to do with any of the other non-police departments, and as he said, it exceeds the number of extra police officers.

Hon. Members also spoke about Home Office impositions. Some referred to the request for a helicopter and asked why the Home Office could not provide 100 per cent. funding for a second-hand one instead of 50 per cent. for a new one, or why it could not help arrange a naval leasing. I have some sympathy with the Minister, as I am sure that she will not be able to explain the basis for that decision. It is not her decision, or even the Home Office's: it will have been imposed by Treasury rules. Those of us who have been lucky enough to be in government know that the Treasury's fingers are in everything—that seems even more so under the present Chancellor.

As several Members have said, the issue of police funding is rapidly coming to a head. I am sure that the Minister will laud the Government's achievements and describe the extra resources that the police have received. It would be foolish to argue that they have not put more money into the police, as there has been a welcome increase in police officers in the past three years—the second half of the Government's period in office: the first half was spent running down police numbers. However, it is no use the Government talking about increased resources only in global terms when they are also increasing the burden of cost on police authorities and on other public service. We have seen massive increases in costs during the past few years.

The hon. Member for Great Yarmouth (Mr. Wright) referred to Airwave, which has been on the stocks for a long time. I do not know anyone who is opposed to Airwave—unless it means erecting a Tetra mast in our constituency, when we all find a reason to oppose it. However, it is a huge extra cost. Simply saying that the Government are spending all this extra money while ignoring the extra costs is only half the argument.

National insurance increases and considerable changes to the police pay structure are now coming into play, and they will put huge extra costs on the police force. The Association of Police Authorities estimates that that will result in an average of 6 per cent. expenditure next year. It forecasts that next year's council tax will have to increase by 15 per cent. on average just to stand still. As Members from all parties have said, we cannot go on raising council tax. There has been a more than 70 per cent. average overall rise in the police precept since the Government came to office, and in last year alone it rose by 25 per cent.

I agree with the hon. Member for Somerton and Frome that the Government will shortly reap their own harvest. The public will not tolerate ever-increasing hikes in council tax. I understand one of the reasons why the Government have adopted that approach: it is easy to blame somebody else, such as local authorities. They can shift the burden on to council taxpayers, and then say that if local authorities have not been able to make efficiency savings that is their fault. The Secretary of State for Education, who is another Norfolk MP, tried that last year—this present financial year—with schools in Norfolk, but he had to eat his words. It was obvious that the fault was nothing to do with local education authorities, but was the responsibility of the Government Department, which had got its figures wrong. I fear that that will happen across the board with the police and other public services.

Several hon. Members have referred to the issue of top-slicing—that is the phrase that I like to use—in relation to central specific projects. It is perfectly true—I am sure that the Minister will claim that it is—that such money is eventually spent on policing and some of it goes to police authorities. However, as the hon. Member for North Norfolk and others have said, that system creates a huge bureaucracy of its own, because forces have to bid for the money, often to no avail or for very small sums. I am told that there is one fund of just £2 million for video facilities. If the 43 police forces have a crack at bidding for that, I suspect that an equal amount of money will be spent just on the bidding process. In my opinion, that is central-controlled top-slicing gone mad.

Last year, there was a 58 per cent. increase in the amount of money withheld at the centre for specific grants. That is a worrying trend, because it is another example of the Home Office taking ever more control over how we go about our policing. The other aspect of all these specific funds is that many of them are time limited. At the end of the day, the force is faced with deciding whether to go on with a certain form of expenditure or curtail it; it then faces the resulting opprobrium of doing that. We need only consider the example of community support officers. Without going into the rights and wrongs of such a scheme, which we have done on many occasions, Home Office funding for community support officers, which this year starts at 100 per cent., goes down to 50 per cent. in 2005–06. If those forces that have taken up community support officers want to continue with them, there will be a huge shift of burden from the specific fund to the general fund, and I very much doubt that sufficient money will go into the general fund.

I shall turn now to how the money is being spent and how well we are using it for improvements in policing in Norfolk, Cambridgeshire, the metropolitan area and elsewhere. As several hon. Members have said—including the hon. Member for Great Yarmouth, who finds himself in a difficult position in this debate—there have been improvements in policing. Of course, Norfolk police, along with others, have developed new initiatives and new partnerships, and have improved things. Nobody denies that. However, as several hon. Members have also said, public perception is that crime is getting worse, particularly in rural areas, and that fewer police are visible and available to respond to a call-out. Now when people ring up they just get given an incident number so that they can claim on their insurance.

The hon. Member for Somerton and Frome referred to yesterday's figures. The sad fact is that about 97 per cent. of crimes that involve a victim—rather than retail crime—never result in a conviction. People might say that we live in a peaceful society, but that figure shows

that that is not the case. I will not pretend that the country is lawless, but the situation is far from satisfactory.

Contrary to the assertions of the Prime Minister in the House earlier today, the problem is not primarily with the criminal justice system. I am not defending that system as it is far from perfect, but well over 50 per cent. of those who are prosecuted end up being convicted. The big problem is detecting the crime and getting to the point of prosecution—that is where the largest proportion of that 97 per cent. fall out of the system.

Part of the problem is the ever-increasing central control that the police are being put under. As a result, police authorities and chief constables are unable to concentrate on the needs of their own area. They are for ever responding to Government pressures—funding pressures for special funds, meeting national policing plan arrangements, and so forth. In a nutshell, police officers are spending more and more time chasing targets and less time chasing the criminals, which is what we expect them to do.

There must be a dramatic change: responsibility must be shifted away from central Government to local police authorities. They should be given a transparent, block grant, and allowed to decide whether they want a new or a second-hand helicopter and how many police officers and community support officers they need. They should make the decisions and set the targets, and account to local people if they fail to meet them.

We also need a quantum shift in the number of police officers. I welcome the increase that there has been in the last few months, but it is nowhere near enough. My right hon. Friend the Member for West Dorset (Mr. Letwin) and I have repeatedly made the point that the force should be increased by about a third—approximately 40,000 officers. We would make resources available to police authorities for them to achieve that.

The constant centralisation of control, of targets and of the management of the funding, combined with the Treasury rules that we have heard about, will come back to haunt the Government. I hope that the Minister has a way out of this predicament.

3.17 pm

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I am delighted that the hon. Member for North Norfolk (Norman Lamb) managed to secure this debate. It has provided a useful opportunity to air local concerns. I was not the Minister responsible for policing when a similar debate took place last year, so I have appreciated hearing from a range of Members from all parties about the issues in their communities. A couple of weeks ago, I had a chance to go to Newmarket to have a question and answer session with the police authorities—I think that it lasted for two and a half hours. I got a real flavour of what the concerns were in that local community.

I am pleased to have this opportunity to respond to what has been said, and I hope that I will be able to answer most of the questions that have been raised. I intend to make an announcement on the 2004–05 provisional police funding settlement in about mid-November. Therefore, Members will have to have a bit of patience and bear with me, because I will not be in a position to give specific information until I make that announcement.

To reply to the point made by the hon. Member for Mid-Norfolk (Mr. Simpson), we have not yet set floors and ceilings, so no figures have been decided. We will announce them at the same time as the settlement. Expenditure on policing supported by the Government has increased by 30 per cent. over the past three years, which is a significant investment. I acknowledge that hon. Members have recognised that. That will be increased by a further 4 per cent. next year. That increase covers the general grant through the formula spending, specific grant and Home Office direct expenditure.

Mr. Bacon: I would be most grateful if the Minister could tell me the total cost of the extra civil servants employed in the Home Office since 1997. If she cannot, I should appreciate her writing to me.

Ms Blears: I was going to come to that in responding to what the hon. Member for South-East Cambridgeshire (Mr. Paice) said. I understand that many of them are employed as asylum caseworkers processing much of the shambles that was left to us to sort out. I will gladly provide the hon. Gentleman with full details and let him know exactly what is done. His comments are similar to the argument that is often raised about administrators in the health service. When we come to unpick the issue, we find that such people are cleaners and porters and are doing a useful job. Let us have the facts out. I shall write to the hon. Gentleman.

On the general financial situation, the Home Secretary has said that under the 4 per cent. figure no police authority will receive an increase of police authority general grant below the level of inflation, which we estimate at the moment to be around 2.5 per cent.

Several hon. Members referred to the pressures on council tax in general and precepts for the police in particular. We acknowledge that those pressures have existed for a couple of years. The public, especially people on lower incomes, are struggling with some of the council tax rises. The Office of the Deputy Prime Minister and the Home Office are speaking with one voice on council tax rises and the required precept.

I know that police authorities have been constructive in talking to their local communities and seeking to justify their precepts. I want them to continue to make well-justified cases for any increases. I know that they will want to consolidate the gains that we have made in recent years where they are able to do that. The gains in the numbers of police and community support officers have universal public support. However, the police authorities must bear in mind the Government's concern that the current trend in council tax rises is unsustainable.

There have been one or two large precept rises at the margins, the highest being 76 per cent. That is not a reasonable position for us to be in. I am conscious of the different pressures out there. The ODPM has said that next year it could use targeted capping powers if people have acted unreasonably. That applies as much to police authorities as it does to local authorities as a whole.

This year Norfolk was allocated a general policing grant of £79.6 million—an increase of 3.7 per cent. That was considerably higher than the floor. Some 19

[Ms Blears]

authorities got only 3 per cent. Norfolk increased its budget by 8.8 per cent. because it wanted to provide an increase in services to the community. The precept was increased by 21.5 per cent. Although that seems like a large increase, it amounts to 42p per week, increasing the amount to £122 a year. Sometimes the percentage increases do not reflect the tangible sums asked for. The increase in Norfolk was a little bit lower than the general increase of around 28 per cent in shire authorities.

Several hon. Members raised the issue of the fairness of the funding formula. There is an element in the funding formula that takes account of capital receipts and whether there are a great deal to dispose of, and another element takes account of people on holiday in an area—it takes account of overnight visitors, not just the resident population. The funding formula was updated last year to try to be a little more sophisticated and sensitive to the needs of different communities, and it has wide buy-in from a range of stakeholders. We will consider with the policing community how we can make the formula more sensitive and responsive to local people's needs.

Specific grants, as well as the general grant, have been developed in recent years—whether one calls them ring-fenced, top-sliced or whatever. I am trawling the budget for room to manoeuvre to maximise the general grant where possible. However, I am sure that hon. Members would not want the rural policing grant put into that pot; they probably still want it as a separate pot. We need to recognise the problem of the sparsity of policing in rural areas, and we should try to ensure that we keep that separate pot available.

Norfolk gets £3.07 million from the crime fighting fund. I assure the hon. Member for Mid-Norfolk that the crime fighting fund for recruits will continue indefinitely; we have no plans to roll that back into general grants. I am pleased to be able to give that reassurance.

There is also £3.23 million for Airwave. I am delighted that Airwave is a robust and resilient mobile communications service for the force, which is taking it up extremely well. I hope that the use of the text and data applications as well as the mobile communications will give extra value, and will help the force to reduce form-filling and bureaucracy. Norfolk also gets funding for community support officers; there are 12 in Norwich, and there is permission to recruit another 18. Community support officers are proving extremely popular.

There is £500,000 for direct basic command unit funding, £500,000 in special priority payments and nearly £750,000 for DNA funding so that forces can utilise forensics and technology in supporting what they do.

Many ring-fenced or top-sliced grants are for things that the police have themselves declared to be a priority. I was interested to note that during the 1990s the previous Government provided funds in the general pot for an extra 5,000 police officers. I am told that practically none were delivered, as police authorities spent the cash on other priorities. So there is often a balance to be drawn between having things in a general pot and having them ring-fenced.

Norfolk's share of the rural policing fund was £2.08 million; it was one of the top four beneficiaries of that fund. That is an important fund for the area. We do not envisage changes to that. Police authorities do not have to bid for rural grants; the grants are allocated, so there is no bureaucracy. They add 2.5 per cent. to Norfolk's policing budget; that is a significant amount, which can do some of the extra things that hon. Members have talked about.

Police numbers are at record levels in Norfolk, I am delighted to say, as they are throughout the country—there is more high-visibility policing. Hon. Members have raised the issue of pensions; they are an important consideration for the whole of the service. I am considering some proposals, which clearly will not help us this year. However, in years to come I am prepared to grasp the nettle on pensions to see whether we can make improvements for the future. I am very conscious of a bulge of people coming through, which will be a huge burden for many authorities.

I am intrigued by the question of air support. My information is that we agree to provide part funding for air support, provided that forces are also prepared to put something in the pot. Norfolk was not able to do that. However, I understand that it made an application to purchase a second-hand helicopter. I hate to call it that—it sounds a terrible description for a helicopter—perhaps "pre-used" is better. However, there was a question about that helicopter's suitability for its purpose. If we can reach an agreement in which Norfolk would make a contribution, I will certainly consider the matter, as I have already said in correspondence to hon. Members. However, I am not aware that it has put a bid in for next year. If it is prepared to come to the table and make a contribution, we are prepared to consider it. So far that bid has not been made. I am prepared to reconsider the matter if there are some genuinely constructive ways forward.

Hon. Members have rightly raised the issue of specials, whose numbers have gone down. We now have a big programme with pilot schemes to pay some specials to see whether that makes a difference. Specials are torn on the matter of payment: some say that they would like to remain volunteers, others say that they would like payment. I am really keen to get more specials.

I am delighted that my hon. Friend the Member for Great Yarmouth (Mr. Wright) has been present to explain the positive things going on in his area. He has a policing priority area in the Regent ward in Great Yarmouth, where they are doing tremendous work to achieve a closer partnership. I know that the hon. Gentleman, unlike the hon. Member for Somerton and Frome (Mr. Heath), thoroughly supports the Government's Anti-social Behaviour Bill and the powers that it will give us to make communities safer. I hope that the Liberal Democrats will reconsider their ill thought-out position on the whole antisocial behaviour agenda, which it would serve them well to do.

Finally, Norfolk is a pretty safe place to live. I know that people want to see more police on the streets, but the force is doing an extremely good job, led by a very able chief constable and a good local authority, and is having a real impact on Norfolk. I hope that hon. Members thoroughly enjoy living there and being part of the community in the years to come.

Visa Charges (International Students)

3.30 pm

John Barrett (Edinburgh, West): I welcome the opportunity to debate the impact that the new Home Office visa charges will have on non-European Union international students studying in the United Kingdom.

I want to thank Jim Thompson, the welfare officer, and Sarah Nicholson, vice-president for representation, of the Edinburgh University Students' Association, who first raised the issue with me and helped me to prepare for this debate. They have been campaigning hard on this issue, as have universities, colleges and students organisations throughout the UK. I hope that the debate will give the Minister an opportunity to respond to some of their concerns. I know that they will be listening closely to her words.

The debate stems from the press release issued by the Home Office on 11 July 2003, which announced that from 1 August all foreign nationals applying to extend their stay in the UK would have to pay a charge for the processing of their applications. The Home Office stated that applications by post would cost £155, and that the so-called premium same-day service for personal callers would cost £250. That cost would have to be paid each time an application was made. One of the largest groups of foreign nationals who are now subject to this charge are international students who are living and studying in the UK and who originate from outside the EU.

The British Council's figures show that there are some 187,000 such students in the UK, 16,000 of whom are north of the border. The charges will have a major impact on the thousands of international students in my home city of Edinburgh. Edinburgh universities have a long and proud tradition of attracting students from all over the world. Well over 3,500 non-EU international students attend Edinburgh university, Heriot-Watt university, Queen Margaret university college and Napier university, and hundreds more attend Stephenson college, Edinburgh college of art and Telford college, which is based in my constituency. Almost all those students, from a total of almost 4,000, will have to pay the Government's new charges to extend their visas.

Before I talk about the principle of the charges, I want to comment on the very disappointing way in which the charges were announced and introduced. Four years ago, during the passage of the Immigration and Asylum Act 1999—the Act that established the principle of visa charging—the then Home Office Minister, the hon. Member for North Warwickshire (Mr. O'Brien), gave specific and quite categorical assurances to those in further and higher education that international students would be given special consideration. More importantly, however, he promised that universities and colleges would be fully consulted before the introduction of any visa charges.

The Government not only completely reneged on the promise to give students special dispensation, but announced the charges without any consultation whatsoever with universities, colleges or student bodies. The way in which the Home Office announced these charges treated the further and higher education sectors with contempt. It has left many students and chancellors dismayed and confused as to why the assurances that they were given proved to be so hollow.

I anticipate that it is probably too much to expect an apology from the Minister today. I hope, however, that she will at least recognise that the charges could have been introduced in a much better way. Unless the Home Office shows that serious lessons can be learned for the future, universities and colleges will have no reason to believe the Government when similar assurances are given again.

Sue Doughty (Guildford): This is a very important subject. Is my hon. Friend aware that I had to bring to the attention of the House the treatment of these students by the Home Office and the real problems that they experienced in obtaining visas, which were constantly being lost? That created a very bad impression of the British Government and the British way of life. Only this week, I received a letter from 138 Chinese students at the university of Surrey on this issue.

John Barrett: I am aware of some of the problems for which students are having to pick up the tab because of Home Office errors, and I shall come to that.

The announcement of the charges, without consultation, was made all the worse by the way in which they were introduced. The Home Office announcement on 11 July stated that the new system would start on 1 August. It gave relevant student organisations and student welfare officers a mere 21 days to prepare. As the principal and vice-chancellor of Edinburgh university, Professor Timothy O'Shea said:

> "With only three weeks' advance notice ahead of the implementation of these charges, universities have had no opportunity to highlight their impact nor to forewarn the students about them."

He went on to say:

> "The charges have been launched at a time of year, shortly before the start of the new academic year, guaranteed to hit the higher education sector hardest."

Can the Minister tell me why the Home Office chose 11 July to announce the new charges? Was any consideration given to the impact that the timing would have on the further and higher education sectors?

Mr. Graham Brady (Altrincham and Sale, West): The hon. Gentleman is right to highlight the problems for the further and higher education sectors. He might also be interested to know that it is a major problem for overseas students attending boarding schools. A market worth over £200 million to this country has been thrown into chaos by the changes.

John Barrett: I take note of that point.

What about the impact of the charges? International students represent the largest single group of applications for extensions in the UK. It cannot be argued that students represent the most well-off group in society, so the new visa charges will, without doubt, impact on them to a greater degree than they will on other non-EU visitors working to extend their stays. As the Minister will know, many international students do not have access to banking facilities, as banks often refuse to issue them with debit cards or cheque books. That will force many of them to pay the visa charges by postal order, adding again to their costs.

[John Barrett]

Even without postal order charges, the cost is already considerable. As I mentioned, the charge will be at least £150 per application, which bears no resemblance to the likely charge of £90 of which the hon. Member for North Warwickshire advised the Standing Committee on the Immigration and Asylum Bill in 1999. As the Council for International Education pointed out, there has not been 72 per cent. inflation since then. Can the Minister tell us how the figure of £150 was reached and give an indication as to why the original estimate proved to be so far out? In addition, why do the charges compare so unfavourably with similar application fees, such as the £36 for an initial student visa?

I ask these questions because the answers are important and have not, so far, been forthcoming. Unlike those for many other foreign nationals, the new visa charges will not be one-off charges for the students who have to pay them. Despite central guidance, many students are not given permission to stay which covers their entire courses, and they need to extend their stay to complete their degree or even to attend graduation. Many short-term students are granted entry on conditions that preclude them from working as other international students can. Those students must then apply for a change in conditions. In all such cases, students will have to pay the Home Office's new charge.

The trouble does not stop there. Students in further education and, for example, on English language courses are often given permission to stay for only a year at a time. Others only get permission to extend for each of their short courses. Those students might have to pay the charge four or five times. What about research students, who are approaching the end of their studies? At present, they often have to make several applications for short extensions to cover final write-ups, re-submissions or further oral examinations. What about students who are on pre-sessional or foundation courses in preparation for degree courses? Such students will have to extend their stay after completing their first courses. How about the many students who are here thanks to scholarships and are on particularly limited budgets?

Finally, what consideration has the Minister given to students—I can assure her that there are many—who need to correct mistakes that have, as my hon. Friend the Member for Guildford (Sue Doughty) said, been made by entry clearance officers in their home countries or by an immigration officer on entry into this country? Should they be charged for the Government's incompetence? All those students will be hit hard by the new charges, and without question there is a risk that the charges will deter foreign students from studying in the UK. That is despite the Prime Minister's clearly stated and repeated aim of attracting more international students to the UK.

Mr. Barry Sheerman (Huddersfield): Does the hon. Gentleman agree that our country is at the leading edge in international education provision, and that the charges represent a tax on that education and on a thriving industry?

John Barrett: I certainly do agree. Other countries are well aware of the contribution that students can make to their way of life, to their education system and to their economies, and while we are adding tax many other countries are trying to get students to go and attend their educational establishments. It is a double-edged sword.

Edinburgh university has been particularly keen to respond to the Prime Minister's initiative. However, the new visa charges have severely hampered its efforts, and for what reward? The Minister for Citizenship and Immigration, the hon. Member for Stretford and Urmston (Beverley Hughes), said in the original Home Office press release that

"charging will help us to continue to improve the efficiency and speed with which we process these applications, leading to ever higher levels of customer service."

Unfortunately, neither I nor those working in our colleges, universities and boarding schools are convinced that that will be the case.

The chief executive of Universities UK has asked whether the immigration and nationality directorate will be able to provide a level of service that is appropriate to the level of charge. If the Government think that the Home Office proposal of a maximum of 13 weeks for processing an application is a high level of service, they ought to be prosecuted under the Trades Descriptions Act.

Where do we go from here? Naturally, I and many other hon. Members would like the Home Office to do an about-turn and remove the charges. That may be a little unrealistic, despite the fact that such a move would receive the overwhelming support of colleges and universities. Nevertheless, the Government could take some simple and relatively straightforward steps to help to mitigate the very negative impact of the Home Office's new policy.

What consideration can the Minister give to postponing the charges at least until the new year? Such a deferral, although short, would make an enormous difference to those organisations that are still trying to get to grips with the Government's recent and sudden announcement. Not only would it allow for greater consultation on the implications of the charges, but those students who are affected will have more time to become fully aware of the new rules and to begin budgeting for the charges.

The Minister should be aware that advice services at many educational institutions are coming under great pressure because of the charges, especially as it comes at their busiest time of the year. That is certainly the case in Edinburgh. A deferral of the charges would allow the consideration of new and different systems—perhaps differential fees for shorter or longer extensions—and for the publication of new guidance on the length of student visas for different courses.

Whether or not the charges are postponed, will the Minister assure me that new guidance will be issued to immigration officers at UK ports and to entry clearance officers abroad on granting consistent entry extensions in order to minimise the potential for mistakes and the need for repeat extension applications? If the Minister believes that the charges will result in an improved service, will she assure me that additional and better trained staff will be placed at ports, to avoid students having to make applications to the Home Office soon after their arrival?

Will the Minister also make clear her intention to provide a means by which students can dispute permissions that are incorrect or that fail adequately to meet their circumstances without the payment of additional fees? Such a commitment would go a long way to allaying concerns that students may be picking up the bill for the mistakes of the Home Office.

A strong consensus has now emerged on the issue. The Council for International Students, Universities UK, the National Union of Students, the Council for International Education, and vice-chancellors, rectors, student unions and associations throughout the UK, have lined up to urge the Government to reverse their position on visa extension charges. I am delighted that hon. Members from six parties have already signed early-day motion 1729 in my name, which calls on the Home Office to consider the issue again. There is a consensus that the Government cannot and must not ignore.

I am keen to ensure that the Minister has as much time as possible to respond to my points. I hope that I have made clear the seriousness of the Home Office actions, and the depth of feeling on the issue. I appreciate that she may not be able to answer all my questions in the short time that she has to respond, but the debate has given me an opportunity to put the case of universities, colleges and students, and to put on record some important and, in some cases, detailed questions. I also ask that she and her officials respond in writing to any points that cannot be addressed today, so that the concern and dismay felt by those in further and higher education can finally be brought to an end.

Overseas students contribute to our education system and our economy. We should follow the example of other countries, which not only encourage them in their studies but facilitate their long-term involvement with the country. The current actions of the Government are short-sighted and must be reconsidered.

3.45 pm

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): I welcome the opportunity to respond to this debate on behalf of the Government. The hon. Member for Edinburgh, West (John Barrett) is right to say that the subject has not been fully aired in public, and I am glad of the opportunity to respond to the points that he has made.

Historically, in administering people's applications to remain here as students, we have provided a service that has, at times, been flawed. The Government's view, as expressed in the Immigration and Asylum Act 1999, was that the service should properly be paid for by the people who benefit from it. The fees are set, in accordance with Treasury rules, to cover the full administrative cost entailed in considering each application, and no more.

The hon. Gentleman asks how the policy was developed and why it has been introduced now. Those are important subjects, and they connect with the issue of service raised by the hon. Member for Guildford (Sue Doughty), who has left the Chamber. The Home Office recognises that, at the standard of service that was common in the past, it would be difficult to sustain a charging regime. Quite properly, we therefore ensured that the Department was able to provide a proper quality of service before fee proposals were introduced. As a consequence, substantial investment was made to get the service to a level of effectiveness and efficiency that would merit charging.

We have set stringent service standards. The aim is that 70 per cent. of postal applications will be dealt with within three weeks of receipt in the immigration and nationality directorate, with the remainder being dealt with within 13 weeks. Of course, we recognise that 13 weeks is not a high quality of service, but we aim to guarantee that as a maximum. I have assured myself that, within just 13 weeks of the announcement, only 1 per cent. of the applications made in the week following the announcement are still to be decided. We are meeting those standards, and I understand that we are exceeding the three-week target for 70 per cent. of applications.

Personal callers with correct documentation who do not require further inquiries will get a decision on the same day, and we are delivering that for 100 per cent. of personal callers. In comparison, a year ago, only 50 per cent. of postal applications were considered within three weeks, and only 87 per cent. of personal applications received a same-day service, so there has been substantial improvement in the service.

If we had not made the investment that we have put in because of the charging regime, the service improvements could not have been delivered. My aim is to deliver further improvements because I share the view that 13 weeks for the determination of a case is longer than one would want. It is not appropriate for a student, whether at school or university, to wait that long for a decision to be made. We can make improvements only through a charging regime, as there are already too many demands on public funds. Would that be a disincentive to students; would it cause them problems? It is important to recognise the size of the charge compared with the other costs of studying in the UK. It is substantially smaller than the cost of student fees and tuition fees, the cost of living here and so on.

When the subject was first debated—

Mr. Sheerman: Will the Minister give way?

Fiona Mactaggart: If I may, I shall first finish the sentence.

When the subject was first debated, it was quite easy for overseas students to work for up to 20 hours a week in addition to studying. That automatic permission to work was introduced in 1999, and it made it much easier for students to meet additional costs while they were here.

Mr. Sheerman: Surely the point is whether the charge is fair, and whether it will stop students coming here? International students provide 12 per cent. of the income of UK universities. As a governor of the London School of Economics, I know that many institutions will face bankruptcy if they lose a substantial share of that market. The cost is still high.

Fiona Mactaggart: Frankly, compared with the other costs of overseas study, £150 is not very high. I do not accept my hon. Friend's point that the cost will substantially deter students. If we compare fees in the United Kingdom to those in other countries that have

[Fiona Mactaggart]

had fees in place for some time, our regime—which has been in place for only a matter of weeks—sits between the charges made by Australia and those made by America, our major competitors as English language nations that offer places to overseas students.

Mr. Tam Dalyell (Linlithgow): What consultation took place with the universities?

Fiona Mactaggart: I was coming to that point. It is regrettable that there was no extensive consultation on the matter. There are two reasons for that. First, getting everything into place to allow delivery to take place was more complex than the Department understood. We were in a position to do that only shortly before the announcement was made. That created real difficulties of timing and of creating opportunities for consultation.

Secondly, and most important, in the period of just under three weeks between the announcement and the introduction of the fees, the number of applications was two and a half times the usual number. It is quite possible that, had we undertaken extensive consultation before the charge was introduced, the service improvements that I described could not have been sustained. That would not have been acceptable.

We find ourselves in the regrettable situation of having introduced the fee without the quality of consultation that we might have hoped for. There was no possibility of consulting over the level of fee, as it is determined by Treasury rules, although we could have consulted properly on some of the details. I apologise to the universities for that. I can announce today that, in looking at what has happened so far and at what should happen in the future, we will engage with universities and student organisations.

I will be happy to hear representations from student organisations that have been burdened by the advanced consequences of the charge. We need to learn from the early weeks of the experiment to ensure that, if there were any unintended consequences or impacts, we can see whether steps can be taken to remedy the impact. I recognise that the lack of consultation caused complications for institutions and individuals. That is regrettable, and I can confirm that, although it is not possible to do what the hon. Member for Edinburgh, West wants, which is to unpick the fees paid to date, it is possible to learn from the process, to listen to representations on how to proceed and to invite universities and student unions to comment. We are currently considering how that consultation should go forward.

John Barrett: Will the Minister say who was consulted?

Fiona Mactaggart: We used the negative resolution procedure, so the only consultation was within the Government. I understand that that is not a satisfactory procedure, and there were two reasons for that. The first was the need to be confident that we had in place the service improvements, which were necessary precursors to charging. The second reason was the potential consequences of the closing-down sale on our ability to sustain that quality of service, partly because of its timing. That is in the past, and we will now proceed with consultation of the quality for which we have aimed.

Treasury rules on full cost recovery are completely clear. However, the timing, and some of the issues raised by the hon. Member for Edinburgh, West, such as the length of visas and the advice to immigration officers, can be consulted on.

Mr. Jim Cousins (Newcastle upon Tyne, Central): The different categories of overseas students were raised at the beginning of the debate. I was shocked to be told, in a letter from the Minister for Citizenship and Immigration, my hon. Friend the Member for Stretford and Urmston (Beverley Hughes), that the Home Office accounting structure does not provide for differential fees. Will the Minister tell us when that problem will be put right, so that we can consider differential fees?

Fiona Mactaggart: No, I cannot; that is the honest answer. That is one reason why we are examining the terms of future consultation. We have managed significant service improvements, and that has been the priority, rather than the development of highly sophisticated charging regimes. If, in response to what has happened so far, there is an overwhelming demand for a complex system of different charges, we may consider that. However, my judgment is that the cost of introducing complex differentials is probably not worth the cost of that infrastructure.

Mr. Sheerman: My hon. Friend is generous in giving way again, and I appreciate the tone of her response. I do not want a complex system of fees, but what would she say about reconsidering the repeat fees? That goes to the heart of the question.

Fiona Mactaggart: I can confirm that, in phase 2 of the consultation, we will consider having differential fees. We have instituted systems to try to ensure that, to reduce repeat fees, the entry clearance officers or immigration officers grant leave for the full length of the course.

As the hon. Member for Edinburgh, West pointed out, there are problems when people take an English course, and then a further course. Frankly it is not right or possible for the Home Office to give someone leave for longer than the length of their course. However, we have instituted measures to allow immigration officers to give concurrent leave to people who have completed their course so that they can return, for example, for their award ceremony. We must consider people in subjects such as science and engineering who might stay to get work experience at the end of their course.

We are trying to reduce some of the consequences of the measures, and I think that we will be able to minimise some of them; they are already being sorted out in practice. The first introduction has been a motor for the improvement of the quality of service. In my view, the lack of quality of administration of applications by overseas students was a bigger barrier to their being able to come to Britain to study than the level of fee. In the second layer of consultation, we need to ensure that we improve the way in which we deal with fees.

Electoral Registers

4 pm

Chris Ruane (Vale of Clwyd): I welcome this opportunity to raise the important issue of under-registration on electoral registers. I was first made aware of this issue some five months ago by my hon. Friend the Member for Dumfries (Mr. Brown).

I tabled a written question asking for a list of the 100 constituencies with the greatest fall in electorate, which I forwarded to the Minister. In my constituency, the drop was some 5.2 per cent., or 3,140 electors over a six-year period. I followed up the question with some research from the Library, which gave me a ward-by-ward breakdown of the loss in electorate in my constituency. The greatest drop occurred in the wards with the greatest social deprivation, and the greatest increase occurred in the most affluent wards.

In the West ward of Rhyl, which is the most deprived of 850 council wards in Wales, there was a 30 per cent. drop from 3,602 in 1997 to 2,489—1,113 electors were lost from the register. The ward contains hundreds of houses in multiple occupation, which may account for part of the drop, as it is very difficult for electoral or party-political canvassers to get beyond the front door of a house in multiple occupation, which may contain more than 50 people. Having said that, it was the case five years ago, too; the houses were there, and the people behind the doors still lived there, so why has the drop occurred?

The ward with the second biggest drop, of 15.2 per cent., or 210 electors, was Denbigh Central, which also contains a number of houses in multiple occupation. The South West ward of Rhyl had the third biggest drop of 13.2 per cent., or 492 electors, but that ward is of a different nature. It is a more settled, stable community; two-thirds of the residents are in social housing. My street-by-street analysis of the ward, which is where I grew up, showed that the streets with the greatest loss of electors, some with as much as a 30 per cent. loss in the electorate, were those with the most deprivation, and those with the greatest incidence of registration were the wealthier, more affluent streets.

Why do people forgo the fundamental democratic right to register and to participate in the electoral process? The Electoral Commission's excellent report on the electoral registration process summarises a number of possible reasons for the decline in registration, including disengagement from the political process and politics generally. People do not register because they are not interested in voting, but because that means that they are avoiding the authorities; the report states that that might be for criminal or other reasons. I am not sure whether that is the case; perhaps some research is needed on the matter.

Another reason may be the wish to avoid debt collectors. An official register is the debt collector's first port of call and if people's names are on it there is the risk that the debt collectors may come after them. I had dinner today with members of the North Denbighshire citizens advice bureau and we discussed that issue. By January next year, they will be able to tell me, on a ward-by-ward, street-by-street basis, where the people suffering from being in debt live. If it matches the non-electors, it may prove the case conclusively.

The report also states that the fact that the register is used for other reasons may be a factor in under-registration, although this may have been limited by regulation changes in 2002. Insufficient data-sharing of personal details between the authorities and resentment by some members of the public about supplying their details to different council departments at different times is cited as another reason. The report goes on to say that anecdotal evidence suggests that some members of the public believe that if they give their personal details to the council tax department, it will automatically relay them to the electoral registration department.

I shall examine a couple of the reasons put forward for non-registration by the Electoral Commission in the context of my constituency. Is under-registration a legacy of the poll tax? Do people think they have more of a chance of avoiding the council tax if they are not on the electoral register? In my county, the council had one of the worst records in Wales for collecting council tax and council rents. The council had a purge on non-payment and now has one of the best records in Wales. That has happened over the past three years. Is non-registration the public's response to this crackdown? I do not know, but research could help us to ascertain that.

Political disengagement was cited as another reason. People in these wards may feel disconnected from the political process. They may feel that they are not being listened to by their MP, their Assembly Member or their councillors. If that is the case, I take some of the blame. Unemployment in Rhyl West and Rhyl South West has been halved in the past six years but it still accounts for 40 per cent. of the unemployment in my constituency and 33 per cent. of the unemployment of the whole county. There are 33 wards in the county and two of them account for 33 per cent. of the unemployment.

A young person has eight times the chance of going to university in the richest ward in my constituency, Tremeirchion, which had the highest increase in electorate, than they do in the poorest, Rhyl West. Primary schools in the west and south-west of Rhyl receive as little as £1,300 per pupil compared with £6,000 per pupil in some of the smaller rural schools. That may illustrate why people feel disconnected from the political process.

Deprivation in my constituency has had an impact on registration. The three wards with the biggest drops are in the poorest quartile of council wards in Wales. There are 850 council wards in Wales. The three wards with the biggest increase in electors are in the richest quartile. What may be the case in my constituency will not necessarily be the case in all constituencies. Some hon. Members to whom I have spoken accept that the decrease in their electorates is down to rural depopulation or a flight from the inner cities, but I believe that it should be a key focus of any research that is commissioned. One of the recommendations made in the document, "Turnout in Local Elections", issued in May 2000, was that immediate research be undertaken. That was also a key recommendation of the Electoral Commission's report on electoral registration published in May 2003.

There has been a three-year gap in which research has not taken place. I tabled a parliamentary question last week, which was answered last night. I asked what

[Chris Ruane]

research had taken place and what research would take place. The Minister conceded that no research had taken place in the past three years but that research will take place and be completed next year. I am glad about that. However, when I rang the Electoral Commission on Monday it was a little unsure about that. It may take place at the end of the next financial year, perhaps not. Perhaps the Minister can clarify exactly what type of research has been commissioned and when it will report. I urge the Minister to consider commissioning this research urgently and to consult with the Electoral Commission, MPs and other elected representatives, as well as the electoral returning officers.

I also ask the Minister to take immediate action to increase the electoral registration and not just to wait for this report. Certain actions can be taken straight away to ensure that electoral registration is increased. Research has been carried out and best practice has been gleaned from around the country and there are a number of lessons for us to learn from that. There are wide variations between local authorities. Some have been highlighted in the document "Turnout at Local Elections", published in May 2000 by the Office of the Deputy Prime Minister. The report states that there is a considerable range in local authority budgets for electoral registration, as measured by the amount spent per head. London boroughs with the best registration spent five times as much as those with the poorest.

In a parliamentary question last week, I asked for a list of the amount per head spent by each local authority, and the reply was that the information was not held centrally by the Department. I urge that it should be, so that it becomes possible to keep a finger on the pulse, and find out how seriously local authorities take the issue.

Another issue highlighted in the report is the design of the registration forms. Eighty per cent. of local authorities have changed the design in the past five years. Some were able to quantify the effect of those changes, and I urge Ministers to study the results, and perhaps to issue a standardised form to all local authorities, or, at a minimum, to remind electoral officers which forms are best, so that they can use them.

Some local authorities stress the importance of registration in obtaining consumer credit. People who want consumer credit, or want to start a bank account, need to be on the electoral register. A check is done automatically. That is being used as the worm on the hook to get people registered. It is a sad day when one must appeal to the electorate's consumerist tendencies, rather than their democratic tendencies, to get them on the first rung of the ladder, which is registration.

Other authorities have introduced an extensive training programme for their canvassers, and given them small, more manageable areas to cover. There are those who have paid by results: not necessarily by the number of houses that canvassers call at, but by the numbers signed up. Some authorities use telephone to contact non-responders, or leave a calling card.

A carrot and stick approach has sometimes been adopted. I believe that one authority says that if people fill in their electoral registration form they can have six months' free attendance at the local baths. Perhaps it should up the stakes to gain appeal, but at least lateral thinking has been used. That was the carrot. Other authorities have told people that if they do not register, they will take them to court, where they can be fined £1,000. Perhaps the carrot and stick approach should be considered more widely. Some electoral registration officers have said that, when they have taken people to court—something that takes up a great deal of officer time—only a £10 fine has been imposed, so it was not worth repeating the exercise.

Other sound advice offered in "Turnout at Local Elections" includes liaising with other departments in the council. Often, council departments are reluctant to share information, because of the Data Protection Act 1998. The Act is used by many officers—and others—as a reason for inaction. I urge the Minister to go into the specifics of the issue, and to set out guidelines on what is acceptable or unacceptable in the sharing of data between local authority departments.

The two streets in my constituency with the highest levels of non-registration are on a council estate. Both the housing department and the council tax department have the details of who lives at those addresses. Information exchange could easily lead to a rapid increase in registration, but the officers need guidance.

Another sensible suggestion is that local authorities should work in consortiums to encourage registration. They may want to engage in joint advertising. In north Wales four authorities have, I believe, clubbed together, and are advertising on the back of buses. We should also carefully consider the matter of anonymous registration. If people believe that they can register anonymously, they may be more willing. The relevant wording needs to be correct.

Many of the measures for improving voter registration that I have outlined have been aimed at local government electoral registration departments. I have spoken to several electoral registration officers and to MPs and listened to their point of view. The officers would like central Government, or the National Assembly for Wales, to help promote registration. Some felt that central Government could undertake more central advertising in the local as well as the national press. Many electoral registration officers are overworked. Do they have the time, the training or the budgets to hold seminars and training on best practice?

Mr. Russell Brown (Dumfries): I congratulate my hon. Friend on succeeding where I failed, in securing the debate. He and I would agree that one of the major issues that has led to the decrease in numbers on the register is legislation that was recently passed in this House. In 2002, Scotland lost 140,000 electors. I do not believe that the electoral registration officers were prepared for that legislation. Would he agree that we need to encourage electoral registration officers and their staff to ensure that there is a follow-up on every doorstep, as we do at census time?

Chris Ruane: Yes, my hon. Friend raises some valid points that I have put to the Minister. He has written to me on the matter and has pointed out that the changes that we introduced two years ago allow local authorities a two-year carry-over: if a person registers in one year, he can stay on for two years. In the past, the law allowed

only one year. I point out to the Minister that that might have been the law, but the common practice was that those people stayed on in that house until somebody new went into it. Law and practice need to be considered.

Some electoral registration officers feel that MPs, councillors and National Assembly members could play a visible role in encouraging the electorate to register. If I had been asked not long ago what role I or other hon. Members had played in helping to encourage registration, I would have had to say that I had done nothing. Since I have been made aware of the issue, I have put down parliamentary questions and sponsored this debate. We have an important role, and we have to be careful how we approach the electoral registration officers. They do a good job with limited budgets, and often do not have the status that they deserve; people are interested in them only at election time, then they fade into the background. We need to work in co-operation with them, and to recognise their professionalism.

I have mentioned data exchange between council departments. Will the Minister also look at data exchange between Whitehall Departments and local authorities? What information could be legitimately exchanged, for example, with the Driver and Vehicle Licensing Authority? The United States has introduced "motor voter"—when one goes to licence a car one is automatically put on the electoral register. Could we adopt similar policies in this country?

The main areas of non-registration are, as I have mentioned in the poorest wards. Should the Benefits Agency give details to the electoral registration departments? Again, whenever such initiatives are mentioned, the blinds go down and we are told. "Data Protection Act; we cannot do anything." If the rules on data protection allow the exchange from certain Whitehall Departments to local authorities, please can advice and guidelines be issued to encourage those Departments and authorities to take it up? If the rules do not allow it, can the Minister ask Cabinet colleagues to review data protection legislation in order to allow it?

In summary, I ask the Minister, first, to commission research on electoral registration, taking into account key factors such as poverty; secondly, that he collate practices that he knows to have increased voter registration and circulate them; thirdly, that he carefully monitor key elements of electoral registration, such as budgets allocated to local authorities' electoral departments, electoral registration figures and the take-up of best practice; and fourthly, that he undertake a massive, centrally funded advertising campaign, especially in the constituencies that are known to have electoral under-registration, while urging MPs to get involved in that process.

Will the Minster also have a word with the Boundary Commission? That is key. It has freeze dates at which the electoral roll is recorded—the one in my constituency was last December, and there are now 3,000 potential electors in my constituency who have not been taken into account. Such figures should be taken into account. Finally, will he work closely with other Ministers to ensure maximum information exchange between Whitehall and local government? If all the above were successful, registration would dramatically improve and so would the democratic process.

4.19 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I congratulate my hon. Friend the Member for Vale of Clwyd (Chris Ruane) on securing the debate. He motored through myriad good and interesting suggestions and made important points that merit a lot of scrutiny. In the short time available to me, I shall try my best to answer some of those points. I thank him for being so assiduous and determined to pursue this issue through parliamentary questions and elsewhere, because it is a topic that does not often receive as much attention as it deserves.

My hon. Friend was correct to say, at the outset, that voter registration is the fundamental building block of the democratic process. That might seem obvious, but it is true, and it is the basis for all our other electoral processes. We fully recognise the importance of an accurate and up-to-date electoral register. Without being on the electoral register, a person cannot exercise their right to vote. A significant drop in registration levels, if it were due simply to eligible persons not, for whatever reason, registering to vote, would be a matter for serious concern.

Let us consider how the electoral registers are assembled. We recognise that local authorities have a key part to play in publicising voter registration arrangements and in ensuring that people complete and return voter registration forms. The Representation of the People Act 1983 requires electoral registration officers to compile the electoral register. Regulation 23 of the Representation of the People Regulations 2001 permits an electoral registration officer to require anyone to give information required for the purposes of his duties in maintaining registers of parliamentary and local government electors. My hon. Friend wanted to see those powers given to registration officers, and I am glad to see that they have been granted, at least in part, in more recent regulations.

It is an offence punishable on conviction by a fine not exceeding £1,000 to fail to comply with a request for information from an electoral registration officer, or to give false information. Prosecutions for non-compliance are initiated at local discretion. Although no central record is kept of such prosecutions, I understand that they are relatively rare—only a handful over the past year or so.

What are the possible reasons for the apparent fall that my hon. Friend mentions in the statistics that he has compiled through parliamentary answers? It is not clear what is behind those falls in registration levels. A decline in population may be one cause in certain areas; a number of constituencies involved are inner-city seats where there has been an established trend of a fall in population. Under-registration of certain categories of voters, such as young people and minority ethnic communities, may also be an issue, as might the general sense of disengagement from the political process. Differing promotional strategies adopted by electoral administrators have also been mentioned as a possible factor.

However, the laudable tidying-up of the electoral register, bringing greater flexibility and, more important, greater accuracy, following some of the new measures, may also have inflated some of that cyclical

[Mr. Christopher Leslie]

decrease. A newer register might be a more accurate reflection of the genuine position than the apparently larger, but older and more outdated register. In any event, we should take care not to prejudge the work being undertaken on registration issues by the Electoral Commission, which my hon. Friend asked me about, and which I shall talk about shortly.

What action are the Government taking on the important issue of voter registration? We have taken a number of steps to improve procedures. Following recommendations made by an all-party working group on electoral procedures in 1999, we introduced provisions for a number of changes in the Representation of the People Act 2000.

Those measures included rolling registration. That enables people to register at any time of the year, whereas previously electors had only one chance to register, which was each autumn. If they missed it, they had to wait until the next year before they could register. The change has been particularly helpful for people who move during the year, as they may now apply to register at their new address as soon as they take up residence. It also assists others who may have missed the annual canvass for whatever reason or who find that somehow they have been missed off the register. Rolling registration makes it easier for individuals to register to vote and for electoral registration officers to achieve more accurate and up-to-date electoral registers.

The 2000 Act recognised that registration officers should continue to be required to review the electoral register each year, to sweep up people who may have moved and not registered under rolling registration. In response to the point made by my hon. Friend the Member for Dumfries (Mr. Brown), I can tell him that there continues to be an annual canvass, which is conducted with reference to residence on a particular date—15 October is the current date—alongside rolling registration. The changes mean that, for the first time, people without a permanent address can register to vote by making a declaration of local connection. That formally separates the franchise from property for the first time. That means that homeless people, patients in mental hospitals and prisoners on remand can now register to vote.

The 2001 regulations also provide for electoral registration officers to retain a person's details on the register for an extra year when he or she has not returned the annual canvass form. That means that an elector can continue to appear on the register without any confirmation from them that they are resident and eligible to vote, if the electoral registration officer is satisfied that they should still be registered. Only if a person has not completed the annual canvass form for two consecutive years will that person's details be removed from the register. That contrasts with the previous arrangements, in which registration officers were required to remove a person's name after only one failure to renew.

Some concern was voiced about that change resulting in voters being wrongly removed from the register, but, as I have explained, we have relaxed the previous arrangement in which names were required to be removed after one failure to return the canvass form. We now allow persons to stay on the register for two years before they are removed. I hope my hon. Friend the Member for Vale of Clwyd will agree that it is reasonable that after two years, the registration officer should require confirmation that a person is still resident at a particular address and eligible to vote before they are included on the register. That is a sensible measure, which was recommended by the all-party working group that I mentioned earlier.

My hon. Friend also mentioned data and data sharing and suggested that we should not rely only on electoral registration officers to find information. The new powers also allow electoral registration officers to inspect records kept by the local council that appointed them and those kept by a registrar of births, deaths and marriages to enable them to maintain accurate details on the register. That means that when, for example, an electoral registration officer suspects that a person should be registered but has not received a canvass form, he can confirm that person's residence by reference to other data.

The point about the poll tax effect and people being scared off registering to vote because it will make them eligible to council tax is not a concern. Regulations prohibit council tax officials from using the electoral register as a taxation base, so the idea that information will feed back should not deter people from registering to vote. Other changes, including those to service voter regulations, also mean that the electoral register can now be more accurate.

Under-registration requires attention, and some research suggests that certain people, especially younger people and minority ethnic communities, are concerned about registration. We will not be complacent and will continue to work on that. My hon. Friend asked about the Electoral Commission's research; it is reporting on several matters. It is independent of Government, and it is right for it to focus on different issues. It recognises that there is a problem with under-registration; it has a publicity strategy for long-term registration activities, and it is undertaking a lot of further research. I understand that it plans to complete its research early next year, and I will examine my hon. Friend's suggestion about the date of commencement. We welcome the commission's work.

Registration levels are central to the democratic process, and it is right that we should be interested in them. We must ensure that all aspects are understood and taken into account in deciding whether there is a genuine problem and, if so, in considering any solution. The Electoral Commission will no doubt assist in that, and I confirm that we will consider seriously any of its proposed solutions.

It being half-past Four o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 23 October 2003

[MRS. MARION ROE *in the Chair*]

Children and Family Court Advisory and Support Service

[Relevant documents: Third Report from the Committee on the Lord Chancellor's Department, Session 2002–03, HC 614-I, and the Government's response thereto, Cm 6004]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Margaret Hodge.]*

2.30 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I am glad to have the opportunity to open this debate, and to welcome the Minister to her new post. She can bear no responsibility for what has gone before, but we place on her a heavy responsibility to use her new position to see that things run a great deal better in future. We have high hopes.

The report on the Children and Family Court Advisory and Support Service was the first major inquiry undertaken by the relatively new Select Committee on the Lord Chancellor's Department, now the Constitutional Affairs Committee. It has been dramatic in its consequences, which have included the resignation of the chairman and the appointment of an independent person to conduct the fundamental review of the board that the Committee recommended. By coincidence, the person whom Ministers appointed to carry out that review was born in the same village as I was, lived just up the road from me and went to the same primary and secondary school as me—but we have not seen each other since we left school. I believe that Sir Clive Booth will do an excellent job very quickly. He has been set a timetable of just a few weeks to complete his work, so that the Minister can get on with the job of appointing a new board and chairman.

The Children and Family Court Advisory and Support Service was set up with high expectations and general support to serve the needs of children who were involved in care proceedings or affected by family breakdowns leading to divorce and access disputes in the courts. It drew together children's guardians, who were formerly the responsibility of the local authority's social services department, staff formerly employed by the probation service as children's reporters and some of the activities of the official solicitor.

When we decided to produce a report on CAFCASS, it was widely welcomed. We received a great deal of valuable evidence from those involved and their representatives. On behalf of the Committee, I should like to thank all those who gave evidence, both orally and in writing, and also those who arranged and participated in the visits that Committee members made to local CAFCASS offices. I express our gratitude to our specialist advisers, Professor Judith Masson and Professor Adrian James, who gave invaluable advice and assistance throughout our inquiry, and to the Clerk, Hugh Yardley, who is shortly to move on to other duties in the House and who served us with great distinction and skill. I am also grateful to my colleagues on the Committee for the effort that they put into the inquiry.

Before I move on to the Committee's findings, I should also say a word about those who actually do the work of representing and reporting in the family court system. The CAFCASS officer is engaged in a vital profession, and those who choose to take it up deserve encouragement and recognition for the work that they do. Throughout its difficult early period, CAFCASS has continued to be staffed by people who have worked hard to achieve the best outcomes possible for the children for whom they are responsible. Members of the Committee visited CAFCASS offices in their own regions, and I can vouch for the commitment shown by the front-line professionals whom I met. The Committee fully acknowledges the skill and devotion of staff throughout the organisation and their commitment to the children whom they serve. The criticisms that we make of the way that CAFCASS has handled the difficulties should not take away from that, and I am pleased that that was acknowledged in the responses from both the Government and CAFCASS.

Given the difficulties that CAFCASS already faces, I am concerned that some CAFCASS staff face harassment and threats from extremists claiming to speak on behalf of fathers who are aggrieved about denial of access to their children. Whatever the strength of people's grievances about the law or court decisions on access, which are often understandably distressing and frustrating, those parents cannot in any way justify or accuse attacks on officials whose job it is to assist and inform the legal process by ensuring that children's views, concerns and interests are at the centre of decision making. Such actions are unacceptable, and they undermine the position of those divorced and separated parents who are seeking to put their case through the legal and democratic processes, as they are fully entitled to do.

Like other hon. Members present, I am well aware of how frustrated some separated parents feel about those issues. Sometimes CAFCASS has been at fault for the amount of time that it has taken to resolve cases, and at other times the courts have been at fault.

A case has been going on since 2002 in which repeated adjournments have been sought by CAFCASS because of staff sickness. Cases are often adjourned for three months, then the manager allocates himself to the case because there is nobody else to do it, and he says that he wants indirect access to continue because it will be another three months before the officer who can really deal with the case can be made available. The court keeps adjourning the case to which I referred. The magistrates adjourned it again last week, because they had too many remand cases coming up before them. In that case, presents, letters and birthday cards were not delivered to the children concerned for five months. That is unacceptable.

Widespread concern about the performance of CAFCASS had been apparent ever since it was set up. A dispute with the self-employed guardians who made up the bulk of the pre-CAFCASS work force on the public law side of the new organisation led to a judicial review that CAFCASS lost, and to a loss of staff, which had a serious impact on the ability of CAFCASS to deliver core services. CAFCASS was unable to cope

[Mr. A. J. Beith]

with increasing demand for those services, and significant delays in the allocation of children's guardians to public law cases persisted. As a result, many vulnerable children were left without full representation at crucial times. In some cases—in inner London, for example—delays in allocation reached unacceptable levels. One of the dreadful results of these delays is that vulnerable children are kept away from home, or denied access for long periods to parents, grandparents, and brothers and sisters, without being able to express their own views on the situation or influence the outcome.

The energy that management put into dealing with the dispute with the guardians was at the expense of other issues, which affected not only the guardians but all CAFCASS staff and their clients. There was too little development of the policies and procedures that a new organisation needed. Important issues involving the harmonisation of terms and conditions of staff were not addressed, and other fundamental matters such as training and professional development, research and IT, were neglected.

One area where CAFCASS was unable to make the significant improvement that had been hoped for was in support services for those involved in private law disputes. Much more could be done to support families experiencing relationship breakdown, but CAFCASS has so far been unable to make any significant progress towards ensuring that support is given where it is desperately needed. That is why there is an additional "S" in its title. The support concept was added during the passage of the legislation that established the organisation, but that role was largely abandoned in the increasingly desperate struggle to get it up and running.

The Committee found that many problems stemmed from serious failings in the establishment and management of the new service. Too little time was allowed for its establishment, leaving it at a disadvantage from the very start. There is no doubt that those presented with the task of meeting the challenge of establishing the new body did not make achieving it any easier by the way in which they approached it, but the Department left the board and senior management with an almost impossible task. In the consultation paper proposing the creation of CAFCASS, it was suggested that a unified service could not be established in less than three years, and that it could take up to five years. However, vesting day for the new body in 2001 came less than three years after the publication of the consultation paper, and less than two years after the announcement of the final decision to create the new service.

The decision to launch it on that date was principally determined by the Home Office timetable for the establishment of the national probation service on the same day. Notwithstanding the pressures on Ministers to proceed, we concluded that the decision to go ahead on that timetable was a serious misjudgment that called into question the Government's commitment to this very important service. I do not accept that that timetable had to be adhered to, as the Government argue in their response.

Governance is a key issue running through these early days. The CAFCASS board lacked experience and expertise in some key areas of the organisation's work, and proved unable to exercise effective oversight or provide strategic direction, but the board was hindered by confusion over lines of accountability and the respective roles of the board, the management team and the Lord Chancellor's Department. The dismissal of the original chief executive involved further disruption to the work of CAFCASS, while the Lord Chancellor's Department managed to create the impression that its prime interest in the new service was in keeping costs down. The evidence that the Committee received depicted an organisation, respected neither by all its staff nor by many of its partners and stakeholders, that was failing to provide its core services in a timely manner, and which had been unable to make progress in fulfilling the hopes expressed for it in providing new and co-ordinated support services for children and families.

As we make clear, there is a long way to go before CAFCASS can become the high-quality service, operating at the best professional standards, envisaged when it was first proposed. We made a number of recommendations aimed at enabling that to happen. The priority must be for CAFCASS to get to grips with its service delivery duties and clear the backlog of cases that has been allowed to build up. To assist it in doing that, we recommended a comprehensive work force planning exercise, aimed at ensuring that it knew what resources were needed.

We recommended that CAFCASS establish a dedicated training and professional development strand to enable the effective performance management of its front-line practitioners. We said that it should make plans for a fully-fledged case management system that would allow the collation of reliable information for management and research purposes and relieve some of the burden on hard-pressed front-line managers. CAFCASS had to set out clearly the role that it envisaged for itself in the provision of the support services I mentioned, and it needed to develop its research capacity so that it could establish what works for children who are experiencing family breakdown.

We also recognised that if the recommendations were to be implemented successfully, significant changes would be required at the very top of the organisation. CAFCASS, the Committee said, needed to demonstrate clearly and unambiguously that it was putting children and young people first in all it did. We recommended a fundamental review of the membership of the board, with the aim of bringing to it people of experience and stature who could deliver the strategy necessary to provide an effective child-centred service.

We hoped that the new board would take steps to ensure that it was able to carry out effectively its function of providing strategic direction and holding senior management to account. We recommended that we examine CAFCASS's management structure with a view to ensuring that it had a management style appropriate to the work it does. We said that the framework document should be rewritten so that it explicitly reflected the service's core tasks, and set out the proper constitutional relationship between CAFCASS as a non-departmental public body and its parent Department.

What is to happen now? The chairman has resigned, making clear in his letter to the Minister the need to address issues covered in our report, including those of resourcing and governance. The chairman made a

honourable decision that cleared the way for the fundamental review. I must place on record that he has made a significant contribution to the welfare of vulnerable children, both in this and other, voluntary, spheres.

The Government and CAFCASS have issued their formal and full response to the report. It is clear from both responses, and from the chairman's resignation, that our report has been the catalyst for much-needed change. However, in the responses there is still too much defending the indefensible, such as the past failures, particularly those of the Lord Chancellor's Department. Both Departments must have contributed to the drafting of the response, and I can see where the LCD's hand must have been.

The most striking aspect of the response from CAFCASS is how candid it is on lack of resources. It says:

"We need to be certain that we are operating effectively and efficiently in meeting children's needs, but there comes a point where we cannot cope with the escalating and changing demands, which inexorably drives increased case costs. The problem is clear, without an adequate budget, we cannot reduce delays and improve the basic quality of our service."

Mr. Hilton Dawson (Lancaster and Wyre): What credibility does the right hon. Gentleman attach to CAFCASS's protestations about its funding problems, when, in the wake of our report, which urged them not to implement further layers of management, it set about appointing three people, paid some £65,000 per annum, to manage what our Committee felt was in danger of becoming an over-managed and hierarchical service?

Mr. Beith: The hon. Gentleman, who made a valuable contribution to our work on the report, anticipates a point that I will make on that tier of management. On the direct question of what credibility we can attach to CAFCASS's protestations, the first sign is the fact that resources had to be increased so significantly from the amount given to CAFCASS. That was recognised even by the Lord Chancellor's Department. Secondly, increases are being driven by demand, which is in some ways common to a much of the rest of the LCD's budget. The LCD has no control over how many people come before the courts, or the legal aid expenditure that that generates. There is a similar element of demand-driving about the situation CAFCASS finds itself in.

The board concluded that CAFCASS needs a strategic review of its funding against its remit and performance objectives. I look to the Minister to make a commitment to carry out that review, and for an assurance that she will not repeat the mistakes of her predecessors in failing to secure from the Treasury the resources necessary for CAFCASS's proper functioning. CAFCASS performs a vital function for children in a critical time in their lives, and it cannot remain in a position in which, as it says in response to our report, it has to

"meet rising and changing demand, over which we have no control, with a still inadequate budget".

The Prime Minister appointed the Minister to this new post with direct responsibility for children. I take that as an explicit commitment by the Government to raise the profile of children's issues within Government. That gives the Minister a certain authority to go to the Treasury with new plans for CAFCASS, saying, "This is important and requires attention. I have the Prime Minister's backing to try to ensure that this service fully delivers what the children need."

We recommended that CAFCASS should aim to allocate a guardian within 48 hours of a request, or sooner in emergency cases. The CAFCASS response says:

"It will be difficult, however, to achieve allocation within two days in all cases . . . in the short to medium term . . . The Government has accepted that the reality is that the various parties will not be achieving Protocol standards in 2004–5."

The Committee does not believe that it is acceptable for CAFCASS to resign itself even in the short term, let alone the medium term, to vulnerable children being expected to wait until a guardian becomes available. The allocation of guardians depends on various factors, not just funding. CAFCASS must show a great deal more ambition for itself than is demonstrated by its response to that recommendation. However, it will need the resources to do it—and the Minister must deal with that.

It is not acceptable to name guardians to meet the protocol requirement knowing that they are not in a position to undertake the work at that point. It is wholly unacceptable to just tick boxes to show that a target has been met, when children are being left and told, "No, there is no guardian for you, even though the box has been ticked." I hope the Minister will stamp on such an unacceptable response, because she should not be encouraging such practice.

Peter Bottomley (Worthing, West): We are dealing either with children who are very young—let us say those under 10, for whom even a week is a lifetime—or teenagers who may be troubled by the consequences of their parents' circumstances.

Mr. Beith: The hon. Gentleman, who has worked hard on the Committee, is right. Such children are often bewildered by their situation, and almost feel guilty that their whole world has collapsed. They may be taken away from one parent, or both, are unable to exert influence and do not have the representation they require.

CAFCASS will need to step up its recruitment and training and try to bring back into the organisation some of the skilled people who left during a dispute with the self-employed guardians. There must be a clear commitment to the mixed economy of employed and self-employed professionals. CAFCASS accepts that in its response, but I do not think that those involved have yet seen the tangible evidence, or the commitment in practice, that there really will be a mixed economy in future. A weakness throughout CAFCASS's response is its failure to identify and target what will be achieved by when, and who will be responsible for ensuring that it is delivered.

The other main area besides funding that I think the Minister has special responsibility for is ensuring proper corporate governance. The Committee was pleased that its recommendation for a fundamental review of the CAFCASS board has been accepted. We look forward to the early outcome of Sir Clive Booth's review and to the appointment of people who will be capable of

[Mr. Beith]

driving forward the improvements that are needed, together with colleagues who can collectively provide the experience and expertise that is needed. In our report we made much of the need for appropriate understanding among board members of CAFCASS's front-line work; that is certainly one vital element. However, a board that is to fulfil its functions properly must contain members who are willing not only to support, but – where appropriate – to challenge and scrutinise the work of the executive team. Board members who have done so in the past have not always found a culture in which such challenges are welcomed as a vital part of good governance, which they are.

I am also concerned that CAFCASS is still pursuing expensive and cumbersome additions to its bureaucracy, against our explicit recommendations – the hon. Member for Lancaster and Wyre raised that point earlier. The additional management tier that he mentioned was introduced when there were far more pressing demands on CAFCASS's resources.

The Minister also needs to consider the relations between her Department and CAFCASS. Ministers' responses on that point show a degree of complacency that does not appear to be shared by CAFCASS, which welcomed the opportunity afforded by the move to the Department for Education and Skills

"to clarify the boundaries and remit of CAFCASS with its sponsoring body."

Certainly CAFCASS's framework document needs to be redrafted so that it explicitly reflects its core task of securing children's welfare.

The Minister must also ensure that the practice reflects the theory, and that the Department respects CAFCASS's position as a non-departmental public body. It appears that officials at the Lord Chancellor's Department were acting as if CAFCASS were an executive agency, or even part of the Department. Members of the executive team appear to have been instructed by the Department's officials without the knowledge of the chairman or the board. The whole culture and governance must change, and the new Minister needs to ensure that that happens.

The final point on which I consider the Minister's response to be lacking concerns CAFCASS's role in the provision of support services. We concluded that, unfortunately, CAFCASS could not give high priority to support services during the current difficulties. However, its failure to say clearly how it might develop that aspect of its remit was hindering other organisations in their development of such services. We recommended that the Minister consult with appropriate parties about a proposal that CAFCASS take a strategic co-ordinating role in the provision of those support services. The responses from Ministers and from the board leave CAFCASS's long-term role in support service provision unclear.

The Minister and CAFCASS need to talk openly with organisations such as National Children's Home, the National Youth Advisory Service, the Children's Society and a number of others to ensure that they are able to maximise their contribution to the welfare of children who are experiencing relationship breakdown.

Many of our recommendations cannot simply be addressed by a one-off response and this debate. Continued scrutiny will be required to ensure that the generally positive response that our report has generated is translated into action. CAFCASS's response has shown insufficient ambition, not only on the allocation of guardians, which I have mentioned, but on the development of IT systems, the creation of an appropriate management structure and training programmes. We are passing the file on CAFCASS to our colleagues on the Select Committee on Education and Skills. They have plenty to do in other fields, but we will give them a clear indication that the progress on such issues needs to be monitored soon. We hope that they will be able to include that issue in their scrutiny programme of the non-departmental public bodies that will now be within their remit.

From us collectively, it is farewell to CAFCASS. Individually, many of us will not forget the problems that have been involved, and we may occasionally ask questions on the subject to try to ensure that the things that I have mentioned are done. Meanwhile, CAFCASS needs to use, develop and build on the considerable skills among its personnel to make further steps towards becoming the quality organisation that it was originally intended to be.

Not only the Committee but many organisations that are involved in CAFCASS or that work in partnership with CAFCASS have made criticisms of that organisation and the Department. They have been severe and necessary criticisms, but now all of us need to get behind the organisation and give it the encouragement and the opportunity to make a fresh start. The children for whom it is responsible deserve no less.

2.54 pm

Mr. David Kidney (Stafford): The report sets out the dedication and commitment of all the individual practitioners who work for CAFCASS, and praises their commitment to their work. I should like to reaffirm my personal thanks to them for the work that they have done in the great adversity of the last two years. I am not a member of the Select Committee, but my experience is in that area. Before I was elected to Parliament, I was a solicitor in private practice for 20 years. I focused on family work, and was eventually accredited by the Law Society as a solicitor in children's care proceedings. I directly represented children in care proceedings and worked alongside their guardians, who were also appointed to look after the children's interests. During my 20 years in politics, some of which overlapped with my work as a solicitor, I have continued to take an interest in children's and family policy. I am concerned about the subject, and about CAFCASS in particular.

The Select Committee could be said to be speaking about CAFCASS's difficulties with the benefit of hindsight, but many Members of Parliament said from the outset that things would go wrong. I was one of the Members who saw the Minister many times to warn about the speedy time scale for setting up the organisation, the damaging disputes with the self-employed guardians and the apparent focus on issues that are irrelevant to the welfare of children, which should be the service's first priority. I am not here today to say, "I told you so." I am here to commend the

Committee on its thorough work and to emphasise the importance of following through on its recommendations. I shall briefly examine each of the areas.

Public law proceedings concern the liberty of children who have done nothing wrong but who have suffered at the hands of others. There are stories about terrible delays in those proceedings. When I was a practitioner, it was common in Staffordshire and the west midlands, where I worked, for the social services department to take the paperwork to the court to start the care proceedings, for the court to appoint both the guardian and the solicitor there and then and for everybody to turn up in court on the next day for the first hearing of the proceedings. If that was not possible it was regarded as a bad thing and proceedings were adjourned for seven days, after which everybody turned up in court.

The situation has not improved over the years. The report tells us about parts of the country where two-month delays in a guardian being appointed in proceedings are possible, which is anathema to me and is surely unacceptable. The section of the report that explains why delay is harmful to the development of young and vulnerable citizens is powerful.

The quality of the service has been lost because of the dispute with the self-employed guardians. Many guardians with whom I had worked professionally left the service because of their discontent with what was happening. CAFCASS's response to the Select Committee report states that it is writing to those people asking them to return to the service. I would not mind betting that most of them have got on with their lives and have new commitments, which will prevent them from answering that call. That is a loss to the service. It is essential that we urgently rectify the two questions about delay and quality of service.

CAFCASS Legal will perform the role previously filled by the official solicitor. In my 20 years' experience, I came across the official solicitor only occasionally, because they get involved only in particularly difficult, complex and challenging cases. When I came across them, I was always impressed by the thoroughness of the investigation and their ability to marshal the facts and to apply the law to those facts in court. The service was superb—it was the Rolls-Royce of children's representation. The Select Committee tells us that there are worries that the quality of the service might slip. We cannot afford the loss of excellence from that part of the service, which sets the standards for the rest of the organisation.

The Select Committee report explains how private law was the poor relation of the host organisations that took responsibility for private law court advisers before CAFCASS was appointed. There were often great delays, and the people who did the work varied in quality. The report could say that there has been no visible loss of quality because the quality was poor to begin with, but it would be dreadful if we allowed that situation to continue. I would like to think that CAFCASS will improve that service as soon as possible.

Mr. Beith: I would not want the hon. Gentleman's remark to be misinterpreted. Some years ago, probation officers routinely did private law work on such children's cases as an add-on to their normal work of dealing with young offenders. However, it must be recognised that a dedicated, specialised team within the probation service has now been built up to do such work. They are valued members of CAFCASS.

Mr. Kidney: I accept that, but the right hon. Gentleman will know that there were not many of them, and that there were great delays in appointing people to take that role in court proceedings. A delay of more than two months from start to finish of a case was not unusual. Improvements can be made.

If we were to consider new suggestions, we might even revolutionise the service in private law. *The Guardian* on Tuesday referred to projects in America involving early intervention schemes. The courts attempt to take control of disputes in private law cases right at the outset, with parenting classes and information and a much greater role from the start for parents who try to resolve or at least define their differences. The courts make it clear that people have the first responsibility to sort out the dispute for themselves, and that it will be costlier for them in more ways than one if they leave dispute resolution to the court. The evidence from court trials in America is that the result is a huge reduction in the number of times that courts are left to make the decisions.

There was an article in the same newspaper by Mrs. Justice Bracewell, who said that she and her fellow judges in the courts would like that approach to be tried in this country. They appeal to the Government and to CAFCASS to make that possible in the future. I very much hope that we will be able to consider such an initiative.

The Select Committee report makes much of the additional "S" in the title of CAFCASS for its support role. I urge on CAFCASS a narrow rather than a wide interpretation of what that support role means. To me, it means that CAFCASS should conduct the research that has been recommended by the Committee, that it should identify the best practice for dissemination and that it should use the results of the research and best practice to inform and influence existing services. If a service is needed but does not exist in parts of the country, CAFCASS should prompt creation of that service.

Mr. Dawson: I take my hon. Friend's point entirely. Would he further agree, particularly in the context of the Green Paper, that there is now every opportunity to develop integrated services at the local level that could provide precisely those support services without an organisation such as CAFCASS being directly involved?

Mr. Kidney: I am grateful to my hon. Friend, because I am about to give an example from my own constituency that exactly illustrates his point, which I hope will be helpful.

In the spring, I held a conference in my constituency on positive parenting. It was very well attended, and a strong message came across that a universal support service should be available to all parents, including information, advice, parenting programmes and one-

[Mr. Kidney]

to-one support with relevant practitioners and experts if appropriate. I have taken that forward, and in Stafford we now have a steering group involving health, social services, education and the voluntary sector. All are determined to try to graft a universal service on to what has already been planned for early years and children's information services, so that we are not duplicating services but bringing everybody together. As my hon. Friend says, for that strategic reason CAFCASS is not wanted or needed in such work.

However, there is also a practical reason why CAFCASS should not go that far, and it relates to finances. It is obvious that there is not the money for CAFCASS to provide the services that it has said on paper that it intends to deliver, despite the fact that in just two years its budget has gone from £72 million to £95 million, which is the budget for the present year. That is a substantial increase, but the trouble is, no one knows—the Select Committee acknowledges this—what the right figure is for the service. That rather reminds me of the Crown Prosecution Service. It took 15 years of institutional underfunding before the Glidewell report set out what was required and the budget needed to meet that, and the problem was solved. We now get a very good-quality service from prosecutors, but not yet from CAFCASS, which needs the same treatment.

The Select Committee says that that can be done through a thoroughgoing review by the sponsoring Department and by CAFCASS. We shall see, but in the meantime the board's response makes very clear its view that it does not think that CAFCASS is properly funded. I do not know whether I am alone in having received a letter for this debate from the Solicitors Family Law Association. It, too, makes it clear that it does not think that the service is properly funded. A number of MPs have given the same warning. The message is loud and clear that we have not yet got to the bottom of funding for CAFCASS.

I appeal to other hon. Members not to lose sight of that from today. If CAFCASS provides the right strategic thinking, the report and the justification for the money, it is up to us to stand shoulder to shoulder with the organisation when it goes to the Minister and to the Treasury, and to see that it gets the money to which it is entitled.

That brings me to my last point, which the right hon. Member for Berwick-upon-Tweed (Mr. Beith) made, on the change of the sponsoring Department, and therefore the change in the Select Committee that takes an interest in CAFCASS. We have had a good-quality report from the Select Committee that from now on will be investigating the work of the Department for Constitutional Affairs, which will not be the sponsoring Department for CAFCASS. That will now be the Department for Education and Skills. That is a large Department with a very busy, active, good Select Committee to investigate its work, but that Committee has so much work that I am worried that it will not be able to give as much time to the future of CAFCASS as this Select Committee has given on this occasion. It is extremely important that Members of Parliament ensure that everything is put right that we have been told will be. I urge all my colleagues to keep a close eye on that in the future.

3.6 pm

Peter Bottomley (Worthing, West): I want to add the name of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) to those to whom he paid tribute. For the first serious inquiry by the Select Committee on the Lord Chancellor's Department, we have done a pretty fair job. The Government response and the response from CAFCASS are both worth reading as well. For those who do not want to lay out the £15 for our volume one and £8 for the Government and CAFCASS responses, I commend the internet, where our report can be found under Select Committees, with a link to the Government response.

Although the Government response is interesting, the CAFCASS response is even more so. The people who have had the responsibility of bringing matters back into line and who have been trying to do that since things went wrong are the staff and board of CAFCASS working with practitioners in the field. No one should take the view that because the Committee found elements to criticise, we discovered those for ourselves. They were known to people in the field and probably to people in CAFCASS. I suspect that the people who knew most about them were the board members. I pay tribute to them for holding loyally to their responsibilities, even if the way in which CAFCASS was set up was, as predicted, a mess.

One reason why things went wrong is that CAFCASS was on the fringe of the Department responsible for it. That has happened on a number of occasions. When the previous Government took office in 1979, some matters went wrong that were on the border between the Foreign Office and the Home Office, or between the Department of Education and Science and other Departments. That is merely a description of fact.

The level of resources needed is affected by the number of cases. I want to broaden the discussion for a moment—not for long—to say that there is social disadvantage, distress and handicap in this country on a scale not matched in similar countries. The number of children involved in proceedings affecting their parents' separations or divorces, or in court cases over their own future, is almost the highest in the world. That is a disgrace. I am not criticising any individual pair of parents, but we ought to set ourselves a target of halving the avoidable disadvantage, distress and handicap. Having been involved in parents' and care proceedings in courts, I suspect that much of that is avoidable.

I do not want to make this a criticism of any one individual, but I should like to see—in this as in other areas—a halving of the proportion of children who require an official decision or official help. I would like to see more help.

I was chairman of the Church of England Children's Society when family centres were being started by Bob Holman in Bristol; they then spread to other areas. We discovered that having a centre where parents could meet, often to do their washing—a sort of unofficial laundrette with a kettle for tea and coffee—led to the number of children taken into care on an out-of-town estate halving within two years. That is not because

children's lives had necessarily changed, but because the authorities such as the social services, the police and the courts could have greater confidence that the child could be maintained at home without a care order.

I suspect that there are many other ways in which we can learn how solidarity—to use a slightly mainland European expression—community support and community lessons can help. We do not need star charts for parents; we need to help more parents to have the confidence and the competence to do a good enough job. That is what Margaret Harrison was doing when she started home start in Leicester. The home start expansion, and the Government's sure start programme, follows on from those lessons. My wife sometimes talks about streetwise grannies; there are a whole series of ways that one can get solidarity and support so that people can face their problems.

Often it is a question of how one deals with a problem rather than the caricature of marital disharmony where someone goes to a lawyer and the first point put to them is, "Tell me all the bad things that your so-called partner for life has done." If we are going to make those partnerships, whether marital or not, into ones intended to be for life, we all have to accept that no one can hang up a sign saying, "Everything all right here".

We have to raise the welfare chances of children. It is not just their chances that are spelt out in the report and the response, but their experiences. Where there has been failure of the CAFCASS system, we are talking about the experiences of children, as well as what happens to them after the court has come to a decision if one needs to be made.

To put that in context, let us remember that each week 2,400 male children commit a serious criminal offence for the first time. By the age of 30, a third of men could have been sent to jail for six months or more, and a quarter of men by the age of 21. When I last looked at them, those figures were slightly better than they had been, but they still are not good enough. For all I know, they may have deteriorated. Each week, 5,000 of our children take up smoking. They are making the same mistakes that we made, either because of peer pressure or because they are copying those close to them. It is a sign of avoidable disadvantage, distress and handicap.

A third example is that 6,000 people each week in this country contribute to a conception that ends in a termination. If we have 170,000 abortions a year in this country, even if some are accounted for by people who come here from countries where it is more difficult to get a legal termination, that is over 3,000 a week. It takes two to tango. Those figures are at least four times higher than those in the Netherlands, which is a country with similar wealth and background. A number of things are going wrong in what I call the family life cycle field.

Having said that, my ideas about effective family functioning are not what concern us today. We are concerned with the CAFCASS report, the response and the future of those services to children. We have to help CAFCASS and the sponsoring Department to get the Treasury to realise that it will need more money to catch up than it will to maintain the service after that. That will require pulling in practitioners on a relatively short-term basis to help get over the backlog. I do not think that we can expect the Department of Constitutional Affairs, which remains in charge of the Court Service, to stand back from making sure that the courts can process cases, especially when CAFCASS has provided a reporter to give the child's point of view.

The idea that our Committee, which has existed for a short time as the Lord Chancellor's Committee, can say goodbye to this subject is wrong. We have a responsibility either by ourselves or in tandem with the Education and Skills Committee, to ensure that the Court Service provides the opportunity for cases to be heard as soon as they are ready. For a child, the experience of being involved in court proceedings that may affect the rest of their childhood is a major one. The fact that they are not getting the care and concern and the listening ears that they need to carry them forward to court makes it worse. A delay of days, let alone weeks, can be disastrous to their idea of having some kind of rock to hold on to at that troubled time.

3.15 pm

Julie Morgan (Cardiff, North): I congratulate the Committee and its Chairman on an excellent and hard-hitting report, and on all their hard work. I am pleased to have the opportunity to speak in this debate. Before I became a Member of Parliament, I worked for Barnardo's as an assistant director and one of my jobs was managing a team of employed guardians. The subject is close to my heart and I know many guardians who have been affected by the turmoil in CAFCASS.

When I worked for Barnardo's, CAFCASS was the guardian ad litem and reporting officer service. Provision of service at that time was mixed. As the Committee report says, there were some directly employed guardians, who were employed by voluntary bodies, some guardians who were employed by a consortium, and many more self-employed guardians. The turmoil that the self-employed guardians in particular faced after the setting up of CAFCASS was inexcusable, and I am glad that the Committee's report has pointed that out.

As the report says, bringing together 117 previous employers and setting up a new organisation was never going to be easy. However, the organisation seemed almost to go out of its way to alienate its most valuable asset: its staff. I know how much distress was caused at that time. I am pleased that the report pays tribute to the staff of CAFCASS, acknowledging in its conclusion the skill and devotion of the staff throughout the organisation and their commitment to the children they serve. We cannot emphasise that too much. We should praise the hard work done at the coal face. In particular, the job of children's guardians, who make recommendations to the court about the future of some of the most vulnerable children in society, is difficult, skilled and painstaking.

There are time limits, as has been mentioned several times. Children's lives pass quickly: a week is a long time in a child's life. The children's guardians need to be able to get on with the job quickly because the clock is ticking. I welcome the aim to appoint a children's guardian within 48 hours, because that has not been happening in many parts of the country. The report rightly criticises the long delays, which I believe are due mainly to the dispute with the self-employed guardians right at the beginning of CAFCASS, which led to many leaving the service. There has been a shortage of staff

[Julie Morgan]

since. As we all know, and as the report says, there is a shortage of experienced social workers. I hope that some of the guardians will return, but it will be difficult to attract back some of the self-employed guardians who were treated so badly.

In Wales in September 79 public law cases were unallocated. Those cases were in particular areas of Wales such as Cardiff, Swansea, Bridgend, Tredegar and Newport—mainly industrial areas. There were no waiting lists in mid-Wales, north Wales and south-west Wales. However, sometimes the wait, as my hon. Friend the Member for Stafford (Mr. Kidney) has already mentioned, is eight to nine weeks. That means that a child could be away from home—even without family contact—while the court waits for a children's guardian to be appointed, for eight or nine weeks. That is a long time in a child's life, and they may not be able to recover from such a period of limbo.

The situation is deplorable. It was estimated that the setting-up and reorganisation of CAFCASS cost CAFCASS Cymru the equivalent of 11 and a half members of staff, who, it was estimated, would have been able to work with 195 cases. That was caused in the main by the loss of the hours worked by self-employed guardians, who had been able to work more flexibly, which allowed them to cope with putting in more hours.

There is, however, light in sight in Wales. The rate of allocation currently exceeds that of referrals, and because several new appointments have been made it is likely that the waiting list will be cleared by April 2004. My hon. Friend the Member for Stafford asked about future demand. How will we predict the ups and downs of demand and how the service will develop? The CAFCASS budget is very difficult to predict and it will take a long time to determine what it should be.

The blame for the damage done to children who have been waiting must be firmly placed on those who were in charge of CAFCASS. I am glad that the Select Committee report has clearly pointed that out and that there have been resignations. I welcome the hard-hitting report and the consequent changes that have been made.

I am pleased that CAFCASS has moved to the Department for Education and Skills under my right hon. Friend the Minister for Children. I am sure that she will do her utmost to address the issues. It is more appropriate that the service comes under the Minister for Children than under the Lord Chancellor's Department: the move sends the signal that the child will be at the heart of the service. Everyone I have spoken to at CAFCASS—I am in contact mainly with those on the public law side—welcomes the move and hopes that it will mean a new type of service. It provides the opportunity for a fresh start and the chance to put the distressing past couple of years behind us, and it enables a reassessment of the relationship between CAFCASS and its responsible Government Department.

The move raises the issue of the service in Wales, of which I know that the Minister is aware. The Minister with responsibility for vulnerable children and for health and social services in Wales is in the Cabinet of the Welsh Assembly; that creates an anomaly in the new arrangements. However, my right hon. Friend the Minister for Children is reviewing how best to serve the most vulnerable children in Wales. It is important to implement changes, if required, as quickly as possible.

Let me flag up some of the difficulties currently affecting organisation and funding of CAFCASS in Wales. Certain issues in Wales differ from those in the English regions, and they put pressure on the budget for CAFCASS in Wales, which is insufficient—I am sure it is in other regions as well. Those issues have not been highlighted in the Committee's report.

A major issue is the fulfilment of the requirements of the Welsh Language Act 1993. In the distressing situations that bring children to the attention of CAFCASS, it is essential that Welsh children and their families can use their first language to talk about their feelings and their emotions. In any case, the law requires that the service be provided. However, it is very difficult to fulfil that requirement in such a specialised service, so Welsh-speaking guardians must travel far more widely than would otherwise be necessary. The geography of Wales, the large rural areas and the difficult terrain in some areas place quite a burden on CAFCASS Cymru.

There are also budgeting problems with Welsh language training. At a corporate level, CAFCASS Cymru lacks an understanding of the Welsh language issue, and its commitment to the needs of Welsh-speaking children is patchy. The only additional money that CAFCASS Cymru has to cope with that issue is for a Welsh language office translator: that helps to get literature produced bilingually and may help with policy, but it cannot help with the actual delivery of the service. There must be Welsh-speaking children's guardians to deliver the service in Welsh. They must speak Welsh fluently because important, emotional issues have to be communicated fluently and properly understood. I do not know whether any of that was brought to the Committee's attention. The work of the official solicitor retained by CAFCASS Legal in London resulted in a complaint to the Welsh Language Board after the one case that was dealt with by CAFCASS Legal in Wales, because it was unable to deliver a service in Welsh.

The other issue in Wales is CAFCASS's relationship with the Welsh Assembly under the present set-up. Policies developed at a corporate level will have to reflect Welsh policies and the regulations and other secondary legislation that are passed by the Welsh Assembly Government, which may be different from those passed here. Regulations developed in Wales in relation to the Adoption and Children Act 2002 are likely to be significantly different from those in England, and only a small part of the children's Green Paper "Every Child Matters" applies to Wales. I know that the CAFCASS response contains many references to that Green Paper, but only a little of it applies to Wales. I have heard tales of members of CAFCASS in Wales travelling long distances for meetings—it is important that they do that, to be part of groups that plan policy—when the whole discussion has had no relevance to what is happening in Wales. Such important issues should be taken on board.

It is very important that the Welsh staff in CAFCASS respond to the consultation documents issued by the Welsh Assembly Government. They have a vital role to play in that consultation. They should take a holistic,

integrated approach to children. There is no doubt that additional funding is required for the Welsh office under the present set-up.

The new plan for CAFCASS, which other hon. Members have already mentioned today, generates additional strain. It seems ironic that another tier of managers is now being created when what we want is more resources for the children and families who need them. The plan to have three divisions is problematic. Wales will be included in the east and west midlands and south-west region, so it is even less likely that particular Welsh issues will be recognised at corporate level. That is already difficult, but the change will make it even more so. A proposal to separate Wales was not taken up.

There seems to be a complete misunderstanding of the nature of Wales, the nature of devolution and the nature of the issues that relate to Wales. While many organisations are creating Welsh offices and acknowledging post-devolution Wales, CAFCASS as a corporate body seems to be moving in the opposite direction. I understand that the organisation's first corporate plan said that it was a service covering two countries, but the second corporate plan dropped that reference and seemed not to recognise the differences between the two countries in terms of policies, regulations and guidance.

I wanted to use this debate to draw out the particular issues relating to CAFCASS in Wales, but I end by saying that the Committee has produced an excellent report. We know what a valuable service CAFCASS provides. I pay tribute to the guardians and others who have for so many years worked so hard for the benefit of children.

3.28 pm

Mr. Hilton Dawson (Lancaster and Wyre): As a member of the Committee, I, too, commend the right hon. Member for Berwick-upon-Tweed (Mr. Beith) for his leadership, and commend all other members and our Clerk and professional advisers. The report is a good and substantial piece of work. I know a fair amount about these issues. Previously, I was a local authority social worker and I managed some social services, including those for children in care, and adoption and fostering services. I had a lot of contact with guardians. I was also a member of the Committee that dealt with the Criminal Justice and Court Services Act 2000, which introduced CAFCASS, and I recall the high hopes. At the time, there were one or two queries to which I shall return.

Along with my hon. Friend the Member for Stafford (Mr. Kidney) and Judith Timms from the National Youth Advocacy Service, I have attended meetings with Ministers, including the previous Minister, and the chief executive to express serious concerns about CAFCASS. I was delighted when the Select Committee agreed to take the matter on as its first inquiry because it is fundamentally important. The Committee has done a very good job indeed.

One of the best announcements that I have heard this year was that CAFCASS would come under the remit of the newly created Minister for Children. If one wanted to estimate the degree of neglect and misunderstanding that CAFCASS has suffered from the Lord Chancellor's Department, one need look only at aspects of the Government's response to the report. The right hon. Member for Berwick-upon-Tweed claims that he can see the fault lines between the Lord Chancellor's Department and the Department for Education and Skills. The Government response contains no definitive statement on tandem representation, fails to say anything at all about resources and, in its lack of reference to children in the framework document, fails to recognise the crucial role of CAFCASS in relation to children appearing in court. It frankly avoids the issues and simply provides circumlocutions; at times, it seems as if its author is auditioning to write another series of "Yes, Minister".

The Minister's response is wholly inadequate, and I cannot believe that it comes from the same Department that wrote the far-reaching and outstanding Green Paper that is so much under discussion at the moment. Any Select Committee report should receive a better response than that.

The CAFCASS response is, on the face of it, more reasoned, and tries to address the issues. However, on page 12 it states that CAFCASS will work with others to implement

"the Protocol for the Judicial Case Management in Public Law Children Act Cases".

A few pages later, it says:

"It will be difficult, however, to achieve allocation within two days in all cases across CAFCASS, in the short to medium term."

One wonders what is going on. We need a better response to a well-reasoned report on a very serious subject, possibly the most serious subject that has ever come before Ministers of this House. We are talking about the lives of children; children in this country have died during the difficult circumstances at CAFCASS. We need a much clearer response from Government, CAFCASS and other agencies to well-worked reports.

There is at least one clear statement in the report, namely that both sides accept that there needs to be a fundamental review of the membership of the board. I agree with that. Indeed, I was involved in the discussion of that point during the Select Committee sittings. The Select Committee's view is correct and damning. The board has failed so far to provide the necessary strategic direction and accountability that CAFCASS so desperately needs. The chairman has had the good grace to fall on his sword and he should be commended for that. However, I call on every member of the board to consider their positions when they receive such a review of their work.

We are discussing a serious situation. Before coming into the Room I was handed some information by a magistrate from London, who shall remain anonymous. Yesterday in Greater London there were 172 unallocated cases. Furthermore, it takes six to eight weeks to allocate priority cases and three months to allocate non-priority cases. That is outrageous and completely unacceptable.

My right hon. Friend the Minister for Children has taken on the greatest role in Government. She has the greatest task in Government ahead of her in transforming children's services and children's lives. In comparison, the task of fundamentally transforming CAFCASS and dealing with the scandalous position we are in is relatively small and achievable. My right hon. Friend has a grave responsibility on her shoulders, but she is more than capable of taking it on.

[Mr. Hilton Dawson]

The first step in the process must be to change CAFCASS into a child-centred organisation. That was one of the criticisms voiced during the Committee stage of the Criminal Justice and Courts Services Act. There is nothing in the document we have received that says CAFCASS is a child-centred organisation, and nothing saying that this is a vital social work service for children. The members of the board must be steeped in the values of, and must be experienced with good practice in, social work with children. They must be utterly committed to the rights of children.

No one who was working with those values, who came from such a background and experience, or had stature in the world of social work with, or legal work for, children would be prepared to tolerate the current situation with CAFCASS. No one would be prepared to say, "We take on the task of allocating cases within 48 hours, but it is not achievable in the short to medium term. No one would say, "Yes, we agree with tandem representation in public law, but don't extend it to private law, and allow one of the senior officials to make strong statements to conferences suggesting that the organisation does not have a substantial commitment to the tandem representation of children."

The organisation says how committed it is to working with its staff; my goodness, it needs to be. It needs to re-engage with self-employed guardians and bring all staff together. I read that there would be a meeting on 21 October. Did it take place and, if so, what were the results? How are the dedicated professionals who have remained with CAFCASS, and those who have moved on to other careers and opportunities but are still desperately concerned about the organisation, being engaged in the future of that vital social work service for children? I would venture to suggest that this cry has never been heard in the history of debate in the House; we need child care social workers, and we need them right at the top of CAFCASS. We need CAFCASS to be a children's rights organisation.

We cannot divorce CAFCASS from the current crisis in social work. It is a very important if denigrated profession that has been completely undervalued. It is a vital occupation that protects thousands of children every day of the year, but it is demeaned, abused and taken to task outrageously when things go wrong. Social workers are not paid well enough for the important and stressful work that they undertake.

CAFCASS is operating at a time when there are many unallocated cases involving children in all social services departments. The Government are beginning to address that through their Green Paper, which gives children's social services the opportunity to raise esteem, bring more people into important work with children and work with other agencies in an integrated fashion to ensure that good practice with children is informed by the values of social work and the rights of children. As I say, we can and must get CAFCASS right. We can make a huge start on making progress in children's social services if we do that.

We have to tackle delays; that is the fundamental issue with CAFCASS. We have to ensure that children who are made vulnerable by family circumstances, are facing the prospect of being removed from home, are caught in the war between parents, or are facing the possibility, or reality, of being placed in secure accommodation—the most vulnerable children in our society—are supported. We must ensure also that their rights are protected, and that they have independent representation at one of the most vulnerable times of their lives. If we cannot get that right, we should not be here. It is essential that we make some real progress on this issue.

As an aid to that, I state that I share the views of my hon. Friend the Member for Stafford. CAFCASS is trying to take on too many tasks, particularly as we have a Green Paper that is set on radically transforming and improving children's services at a local level by integrating them, and making the provision of a wide range of them part of the normal experience of children's lives. I do not see why an organisation such as CAFCASS need concern itself with the provision of services for children who are experiencing family breakdown, which, unfortunately, is fairly common.

What we need to ensure is that contact centres, and services for mediation and for supporting children in these circumstances, are made part of the ordinary, full range of services at local level. We should not be encouraging CAFCASS to build itself another child care silo, when other organisations are desperately trying to integrate their services.

We want to ensure that CAFCASS workers do their job; that they allocate skilled experienced staff within the 48-hour period to the children who need their services. That is what CAFCASS should be focusing on. That is what all the resources should be going into. I agree with the Committee that CAFCASS does not need a vast, hierarchical structure or huge layers of management to achieve that. I hark back to the days that my hon. Friend the Member for Stafford described, when excellent services were swiftly provided to children and we had nothing like the level of problems that we have now. I cannot see why a child-centred service cannot provide excellent services swiftly.

CAFCASS must have more money because it needs to recruit experienced and skilled people. There is a fear that CAFCASS is currently recruiting people who do not have the level of experience that new recruits had in the past. Representing children, working with the legal profession and ensuring that children's voices are heard at some of the most crucial periods of their lives is important work. Work that has already been done with those children must be understood, and it is necessary to have the stature and ability to question the work that has been undertaken, and to look at possible alternatives and a wider range of services, as well as at the family resources that might be available to those children. This is not the sort of work that should be done by people who took a social work qualifying course only a few years earlier. This vital work requires more experience than that.

I want to discuss an important development of the CAFCASS service that was introduced by the Adoption and Children Act 2002. Properly and rightly, section 122 of the Act introduces the possibility of separate representation for children involved in private law proceedings by adding section 8 proceedings, which include questions about residence in contact disputes. The list of proceedings specified in section 41 of the

Children Act 1989 allows the court to appoint both a solicitor and a children's guardian to protect the rights and welfare of the child concerned.

Paragraph 1.5 of CAFCASS's response specifically states that it will implement the new arrangements in the 2002 Act on adoption and the direct representation of children in private law exceptional cases. CAFCASS states that one of its key aims is to implement new legislation and that it is preparing to do so. On the face of it, that is welcome, but can we believe that it will happen? Can we infer from CAFCASS's response that it supports early implementation of section 122? Will the Minister give a similar commitment? Without such a commitment, the rhetoric in the document is meaningless.

I have gone on at some length, but the subject is exceptionally important. We have an opportunity, which we must take, radically to improve the service. Frankly, the Government's credibility is at stake. This is a great Government for children, and work has been done in so many spheres, including addressing child poverty and improving education. The Green Paper is especially important, and specific legislation such as the Adoption and Children Act 2002 marks a great step forward for children in this country.

If the Government do not get CAFCASS right, they will be heavily criticised for failing children. The children's commissioner for England is another creation mooted in the children's Green Paper. If we do not get CAFCASS right, I forecast that the commissioner's first job will be to take to task everyone who has failed children in that regard. Let us hope that we can avoid that prospect by making some progress today. We must ensure that there is real change in CAFCASS to make things better for vulnerable children in our society.

3.53 pm

Dr. John Pugh (Southport): I congratulate the Committee on its excellent report, which is a catalyst for change. I also congratulate all members of the Committee on their contributions both to the report and today's debate, which has been an education for me. They have performed a true public service. First, they identified an enormous problem affecting vulnerable children and distressed parents. However, they did not leave it at that: they also rigorously analysed and scrutinised the problem and suggested some solutions, which have commended themselves to both the Government and CAFCASS.

CAFCASS and the Government accept the bulk of the report's findings, which are also recognised by clients of the service and by practitioners who work within it. I do not need to reiterate the problems pertaining to the service, which have been pointed out by other Members. I simply want to examine the variety of responses from both the Government and CAFCASS.

There is an acceptance that we must improve the morale of the people who work in the service. When the service is criticised, they take the criticism personally to some extent, even if the problem is not their fault and even if it has occurred despite their most assiduous efforts. However, the issue for us is whether there is enough evidence that sufficient notice is being taken of the report to get a result. Will it substantially change things? To deal with that question, we must examine the responses of the Government and of CAFCASS and tease out what differences may exist between them and what problems may still be lurking in their detailed responses on particular points.

I shall not address the information in the responses about the Government's aspirational agenda. We all applaud aspects of the Green Paper, if not the totality. We all think that having a Minister for Children is entirely and inherently desirable. We all hope that there will be a new dawn and a better future, but we must first ask whether the practical, everyday difficulties that the service has so far experienced will be any fewer and whether all the problems dogging current cases will persist for some time, thereby affecting vulnerable children and desperate parents.

It should be acknowledged that some problems could be regarded as unrepeatable. The difficulties of setting up a new service alongside restructuring the probation service will not happen again, although we cannot assume—other hon. Members have alluded to it—that merging CAFCASS into the Department for Education and Skills will be effortless, seamless and without problems. One of the problems that the Committee highlighted is the failure to anticipate problems, and there will be problems ahead. It would have been useful had the Department responded more positively to recommendation 6 of the report, which asks for input from the National Audit Office. I shall discuss later why I think that that would be particularly helpful.

None the less, it is fair to acknowledge that the Government have accepted a range of good recommendations and acknowledged a need to review lines of accountability; a need to look at the personnel involved, particularly the membership of the board; a need for adequate and clear framework documents and proper involvement of stakeholders; and a need to carry out a clear examination of partnership arrangements. The Government have accepted all that without demur. Equally, CAFCASS accepts that it needs better stakeholder participation, improved governance, and improved work force training and flexibility to deal with some of its staffing problems. It says that it is keen to pilot new forms of conciliation. When one puts the two documents side by side, at first blush it appears that all is sweetness and light—a new golden age beckons.

However, the bottom line is whether there will still be significant delays in the process. The Government do not promise to eradicate delays entirely. For example, they say not that they will have fixed targets but that they will set targets in due course. They do not respond specifically to the Committee's recommendation 33 to increase funding further. If one sets that alongside the CAFCASS claim in its response that it has a wholly inadequate budget, one begins to see where future problems may lie.

CAFCASS talks of seeking resources for pilot projects, not of having them. It acknowledges that various parties, including the Government, will not achieve protocol standards by 2004–05. It says that it is unable to allocate cases as speedily as it would like and, ominously, that it works in a difficult professional recruitment market. That means that it has real concerns about finding the appropriate staff to hurry things on and get things done, as its clients would wish.

[Dr. John Pugh]

Despite the problems that CAFCASS identifies, it promises to put up fees to self-employed contractors and to increase the funding for the voluntary sector beyond the current £1 million-plus. It remains to be seen how it will square the circle and get a result without endlessly dipping into or calling on the Government's coffers. Strangely, I can understand the Government's not wishing to write CAFCASS a blank cheque. Whether CAFCASS has spent money as wisely as it could have is arguable. The history of its IT procurement is a cause for concern, and its top-heavy, hierarchical management structure has also been alluded to. I do not know a great deal about that, but it does not suggest that every penny has been spent as prudently as it could have been. The Government have a legitimate right to expect savings, which can be made not necessarily by CAFCASS reducing its efficiency, but by certain procedural changes and the better integration of the agencies involved.

Mr. Beith: Another example of the same problem is the extensive use of expensive agency and consultant resources. That is a direct consequence of not having managed resources to ensure that such services were in-house to start with.

Dr. Pugh: Yes, in any organisation there is a clear case for saying that there are savings to be made by making procedures smarter and more efficient. Other Members have mentioned, and I agree with them, that CAFCASS is a very hard service to cost. It provides a complex service through a network of different agencies.

The National Audit Office has a role to play examining how money has been and can be better spent. I say that without being a particular friend of the National Audit Office, which appears to be able to comment on all manner of Government affairs, whether or not they are, strictly speaking, concerned with auditing. Without the rigorous examination of how CAFCASS is run—as a prelude, I hope, to substantially increased resources—there is the scope for mutual recrimination, for a decade of further buck-passing and for the betrayal of the interests of the vulnerable children, whom we have come to the Chamber today to help.

4.2 pm

Mrs. Eleanor Laing (Epping Forest): I commend the Select Committee for producing an excellent report. It is not often that we sit on a Thursday afternoon debating a Select Committee report that has already brought much-needed changes to the area into which it inquired.

I pay tribute to the Committee's excellent Chairman, who delivered his report to us extremely succinctly. Those of us who have not been involved in this matter for as long as hon. Members who have been steeped in it for several months appreciated the way in which the right hon. Member for Berwick-upon-Tweed (Mr. Beith) led us through the report.

I also pay tribute to my hon. Friend the Member for Worthing, West (Peter Bottomley), who is temporarily out of the Chamber—I must tell him later that I paid tribute to him—and to my hon. Friends the Members for Cities of London and Westminster (Mr. Field) and for Hertsmere (Mr. Clappison) and all other Members who have spoken and who have put a lot of time and effort into the inquiry.

There have been fundamental problems but the report is brilliantly thorough and positive. The problem with many Select Committee reports that are presented to Parliament is that they pick at the faults. They identify what has gone wrong but they do nothing positive to improve matters. The issue is not party political. We want CAFCASS to work well. It is an important service. The issue has nothing to do with party political opinions, and everything to do with helping people who need help, when and where they need it, efficiently and properly. I therefore welcome almost all the remarks that I have heard this afternoon.

It is, however, sad that we have reached this situation and that an organisation that was set up with the best of intentions and hopes did not live up to expectations. I sincerely hope that, as a result of the work that has been done by the Committee, there will be further improvements to the service, in addition to those that have already been made. I therefore support the remarks made by the right hon. Member for Berwick-upon-Tweed.

I take issue with the right hon. Gentleman on a tiny point. He said that cases involving children and courts are often difficult. I suggest that every single case that involves children coming before a court, or a court making a decision about children, whether it is a private law case or a public law case, is difficult and tragic. Every case involves a vulnerable child who needs help there and then—indeed, not just a child, but a family. However, let us concentrate on the children.

The right hon. Gentleman emphasised the penultimate letter of CAFCASS, and I agree with him. It is a support service, not just a court or advisory service. There are so many areas in which support is needed for children, as we have all been examining in the much heralded Green Paper. I am sure that there will be plenty of opportunity to discuss those wider issues in the near future. However, the fact that this is a service for children and families must not be overlooked. In that sense, it is pivotal in helping with children.

I had a meeting yesterday with a gentleman who is setting up a charity to help families—particularly, but not only, fathers—in which parental alienation as a result of divorce and separation is doing enormous damage. He gave me the details of a case that has gone as far as it can in the High Court. It involves children seeing or not seeing their father. All such cases are tragic, because children are suffering from parental alienation. One cannot help feeling that, had CAFCASS or a service like it been involved in that case and dealt with things properly—I am not blaming CAFCASS for this particular case—the problems those children are suffering would have been very much reduced.

The right hon. Member for Berwick-upon-Tweed also mentioned the culture of box-ticking. That worries me tremendously. We often impose on our public services an obligation to achieve certain targets, by certain times, in a certain way and with a certain budget. In trying to achieve the target, and to protect their jobs, public servants are not able to do the job that they want to do professionally and properly. Were it not for the pressure of targets, the job could be done much better.

In a sensitive area such as children's services, I strongly suggest that we trust the professionalism of those involved, and not be so keen on box-ticking. Ticking a box does not necessarily mean that the job has been done; it means only that, for example, a guardian has been appointed. It does not mean that the guardian has as yet done anything. That is a perfect example of how targets and statistics can be used to obscure lack of action. I hope that the Minister will note that point.

My hon. Friend the Member for Worthing, West made some excellent points, and now that he has returned I can mention to him that I have already paid tribute to the excellent work that he and his colleagues on the Committee have done. An essential point, which he made, is that the number of children affected by family breakdown, divorce and separation is enormous and growing. That is the situation right across the social spectrum and throughout the country. The report rightly identifies the different approach in private and public law cases. I appreciate that, but we should not forget that these services are needed in a wide range of cases. We are talking not only about the most vulnerable children, although particular regard must of course be paid to them.

The Minister for Children (Margaret Hodge) *indicated assent.*

Mrs. Laing: I notice that the Minister agrees with me on that, not surprisingly. As a consequence of the increase in family breakdown, the separation of parents and divorce, we are breeding a generation of children a very large proportion of whom will develop problems because of their family situation. If those problems are not dealt with, they will grow larger as the children become adults. In other areas—I spend much time looking into special needs education—it is recognised that early intervention to provide help to a child who needs it is vital. If we nip a problem in the bud, or help a child over a particular hurdle, that problem ceases to be a problem and the child can go on to develop his or her educational and social abilities unhindered. However, if children carry around with them a problem that is difficult to solve, they are held back in every area of their life. It has perhaps not been properly recognised that the children with whom CAFCASS is or should be dealing are in exactly that position. I ask the Minister to note that early intervention and assistance in this field is vital, as it is in many other areas that we discuss.

The hon. Member for Cardiff, North (Julie Morgan) mentioned delays. Clearly, that is one of the main problems. Delays are not always due only to budgeting, but they are very damaging. Others want to ask questions on that. I do not know whether the Minister has already consulted other stakeholders who assist children in this situation, such as the National Association of Guardians ad Litem. It has quite rightly asked how having to wait a long time affects children, and whether that is being monitored. That is particularly important because, as has already been said, a week is a very long time to a child. Children who are separated from parents, siblings and other family members suffer incalculable anxiety, and no one knows the effect that that may have on the children at the time and on their future development. Rather than spending resources on monitoring whether waiting is having an effect on children—it is reasonable to assume that delays by CAFCASS and the courts have a detrimental effect on them—we should be using the resources to get rid of delays. That is important.

I know that the hon. Member for Lancaster and Wyre (Mr. Dawson) still has many concerns, and I am sure that the Minister will note them. I particularly agree with him that the ethos of CAFCASS must be child centred, and that it must be seen to be so. It is part of the enormous bureaucracy of our courts and justice system, but I welcome the fact that the Minister for Children is now responsible for the service. I hope that that means that it will become more child centred.

The hon. Member for Southport (Dr. Pugh) rightly said that it is not always budget issues that are at fault, and that it is not all about money. It is about where CAFCASS fits into the system. For that reason, I commend what the Government have done in moving the whole administration over to the Department for Education and Skills. I hope that the Minister for Children agrees with me, but I would not blame her if she did not, because it seems that her duties increase day by day, or week by week. We realise just how many functions of Government are targeted towards and concerned with the protection of and assistance for children, but this is an important one.

The enormous experience of the hon. Member for Stafford (Mr. Kidney) has been appreciated in the debate this afternoon. He was concerned that the whole issue may be swallowed up in the huge work load of the Department for Education and Skills. The Education and Skills Committee does excellent work, but there is concern that it has a much heavier work load than the Select Committee on the Lord Chancellor's Department and may not be able to concentrate on this specific issue to same extent. It is incumbent on us all to be vigilant and to carry on that Committee's good work in helping to improve the CAFCASS service. We cannot underestimate the importance of its work, and I hope that the fact that we are having this debate will help to highlight that.

I am sure that the Minister recognises the importance of CAFCASS's work and this debate. I realise that none of the shortcomings that have been discussed were the fault of the Minister for Children—it is unusual for me to say that—but the added work load is an enormous responsibility. I wish her well in taking forward the good work and the recommendations of the Select Committee, and I assure her that I shall be vigilant in continuing to ask questions about how CAFCASS is improving.

4.19 pm

The Minister for Children (Margaret Hodge): I warmly congratulate the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and his Committee on an excellent piece of work. It is a very comprehensive report, and was my learning document on CAFCASS when I was first appointed to this job. It seemed that the Committee might have known something that I did not—namely, that a Minister for Children with responsibility for young people and families was to transfer to the Department. It wanted to set me a challenging agenda, and it has done that very effectively. I concur with the view that the Education and Skills Committee should pursue some of the critical issues seriously as it monitors our Department's work.

[Margaret Hodge]

Like all Members who have spoken in the debate, I acknowledge the commitment and knowledge of all the front-line CAFCASS court welfare officers and the work that they do in such a critical area. In any discussion on the organisation as a whole, everyone who has had a part to play in where we have got to has acknowledged that extremely good work.

It may be because I am married to a lawyer, but in the very early days of my appointment I got more representations on the service of CAFCASS than I did on many other areas. Many of the letters from friends and colleagues when I was first appointed asked me to improve the quality of service from CAFCASS. I take the matter extremely seriously. I accept what my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) said. We should have the interest of children at the heart of what we do, which is what the new directorate in our Department and my job are about. We should ensure that children at this most vulnerable part of their lives are given the necessary good-quality support swiftly—whether it is a public or private law case. That is an essential way of measuring whether we are doing what we ought to be doing.

When I first considered some of the issues involved, I was quite shocked at how long the delays were, and the length of time taken by court proceedings in public law. A week is long time in a child's life, but a year is a heckish long time. The fact that the protocol on public law cases is now set at 40 weeks seems to me far too long for vulnerable children who are at a vulnerable stage of their lives. Although we shall work to that protocol, it is my ambition to re-examine it in order to see whether we can do more.

Mr. Kidney: I see that the Minister has only 65 minutes left to complete her summing up, so I shall be brief. On the crucial point about delay, what does she make of the response of CAFCASS that it will find it difficult to allocate cases within 48 hours?

Margaret Hodge: I shall not promise to resolve the matter overnight. The problems are complex, and I shall allude to some of them. We are attempting to recruit some highly qualified, highly experienced staff, with the appropriate experience to do the sensitive task that is required of them. Many of us are fishing in the same pool, so the challenge of making that pool larger will not be resolved overnight. I want to focus on that area, and put a lot of energy into it. In the Green Paper "Every Child Matters" we talk about investment in the work force, and the importance of recruiting, training, keeping and maintaining highly qualified social workers to work in the front line, in the voluntary sector and in all the new agencies that the Government have established, such as the youth offending teams. We have created a new set of environments in which social workers can support children's behaviour and attendance at school, and work has already been done. We cannot resolve the problem of staff growth overnight, but we are doing everything that we can to speed up the process. I can and will give immediate attention to providing high-quality staff.

I can assure the House that CAFCASS will be a child-centred organisation; its business is to protect children's interests and rights at the most vulnerable [illegible] in their lives, when they are facing huge change. The Department will give that priority. It is early days, and I am trying to settle into a new job. In my new role, I have identified that as an area on which I must focus.

This has been a good, non-confrontational debate, and I welcome that. Several hon. Members talked about the problems that were created. Looking back may not be helpful, although we must learn from past mistakes. The problem of staffing in the organisation and the dismissal of the chief executive was one thing, but not having enough time to launch it properly was another. The dispute with the self-employed guardians, which the hon. Member for Cardiff, North (Julie Morgan) spent some time taking about, was a damaging period in CAFCASS's development.

There are other issues, such as poor accommodation, where children are often on the same premises as offenders. Such problems became part of CAFCASS's legacy and we must deal with them. Harmonising everything across 117 organisations into one body is a huge, awesome task, and we probably did not realise that it would be quite so difficult. I do not know whether the statistics I have seen are wrong or right—all I can do is use them in this debate. Everything in the garden was not desperately rosy before CAFCASS came into being. In the years leading up to its establishment, there were growing delays in turning around public law cases. In 1996, it took 46 weeks on average to complete a case. By 2000, the time had risen to 50 weeks. By 2002–03, the last year for which we have proper statistics, the average had come down a little to 48 weeks. That is far too long. Nevertheless, the legacy was not good.

The numbers of applications to the courts have also massively increased and are again increasing in this financial year. In 1996, there were 16,000 such applications, and by 2000 that had risen to 22,000. In the six months to March 2003 there was a 15 per cent. increase in care case requests—and those were the more complicated cases.

Mr. Dawson: As the right hon. Member for Berwick-upon-Tweed said, a number of hon. Members visited our local offices. The figures quoted on the increase in cases were reflected in my local office, although it was felt that a large factor in that was the revocation of care orders. This does not necessarily have anything to do with the problems. It could be about good practice.

Does not the first figure on the length of cases go beyond the influence of CAFCASS? Is it not to do with how court procedures operate? Nevertheless, that does not detract from the fact that a guardian should be appointed within 48 hours.

Margaret Hodge: I take that point entirely. Although we will make every endeavour to support the CAFCASS's board and executive in improving the quality and speed of its service, they do not operate alone. Part of the answer must lie—certainly in public law cases—in how social workers deal with care cases that need to go before the courts, and in the time that the courts give to hearing cases. Members have mentioned examples of delays in allocating a CAFCASS officer, but I have also heard of examples of horrendous delays in identifying sufficient court time to hear cases that CAFCASS has prepared. I hope that the Select

Committee that monitors the work of the Department for Constitutional Affairs will continue to examine this aspect of its work. I work closely with my fellow Ministers in the Department so that we take an holistic approach, particularly to public law cases, which is where the delays are particularly difficult.

Things are getting better, although they are still not good enough. By July 2003, more than 96 per cent. of private law cases had been allocated 10 weeks before the case was filed. In public law cases, we still have a long way to go, and my hon. Friends the Members for Cardiff, North and for Lancaster and Wyre talked about examples of unacceptable delays in London and Wales. Currently, 69 per cent. of public law cases are allocated in seven days, which is below the current target of 80 per cent.

There are huge regional variations: I have no doubt that when the Committee examined this subject it noticed that. In public law cases, there is no delay in the south-west, but there is enormous delay in the north-east. We need to understand better why those regional variations in allocations occur, and try to address that.

Another and more difficult issue, which has not been mentioned this afternoon, is that there are huge regional variations in the number of hours that an individual court welfare officer spends on a case: in Surrey, the average is 182 hours per case, in south-east Wales it is 69 hours per case—that might interest the hon. Member for Cardiff, North—in Merseyside it is 76 hours, and in Devon it is 178 hours. There may be good reasons for these variations, but we need to do more work to investigate why resources are being used in different ways in different areas, and whether there is anything that will support our efforts to try to speed things up.

Mr. Dawson: In doing that work, I accept that it is legitimate to ask such questions. Can the Minister assure me that that will not be a top-down paper exercise, and that it will involve genuine discussion with the people who are doing the hard and sometimes very time-consuming and good-quality work on the ground?

Margaret Hodge: I completely agree that it would be appalling if that were a paper exercise. For us to be able to take any action in respect of those differences, we must have a proper understanding of what is happening in individual cases.

The right hon. Member for Berwick-upon-Tweed and the hon. Member for Epping Forest (Mrs. Laing) also talked about that work not being a tick-box exercise. I strongly take that point on board. When there are targets, there is always a danger that people will feel impelled to meet them mechanistically, rather than in a way that reflects the quality of service that we want. As we advance, we must be careful that the allocation of cases does not become a tick-box exercise that merely shows well in terms of the statistics.

The quality of court welfare officers was raised by several Members, particularly by my hon. Friends the Members for Stafford (Mr. Kidney) and for Lancaster and Wyre. I agree that those social workers deal with children at one of the most vulnerable points in their lives. Therefore, ensuring that we have high-quality front-line officers must be a central part of my work as we try to improve the quality of service offered by CAFCASS.

The issue relates partly to pay—there has been a better pay deal—and partly to training. I welcome the work that CAFCASS has done in introducing a training programme for staff. Good progress has been made on some of the Select Committee recommendations on the training fund. Morale is another difficult issue that we must now confront. The morale of the organisation must be raised so that it can move forward. I accept that we need staff who are, as my hon. Friend the Member for Lancaster and Wyre said, steeped in an understanding of children and who have appropriate expertise.

Several Members mentioned funding. I find that a difficult issue. The predecessor bodies costed their services at £66.5 million. CAFCASS therefore appeared to be properly funded in its first year. I shall not delve into the history to determine whether it was, but we cannot move away from the fact that it started with a baseline budget of £71.7 million, which has risen to £95 million in 2003–04. That is a considerable increase, but frankly, it is too early for me to know whether the budget is sufficient for the organisation to undertake the job that we have entrusted to it. We will do more work on that. The hon. Member for Southport (Dr. Pugh) said that we cannot write blank cheques. We are in a tight spending round, and I have a huge range of priorities in which to invest money for children, young people and families. We must be certain that CAFCASS's massive budget increase is being properly used.

We are holding discussions with CAFCASS. It faces real difficulties, which some hon. Members mentioned. For example, it does not control demand but is a demand-led organisation. When the service was dispersed among 117 different bodies, it was easy to subsume an extra case or two in a larger local authority social services department budget. It is much tougher for a stand-alone non-departmental public body to do that. We must think through the implications of the demand and determine what is happening. Equally, we must ensure that the money is properly spent. As my hon. Friend the Member for Stafford said, I must assure myself that I know what is really needed by the organisation. I am putting my mind to that.

Several Members spoke about corporate governance. I wish to put on record my thanks to Anthony Hewson for his work in very difficult circumstances as the first chairman of CAFCASS. I have known him for some time—he worked for Scope when I had responsibility for disability issues. He is a very honourable man who puts in a great deal of effort and who cares very much about children. He gave his best to the organisation in its early days.

We appointed Clive Booth, who was chairman of the Teacher Training Agency, to review the membership. He will report to me quickly, and I shall take swift action based on his report. The Select Committee suggested, and we endorse, that necessary aspect of moving the organisation forward.

Mr. Dawson: The website of *The Guardian*—a newspaper that I try never to read—reported yesterday that Sir Clive Booth

"has been appointed to look at how the board operates, it has nothing to do with families and children."

[Mr. Dawson]

Is the Minister able to disabuse *The Guardian* of that notion?

Margaret Hodge: I, too, noted that little item on the website—it was drawn to my attention; I did not identify it myself. I do not think that that is a valid criticism. Clive Booth has enormous experience of how organisations are run and what makes for good corporate governance. We do not look for detailed knowledge of the specific issues in the corporate governance of the organisation. We look for the appropriate skills and qualifications that will make for a good body. However, we are discussing a non-executive body; the executive is where a lot of experience is needed. I have full confidence in Clive Booth, and I think that he will do a good job for us. I hope that hon. Members present endorse the work that he is doing.

We will also review the framework document when those issues are transferred to my Department—I was unsure whether the right hon. Member for Berwick-upon-Tweed understood that.

My hon. Friend the Member for Cardiff, North raised some issues about CAFCASS in Wales. As she knows, we are reviewing the matter with the Secretary of State for Wales, his colleagues and colleagues at the Welsh Assembly. We will try to come to a swift decision on how to ensure that children's interests are protected. That is the prime objective in my mind as we move forward with the organisation. My hon. Friend also talked about the importance of a language Act; I understand that CAFCASS is developing a Welsh language scheme and has increased the number of Welsh-speaking front-line court welfare officers—I hope that she welcomes that. She also talked about the Adoption and Children Act 2002 and differences in how it will be implemented in England and Wales, and "Every Child Matters". I take the point entirely; we need to reflect those issues in the training that we give to court welfare officers working in Wales.

A number of hon. Members talked about support services; that was an interesting part of the debate. In these early days we need to focus CAFCASS firmly on its core business. However, one of the joys of bringing all the services that impact on a child's life together is that in time we will be able to use our experience and expertise to reflect more widely on issues surrounding contact, for example, and how best to support children as they go through the court processes. I talked to many of the non-statutory organisations referred to in the debate about those and other issues.

Mr. Dawson: One of the really welcome things in the report is the professed support that CAFCASS gives to the participation and involvement of children. However, could it not become involved with organisations such as A National Voice, the Who Cares? Trust and Voice for the Child in Care, which are already doing extremely valuable work in that area? CAFCASS does not need to reinvent the wheel and erect another structure.

Margaret Hodge: Yes, I completely take that point and will reflect on it.

My hon. Friend the Member for Stafford talked about the early intervention schemes in Florida and referred us to the article by Mrs. Justice Bracewell in *The Guardian* yesterday, which I managed to read during the debate. I have looked at the scheme; it is extremely interesting and we are considering whether we can take it forward with Mrs. Justice Bracewell. As with all such things, it would cost money, even on a pilot basis. We have to see whether we can identify the appropriate resources.

Mr. Kidney: As the hon. Member for Worthing, West (Peter Bottomley) said earlier, some responsibilities are for other people to assume. For early interventions, parents need access to information as soon as an application is lodged. They also need access to specialist parenting programmes and to parenting mediators with special expertise and contacts. Those are the responsibilities of others, not CAFCASS, but we should link them together.

Margaret Hodge: Again, I completely take that point. Those who have heard me talking about the Green Paper in various contexts know how important I think parenting is to children's lives. That is a subject on which the Government need to do much more thinking and on which there should be a great deal more policy development. Much more appropriate support should be available to all parents. I was interested to hear about the positive parenting experiment that my hon. Friend is pursuing in Stafford, and would welcome a more detailed briefing from him.

I take also the point made by the hon. Member for Worthing, West (Peter Bottomley) that our ambition must be to reduce the number of children that go anywhere near the court system. I hope that, when the hon. Gentleman has read the Green Paper—perhaps he has already done so—he will see that, in evolving and developing services for children and young people, our emphasis is on trying to intervene earlier in their lives, to enable children to develop their potential and to stop them falling through the net and therefore into the court system. That involves the sort of programmes, such as sure start and home start, that the hon. Gentleman mentioned and that I think are extremely important. The aim is to identify problems early, so that we can intervene swiftly before a problem becomes a cri[illegible] child grows, develops and encounters certain issues.

Peter Bottomley: Will the Minister allow me to add a brief point? Most of what most people know comes from the ordinary media. The Minister may remember—we are probably about the same age—the time when the media gave practically no coverage to people's working lives, whereas now, business and what we do at work are given media coverage. Yet although there are television and radio programmes about gardening, cooking, housing, and antiques, we have no equivalent depicting the ups and downs and ins and outs of ordinary family life. The media should turn their undoubted talents not to the public service message but to some of the

excitements of family life. We know how to fix a car, but we do not know how to fix a family or marriage, or care for children when their parents are in trouble.

Margaret Hodge: While the hon. Gentleman was speaking, I was thinking about the soaps and how all we see on television is things going horribly wrong and the rather vile aspects of family life.

Good parenting in the home has a greater positive impact on a child's life than the most wonderful teacher in the most excellent school. We all know that, and research confirms it. Armed with that knowledge, it behoves us all to think how we can best support parents in their most difficult task. When I came home with my first bundle of joy in my arms, I was completely at a loss. We are given lots of antenatal advice, but we are not given a huge amount of post-natal support, except—I should say before I am attacked for making that remark—the support provided by the valuable services of the health visitor.

This is a difficult area of public policy for politicians at central and local level, because they are quickly accused of interfering in private family life and the Government are quickly accused of running a nanny state. Equally, however, I think that it is an abrogation of our duty not to acknowledge the importance of parenting and provide opportunities for support. There is not enough of that in the public domain.

Mr. Kidney: On the media, it is not a question of Government nannying. Members of the all-party group on children had a presentation about Australia's "triple P" positive parenting programme—during which we watched an edition of a magazine-style programme about children's issues. The one we saw was about preparing a five-year-old child for their first day at school. It was a super, natural and entertaining piece of television. That is the kind of thing that we should appeal to our media to take an interest in.

Margaret Hodge: I could not agree more. The transition points in children's lives are particularly important, but we find that that is what there is least support for parents in. We want to focus on the transition from hospital to home, home to nursery, nursery to primary school, primary school to secondary school and beyond that. I also completely concur with what the hon. Member for Epping Forest said about the need for early intervention.

I should say to my hon. Friend the Member for Lancaster and Wyre that we are planning to implement section 122 of the Adoption and Children Act 2002 by the end of 2004. Apparently, I am shortly to receive the submission that will tell me all the details of implementation.

In discussing some of the difficulties that confront CAFCASS, we should not lose sight of the achievements, and I hope that all Members acknowledge them. We have terrific front-line practitioners, and we should celebrate that and acknowledge the extraordinarily good work that they do in extraordinarily difficult circumstances. We have more of them: CAFCASS has recruited 174 more practitioners just in the last financial year. The organisation should be commended on that. A comprehensive training programme is in place for front-line officers, which is good. There is a better response to an increase in referrals, and that, too, needs to be celebrated. Money is going to the support services. The new organisation can, because it is unified, focus on vulnerable children. It has a specific remit to promote the welfare of children through its services. We should celebrate all of that.

What are our aims? We want to get to a situation in which cases are speedily allocated and promptly dealt with by an extremely high-quality service. We want all those who work on the front line to enjoy the best training and support, and work through what is a difficult period of bringing together many disparate organisations harmoniously, with national standards of practice. We want to see how CAFCASS can better support children and their families at a time of greatest need. We want not only to ensure that we meet the requirements of the protocol that has just been signed by all the organisations that deal with public law cases, but move beyond that if we can.

As the right hon. Member for Berwick-upon-Tweed said, we want to get behind CAFCASS. With the transfer of responsibility, we have an opportunity to make a fresh start. I am determined to grasp that opportunity because, like all Members who have spoken in the debate, I believe that our children deserve nothing less.

4.54 pm

Mr. Beith: With the leave of the House, I would like to thank those hon. Members who have taken part in today's debate. They have brought to it a wealth of experience.

The hon. Member for Stafford (Mr. Kidney) rightly emphasised the need for us and for others to revisit relatively soon the issues that we have discussed today to ensure that nothing is lost sight of. The hon. Member for Worthing, West (Peter Bottomley) broadened the issue by referring to the background that is driving the increased number of cases that place such a heavy burden on CAFCASS.

The hon. Member for Cardiff, North (Julie Morgan) raised several important issues specific to Wales, which the Committee did not consider, but which I have discussed quite a bit in the weeks since the report was published. Two questions I had to which I have not yet had an answer are: has the creation of the Children's Commissioner yet made a significant difference; and is there interaction between the Children's Commissioner and CAFCASS? There are questions for the future of CAFCASS Cymru relating to whether it should have more autonomy and therefore an ability to relate to the Welsh Assembly, which will determine the policy issues in its sphere.

The hon. Member for Lancaster and Wyre (Mr. Dawson) was severely critical of the Government's response, both generally and specifically in respect of tandem representation. Perhaps that comes better and more effectively from him than it does from me. He was right to draw attention to those issues. Like the Committee, he levelled severe criticisms at the board. It is fair to say that board members have tried to challenge what was going on in the organisation, and that the board as a whole was handicapped from the start in the

[Mr. Beith]

ways that I have described. I do not want to be unfair, but individual board members will obviously carry the burden of what they know, and I know that they have become increasingly aware of some of the things going wrong with CAFCASS.

The Minister finds herself in the happy position where Opposition Front Benchers are supportive and encouraging of what she needs to do. That applies to both my hon. Friend the Member for Southport (Dr. Pugh), who spoke on behalf of the Liberal Democrats, and to the hon. Member for Epping Forest (Mrs. Laing), who spoke for the Conservatives. I was particularly grateful to the latter for her kind remarks.

The Minister diligently responded to a wide range of the issues raised. The way in which she spoke about resources suggested that she was asking how we had got into the present situation, given that everything was done at a much lower cost before. If I remember rightly, it was discovered at quite an early stage—once it was established just who was working for CAFCASS and how many people were involved—that the salaries bill almost exceeded the base budget set for the organisation. Quite how that happened is a mystery to me, but it illustrated that there was something seriously wrong in resourcing from the beginning.

The Minister will have to knock pretty hard on the Treasury's door, if only to tell it that something must be done to alleviate the situation immediately, which will require some resources. Hopefully, as the hon. Member for Worthing, West pointed out, there need not be a permanent shift in the balance, but there are immediate resourcing needs.

The Minister for Children let slip a little-known fact: CAFCASS is still formally the responsibility of the Secretary of State for Constitutional Affairs, because a transfer order is needed. Technically, she should not be here at all, which is one of the absurdities of Government reorganisation; but that need not prevent the start of work to get the framework document rewritten and to establish a new culture in how the Department relates to the organisation. We need to create, through the appointment of a new board, an organisation that takes responsibility for its decisions and is allowed to get on with the job with the necessary resources, without having constantly to respond to ambiguous instruction from the parent Department.

The range of issues that the Minister considered perhaps took our gaze away for a moment from the most fundamental matters, and my final point is to reiterate those. The resources issue must be given careful consideration. There must be a culture change in governance and in the relationship with the Department. There must be effective use of the skills that are available to CAFCASS, or that could become available if it recruits, or brings back in, the people who are outside. Above all, the service must put the children first. It is on that note that I wish to end the debate.

Question put and agreed to.

Adjourned accordingly at four minutes to Five o'clock.

Written Ministerial Statements

Tuesday 14 October 2003

NORTHERN IRELAND

Northern Ireland Tourist Board

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): The Northern Ireland Tourist Board's 2001–02 annual report and accounts have been deposited in the Libraries of the House.

Probation Board

The Minister of State, Northern Ireland Office (Mr. John Spellar): I have today published the Probation Board (Northern Ireland) for Northern Ireland Annual Report for 2002–03. Copies of the report have today been placed in the Libraries of both Houses.

Labour Relations Agency

The Minister of State, Northern Ireland Office (Jane Kennedy): I have today placed copies of the 2002–03 Labour Relations Agency annual report and accounts in the Libraries of both Houses.

Youth Justice Agency

The Minister of State, Northern Ireland Office (Mr. John Spellar): The Report on the Review of the Criminal Justice System in Northern Ireland, which flowed from the Belfast agreement, recommended in the area of youth justice that the Lisnevin Juvenile Justice Centre be closed.

Following a consultation process, the then Minister of State, right hon. Adam Ingram MP concluded that none of the existing juvenile justice centres were suitable. On 29 November 2000 he announced that the best way forward was to construct a new purpose designed facility on land available at Rathgael and that while the new centre was being built, young people already in the system should be transferred to the Rathgael campus. He also announced that Lisnevin would close.

The development of the Rathgael site is being advanced in two stages and I am pleased to announce in this statement that Phase 1, which involved the extensive renovation and up-grading of the Juvenile Justice centre on that site has now been completed and that the Lisnevin centre has closed.

The refurbished centre is now fully operational and will provide a step change in the quality of the custodial provision for juvenile offenders in Northern Ireland. It will operate as the sole custodial facility for young people in Northern Ireland, providing a satisfactory interim solution pending the construction of a purpose-built centre on the same site over the next 3 years.

Northern Ireland Forest Service

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): The Key Targets for achievement by the Northern Ireland Forest Service (an Executive Agency of the Department of Agriculture and Rural Development) in 2003–04 are:

To publish a statement on forest policy and develop a strategy for implementing the policy.

To establish 500 hectares of new plantations.

To replant 750 hectares of land following harvesting.

To pay out woodland grant scheme and farm woodland premium scheme grants of £1.8 million to encourage the extension of the area of private woodland.

To pay 90 per cent. of woodland grant scheme and farm woodland premium scheme claims within eight weeks of receipt of a properly completed claim form.

To retain certification under the UK woodland assurance standard

To produce 400,000m^3 of timber for sale to the wood processing sector.

To achieve 400,000 paying visitors to forests.

The Forest Service business plan for 2003–04 will be published and placed in the Libraries of both Houses at a later date.

CONSTITUTIONAL AFFAIRS

Public Guardianship Office

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): My hon. Friend Lord Filkin has today set the following key performance indicators and targets for the Public Guardianship Office for 2003–04:

KPI 1: To increase the satisfaction of its customers in the delivery of its services.

Target:

To achieve a customer satisfaction rating of at least 50 per cent for both professional and lay receivers, as measured by its annual customer survey.

KPI 2: To increase the proportion of effective visits by the Lord Chancellor's Visitors.

Targets:

To maintain a minimum of 6,000 visits per year to include all Receivership Division clients.

To visit all new receivership clients where the Chief Executive of the PGO has been appointed receiver of last resort.

To achieve 75 per cent. effective visits over the year.

KPI 3: To increase the percentage of accounts collected on time and reviewed on time, and will use this process to review the case management regime to ensure that it is meeting the needs of each customer and client.

Targets:

To collect 60 per cent. of accounts within two calendar months of the accounting end date, 80 per cent. within four calendar months of the accounting end date, and 100 per cent. within six calendar months of the accounting end date, referring cases to the Court of Protection where necessary or taking other steps to ensure proper accounts are produced on behalf of clients (applies to Protection clients only: i.e. those clients who have an external receiver).

To complete the review of 100 per cent. of accounts received or to have requested further information within four weeks (20 working days) of receipt (to apply to both Receivership and Protection clients).

KPI 4: To deliver an improved service to clients:

Targets:

To respond to 95 per cent. of letters, faxes and e-mails within 15 working days of receipt.

For 95 per cent. of requests for release of funds, the PGO will give directions to the Court Funds Office (CFO) or dispatch direction to an external receiver within 10 working days of receipt.

To dispatch court orders and directions to applicants, receivers or their representatives in 95 per cent. of cases within 25 working days of their being made.

For 95 per cent. of complete applications for final directions, the PGO will give directions within 25 working days, to transfer all of clients' assets to personal representatives.

To register and return 95 per cent. of correctly lodged EPAs, where there are no objections within five working days of the end of the statutory waiting period.

KPI 5: To demonstrate improvements in efficiency by meeting three financial performance targets.

Targets:

To remain within budget.

To achieve a fee income of £13.1 million.

To achieve a unit cost per case of not more than £535.

Land Registration Act 2002—Chancel Repair Liability

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): On 14 September 2003 a Transitional Provisions Order relating to the status of chancel repair liability was made under the Land Registration Act 2002. The making of the order follows the reversal by the House of Lords in June 2003 of the Court of Appeal's decision in Wallbank *v* Parochial Church Council of the Parish of Aston Cantlow and Wilmcote with Billesley, Warwickshire. The order provides that, for a period of 10 years from the coming into force of the Act on 13 October 2003, chancel repair liability will remain an interest that binds successive owners of land even though it is not protected by an entry in a register kept by the Land Registry. As no land registration fee is payable for applications to protect similar ancient property rights, such as payments in lieu of tithe, Crown rents and manorial rights, the Land Registry intends to waive the fee for applications to protect chancel repair liability for the 10 year period.

TREASURY

Census 2001

The Financial Secretary to the Treasury (Ruth Kelly): The report "Census 2001 Report for Parliamentary Constituencies", containing results from the 2001 Census, was laid before Parliament and published on 25 September.

This report contains results from the 2001 Census for the areas covered by the 659 Parliamentary Constituencies in all four countries of the UK. The tables present similar information to that previously published for local authorities on 13 February, for wards on 30 June and for health areas on 31 July. The data are also available on the neighbourhood statistics section of the National Statistics website.

WORK AND PENSIONS

Housing Benefit

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): On behalf of my right hon. Friend the Secretary of State for Work and Pensions I am announcing the publication of performance statistics for local authority administration of Housing Benefit and Council Tax Benefit (HB and CTB) for the first quarter of 2003–04. The quarterly statistics for all local authorities in Great Britain were published on 9 October 2003 on the Department for Work and Pensions website at http://www.dwp.gov.uk/asd/other_stats.html and placed in the Library.

Publishing these statistics is part of our strategy for reforming Housing Benefit and for ensuring that Local Authorities are accountable for their performance in Administration of Housing Benefit and Council Tax Benefit.

Housing Benefit and Council Tax Benefit performance statistics show that in the first quarter of 2003–04:

96 authorities reported meeting the standard of processing new claims, on average within 36 days;

The average reported number of days to process new claims reduced from 59 in the first quarter of 2002–03 to 53 days in the first quarter of 2003–04;

Authorities in the worst quartile of performance reported processing times between 56 and 153 days;

106 authorities reported meeting the standard of processing changes in circumstances, on average within 9 days;

The average reported number of days to process change of circumstances remains at 18 days when compared to the same quarter in 2002–03.

The statistics are unaudited and are provided quarterly by local authorities to the Department.

The latest annual audited Best Value performance information for English local authorities is for 2001–02 and was published by my right hon. Friend the Deputy Prime Minister on 12 December 2002 on the Best Value Performance Indicators website at: http://www.bvpi.gov.uk/home.asp. A copy is available in the Library.

The most recent corresponding data for local authorities in Wales is for 2001–02. These are published on the Audit Commission website at http://ww2.audit-commission.gov.uk/pis/pi_data_0l.shtml. A paper copy of the relevant extract from this site is available in the Library.

The most recent corresponding data for local authorities in Scotland are also for 2001–02 and are in the Accounts Commission publication "Performance Indicators 2001–2002": "Benefits, Finance and Corporate Issues", a copy of which is available in the Library.

Pension Credit

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Payment of the new Pension Credit began on 6 October. I can now report the following progress on applications for the new entitlement; figures represent the period up to 6 October 2003.

There are now around 1.9 million pensioner households on our systems being paid Pension Credit, which represents over 2 million individuals. All those who were receiving Minimum Income Guarantee have now been transferred automatically onto Pension Credit. Of the awards made 1.15 million pensioner households (over 1.3 million pensioners) will get more than they would have before.

Our direct mail campaign is continuing, supported by a major advertising campaign on TV and in the press which began in September. We have now written to some 1.6 million households and will have written to all pensioner households by June 2004. We are continuing to work with partner organisations, such as Help The Aged, Age Concern and Citizens Advice, amongst others, both at a national and local level, to encourage eligible people to take up their entitlement.

We have made good use of an advance application period, which began in April, to ensure that our systems and procedures are working as they should and we have recruited extra staff and invested in new infrastructure to meet the additional demands of the new entitlement.

There is plenty of time for pensioners to apply for Pension Credit. To ensure that pensioners do not lose out, there is a twelve month backdating provision until October 2004. This will allow applications to be backdated to October 2003, where entitlement exists, or to the date entitlement begins if this is later.

I am placing a chart showing progress so far in the Library. From November onwards, I will provide more detailed monthly progress reports on take up of Pension Credit.

TRANSPORT

Utility Street Works

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): Regulations under section 74 of the New Road and Street Works Act 1991 came into force in April 2001. These allow highway authorities to charge utility companies for works in the street which overrun an agreed deadline.

Following the implementation of these powers my Department appointed consultants, Halcrow, to monitor their effectiveness in reducing disruption on the highway. Copies of Halcrow's first annual report were placed in the libraries of both Houses last autumn.

Halcrow have now produced their second annual report on these powers: Assessing the Extent of Street Works and Monitoring the Effectiveness of Section 74 in Reducing Disruption. The report consists of two volumes; Volume 1 is the main report and Volume 2 contains accompanying tables and charts. Copies of each have been placed in the Libraries of both Houses.

HOME DEPARTMENT

Criminal Cases Review Commission

The Secretary of State for the Home Department (Mr. David Blunkett): I am pleased to inform the House that Mr. Ian Nichol has been appointed as a member of the Criminal Cases Review Commission. Copies of the press release relating to this appointment are available in the House Library.

UK Passport Service

The Minister for Citizenship and Immigration (Beverley Hughes): On 1 September 2003 the Criminal Records Bureau became an independent Agency in its own right and the UK Passport Service was re-established as a separate Agency. The UK Passport Service and Criminal Records Bureau will now operate under separate Framework Documents. The UK Passport Service Framework Document has been published today and copies have been placed in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Intergovernmental Conference (Rome)

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): On 4 October the Prime Minister and I attended the opening session of the Intergovernmental Conference (IGC) in Rome. The Conference has been convened to enable member states to make decisions on a future Constitutional Treaty in order to ensure that an expanded European Union is both more effective and more accountable. Its starting point is the draft Treaty produced by the Convention on the Future of Europe, placed before the House this August as Command Paper 5897.

On 9 September we issued a White Paper (Cm 5934) setting out the Government's approach towards the IGC. As we said in that White Paper, the draft Treaty is a good basis for starting the IGC negotiations. It consolidates existing Treaties into a clearer and more comprehensible text, but one which does not alter the fundamental constitutional relationship between the member States and the Union. It provides for the more efficient decision making processes which will be needed in an enlarged Union of 25 members. For example, it proposes a new position of full-time Chair of the European Council, which will make the Union more efficient, by ending the frequent changes of direction and priority inherent in the rotating Presidency system. It also reinforces the role of national Parliaments in the European Union, and the application of the principle of subsidiarity.

We do not regard the draft treaty as perfect: as for many other member sates, there are some points in the text which we want to change and others which we need to examine in more detail. Final decisions at the IGC are

by unanimity and, as our White Paper stated, we will only accept a final text which makes it clear that issues like tax, defence and foreign policy remain the province of the nation State.

This first detailed session of the IGC, attended by Foreign Ministers, agreed that, when the Council of Ministers is legislating, its proceedings should be as open as possible. It also agreed that the provision in the draft Treaty for establishing a legislative Council, which we opposed, would be dropped.

The European Council of 16 and 17 October will continue discussion of the draft Treaty. In the meantime Foreign Ministers met in the context of the General Affairs and External Relations Council, on 13 October. We hope for agreement on a final text in sufficient time to allow for signature of a treaty, as provided in the conclusions of the Thessaloniki Council, as soon as possible after 1 May 2004. In the interim we will of course continue to keep the House informed of progress, including through Ministerial appearances at the IGC Standing Committee.

Iraq: Export Licence Application

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Following consultation with the Foreign and Commonwealth Office and the Ministry of Defence, the Department of Trade and Industry recently approved a further licence to export military list goods to Iraq. The arms embargo against Iraq remains in place under United Nations Security Council resolution 1483 (2003), with the exception of arms and other related material required by the Coalition Provisional Authority to serve the purposes of this and other related resolutions. Accordingly, Her Majesty's Government consider it appropriate to grant exemptions for the export of sub-machine guns and pistols that are to be used by private security firms contracted to provide close protection for employees of the Coalition Provisional Authority (CPA) in Iraq. The export is consistent with the consolidated EU and national arms export licensing criteria. Future applications will continue to be assessed on a case by case basis against the UN embargo and consolidated criteria, taking into account the circumstances prevailing at the time.

Council of the European Union

The Minister for Europe (Mr. Denis MacShane): The forthcoming business in the Council of the European Union is as follows:

Date	*Location*	*Event*
October		
2–3		
3–4		
7	Brussels	Justice & Internal Affairs
9–10	Rome	Defence (Ministerial Informal)
13–14	Brussels	ECOFIN
13–14	Brussels	Transport, Telecom & Energy Council
16–17	Brussels	General Affairs and External Relations Council (GAERC)
20–21	Brussels	Agriculture & Fisheries Council
24–25	Brussels	EUROPEAN COUNCIL
27–28	Brussels	Employment, Social Policy, Health and Consumer Affairs
27	Brussels	Education, Youth & Culture Council
	Brussels	Justice & Internal Affairs (Informal Council)
	Brussels	Environment Council
November		
4	Brussels	ECOFIN
6	Brussels	EU-Russia Summitt
6	Brussels	Justice & Internal Affairs (Informal Council)
6–7	Catania	European Conference on Employment
17–18	Brussels	General Affairs and External Relations (GAERC)
17–18	Brussels	Agriculture & Fisheries Council
18	Milan	European Conference on Immigration & Labour Market
24–25	Brussels	ECOFIN
24–25	Brussels	Education, Youth & Culture Council
27–28	Brussels	Justice & Internal Affairs (Informal Council)
28	Brussels	EU & Western Balkans JHA Ministers Meeting
December		
1–2	Rome	Euromed Meeting
1–2	Brussels	Employment, Social Policy Health and Consumer Affairs Council
1–3	Rome	Informal Public Administration Ministerial
4–5	Brussels	Transport, Telecom & Energy Council
5–7	Rome	Closing Conference for the European Year of the Disabled
8–9	Brussels	General Affairs and External Relations Council (GAERC)
9	Brussels	EU and Western Balkans Foreign Ministers meeting
12–13	Brussels	EUROPEAN COUNCIL
15–17	Brussels	Agriculture & Fisheries Council
16	Brussels	ECOFIN
22	Brussels	Environment Council
January		
8	Brussels	Agriculture & Fisheries Council
16–17	Brussels	Employment & Social Policy (Ministerial Informal)
16–17	Ireland (venue tbc)	Informal Employment and Social Policy
19	Brussels	Eurogroup
20	Brussels	ECOFIN
22–23	Ireland (venue tbc)	Justice & Home Affairs (Ministerial Informal)
26–27	Brussels	General Affairs and External Relations Council (GAERC)
February		
10	Brussels	ECOFIN
19	Brussels	Justice & Home Affairs (Ministerial Informal)
23–24	Brussels	General Affairs and External Relations Council (GAERC)
23–24	Brussels	Justice & Home Affairs (Ministerial Informal)
26	Brussels	Education, Youth & Culture Council
March		
2	Brussels	Environment Council
4–5	Brussels	Employment, Social Policy, Health & Consumer Affairs Ministerial
8–9	Brussels	Transport, Telecom & Energy Council
9	Brussels	ECOFIN
11	Brussels	Competitiveness Council
22–23	Brussels	General Affairs & External Relations (GAERC)
22–23	Brussels	Agriculture & Fisheries Council
25–26	Brussels	EUROPEAN COUNCIL
31	Brussels	Justice & Home Affairs (Ministerial Informal)

Date	*Location*	*Event*
April		
16–17	Brussels	GYMNICH
23–24	Brussels	Economic & Financial Affairs
26–27	Brussels	General Affairs & External Relations (GAERC)
26–27	Brussels	Agriculture & Fisheries Council
29–30	Brussels	Justice & Home Affairs (Ministerial Informal)

British Council Art Exhibitions

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The British Council, although not a Government Department, receives a substantial grant-in-aid from the Foreign and Commonwealth Office. The Council regularly organises or sponsors exhibitions overseas of works of art loaned from National Galleries and private collections in the United Kingdom. It provides certain assurances or guarantees in respect of loss or damage while these works are on loan.

In the six-month period ended 30 March 2003 the British Council provided such assurances to 4 national lenders and undertakings to 171 private lenders. The value of the contingent liabilities that remained outstanding as at 30 March 2003 in respect of national lenders was £300,000 and £3,703,862 in respect of private lenders.

Following a recent review, HM Treasury, the Foreign and Commonwealth Office and the British Council have agreed to a revision of the Government art indemnities arrangements for artworks loaned to British Council exhibitions overseas. The revised scheme, which comes into effect on 1 April 2004, has three main features. The maximum total liability available to the Council at any one time will be £50 million (compared with the current £70 million). The £50 million limit does not include "high value" exhibitions (i.e. single exhibitions valued at £30 million or over), which are treated separately. In the case of "high value" exhibitions the Council will submit proposals to the UK's Public Diplomacy Strategy Board and HM Treasury for approval at least two years in advance. For all exhibitions the Council will have to show evidence of having approached the Government of the host country for cover and of having sought sponsorship for commercial insurance.

INTERNATIONAL DEVELOPMENT

IRAQ: Reconstruction

The Secretary of State for International Development (Hilary Benn): At the Donors' Conference on Iraq, in Madrid on 24 October, the UK will make a total financial commitment towards Iraq's reconstruction of £544 million for the three years from April 2003, including the funding that we have provided so far and our share of proposed European Community spending in Iraq. £248 million is humanitarian and reconstruction assistance already committed by DFID and other Government Departments (£9 million of which is our share of the EC commitment), and £296 million will be for the period up to March 2006 (£29 million of which is our share of currently proposed EC spending). We expect to channel a substantial proportion of this spending through Multi-Donor Trust Fund arrangements being established by the World Bank and the United Nations, and to continue to support bilateral and multilateral programmes in Iraq. This funding does not include the costs of maintaining security in Iraq, towards which we are making a major contribution. Nor will it involve any reduction in DFID's planned development expenditure for low income countries. We remain committed to deliver £1 billion of bilateral assistance for Africa in 2005–06, and to increase the proportion of bilateral spending on low income countries to 90 per cent. by the same time.

DEFENCE

Afghanistan

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): On 3 October 2003, following the expiry of the call-out order made last October, I signed a new call-out order—made under the Reserve Forces Act 1996—to allow reservists to continue to be called out in support of stabilisation and reconstruction operations in Afghanistan. The new order is effective until 30 September 2004.

Over 230 reservists were called out under the order made last October. We are most grateful for their continuing commitment and the invaluable contribution they and their employers make to this operation.

I have also authorised the Military Secretary to call out special members of the reserve forces, known as sponsored reserves, who are involved with the heavy equipment transporter contract. They will support operations in Iraq, with about 10 reservists deployed at any one time.

TRADE AND INDUSTRY

British Energy

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): On 1 October, British Energy announced that it had formally agreed with creditors the terms of its proposed restructuring announced on 28 November last year.

In the light of the company's announcement, I have confirmed the Government's support for the plan by entering into the Government Restructuring Agreement (GRA) with British Energy. This is an overarching agreement recording the conditions of the Government's commitment to British Energy to proceed with the restructuring and making that commitment legally binding. It entails the Government agreeing that, when the restructuring takes place (Restructuring Effective Date), it will enter into the following principal agreements with British Energy:

> CONTRIBUTION AGREEMENT, which details the mechanisms by which the British Energy group will make contributions to the Nuclear Liabilities Fund (NLF) for the purpose of discharging its liabilities.

NUCLEAR LIABILITIES FUNDING AGREEMENT, which provides for the mechanisms by which Government will meet its commitment to underwrite the NLF to the extent that British Energy's contributions are not sufficient to meet the costs, as and when they fall due, of decommissioning British Energy's power stations and discharging other uncontracted nuclear liabilities.

HISTORIC LIABILITIES FUNDING AGREEMENT, which details the mechanisms by which Government undertakes to discharge British Energy's payment obligations under certain of its existing contracts with BNFL with respect to the management, reprocessing and storage of historic spent fuel, i.e. fuel loaded into British Energy's reactors prior to the Restructuring Effective Date.

OPTION AGREEMENT, which details the mechanisms by which Government may exercise an option to acquire the British Energy stations at the time when British Energy plans to shut them, either to prolong their operation where it is economically advantageous to do so or decommission them within the public sector.

These agreements are within the terms of the support for British Energy which I announced to the House on 28 November last year. They are summarised in more detail in British Energy's announcement of 1 October, which I have placed in the Libraries of both Houses. This announcement also gives more details of the conditions of the formal agreements to the proposed restructuring, which include the acceptance of the restructuring terms by a sufficient number of British Energy's significant creditors.

The restructuring will only be implemented once all these conditions are met. Other conditions include the receipt of State Aid approval from the European Commission. The Commission announced on 23 July 2003 that it was opening a formal investigation procedure into the Government's proposed restructuring aid to British Energy. The period for third party comments to the Commission has now closed and the Government are continuing to work with the Commission to complete the investigation as swiftly as possible.

Also, if the Government are not satisfied that British Energy will be viable in all reasonably foreseeable conditions, or if there is a material adverse change in British Energy's position, the Government have reserved the right to withdraw their support for the restructuring.

This would include withdrawal of the Government's secured credit facility, which the Government are otherwise continuing to make available to British Energy at its current level of up to £200 million. Drawings under the credit facility can be made up to the date of the European Commission's decision on the Government's proposed restructuring aid, or 30 September 2004, whichever is earlier. Repayments under the credit facility have to be made by the earlier of the Restructuring Effective Date or 30 September 2004.

British Energy's announcement is a significant step forward in the implementation of its restructuring plan. However, there are significant milestones ahead, and the Government's contingency plans to fund the administration of the company should any of the restructuring conditions not be met or the restructuring fail for any other reason, will, therefore, remain in place. This means that whether or not the solvent restructuring plan is implemented the nuclear power stations will continue to generate electricity and employ staff and customers' lights will stay on. Government's overriding objectives of ensuring the safety of the nuclear power stations and the security of electricity supplies to the grid and consumers will be met.

I understand that in November British Energy will be making copies of the key agreements signed on 1 October available for public inspection. When this takes place, I will also place copies of those agreements in the Libraries of both Houses.

DEPUTY PRIME MINISTER

Planning and Compulsory Purchase Bill

The Minister for Housing and Planning (Keith Hill): I have today published for consultation draft regulations and policy statements on regional and local planning arrangements, and on development control processes. The regulations and guidance underpin the provisions of the Planning and Compulsory Purchase Bill, currently before the House. They are issued for consultation, subject of course to any changes made to the Bill by the House.

The draft regulations set out detailed procedural matters in relation to regional and local planning matters and development control. We are also publishing draft revised rules for procedures for major infrastructure projects.

Planning Policy Statement 11 (PPS11), which will supersede PPG11 when the Planning Bill comes into effect, sets out the how Regional Spatial Strategies (RSS) should be prepared and revised under the new statutory framework. In particular it places a new emphasis on community involvement and partnership working, integration with other strategies, making the RSS more regionally specific and on the delivery of policies

Planning Policy Statement 12 (PPS12) sets out the Government's policy on the preparation of the local development documents that will comprise the local development framework for a local planning authority or for a minerals and waste planning authority. It explains the actions that need to be taken in preparing the local development documents, which will deliver the spatial strategy for the area and the new, streamlined arrangements for dealing with the formal stages of the process. It emphasises the need for community involvement and explains how local planning authorities should prepare sound development plan documents, which will be independently tested before adoption by the authority.

The Government also published today for consultation draft guidance on development control matters.

The Government will be publishing consultation drafts of other planning policy statements in due course, in particular Planning Policy Statement 1, setting out the principles underlying the planning system in England.

The public consultation on the draft guidance and regulations will run until 16 January. The secondary legislation will be laid before Parliament as soon as possible after the Planning Bill receives Royal Assent. We are planning for both the guidance and secondary legislation to come into effect at commencement of the Act.

I am today placing copies of the documents in the House library. They will also be available on the website of the Office of the Deputy Prime Minister.

Written Ministerial Statements

Wednesday 15 October 2003

NORTHERN IRELAND

Sex Offences Review

The Minister of State, Northern Ireland Office (Mr. John Spellar): A review of sex offences in Northern Ireland is being undertaken by officials in the Northern Ireland Office. The review follows on from proposed changes to the law on sex offences in England and Wales, and is looking at ways to achieve a strengthened and modernised body of law on sexual offences in Northern Ireland.

The terms of reference for the review are:

> "To review the sex offences in the common and statute law in Northern Ireland, and make recommendations that will:
>
> provide coherent and clear sex offences which protect individuals, especially children and the more vulnerable, from abuse and exploitation; enable offenders, particularly abusive offenders, to be appropriately punished; and
>
> be fair and non-discriminatory in accordance with the ECHR, Human Rights Act and the Northern Ireland Act 1998."

The review will seek to adopt, and adapt to the Northern Ireland context, much of the work undertaken in the Home Office review of sex offences. It will also take into account proposed reform of the law in England and Wales resulting from the Sexual Offences Bill currently before this House. It is our intention to draw upon the knowledge and experience of interested groups and to issue a consultation document in early 2004. Our aim is to introduce legislation in the 2004–05 parliamentary session.

DEFENCE

Oil and Pipelines Agency

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The first stage of the Quinquennial Review (QQR) of the Oil and Pipelines Agency (OPA), an Executive Non-Departmental Public Body (NDPB), has been completed. The review focused on the OPA and its role as managing agent of the Government Pipeline and Storage System (GPSS).

The Stage 1 report found general satisfaction in the performance of the OPA since its inception and that customers both military and commercial were generally content with its stewardship of the GPSS. The report also established that there is a continuing need for the GPSS and hence for it to be managed. Having established this need, the review concluded that the OPA was best placed to discharge this role and, after examining a range of alternative status options for the OPA, considered that it should continue to operate as an NDPB for the present time.

The review also concluded that there were a number of improvements that should be taken forward into Stage 2 of the review, the most significant of which are:

> Developing the OPA's Management and Business Plans.
>
> Revising the Managing Agency Agreement between my right hon. Friend the Secretary of State for Defence and the OPA.
>
> Revising arrangements for corporate governance.
>
> Reviewing the OPA support structure and communications.

I have given my endorsement to the report's recommendations and Stage 2 is now underway with the aim of completing this work by the end of 2003. A copy of the Executive Summary of the QQR Stage 1 report has been placed in the Library of the House.

Warship Support Agency

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Key Targets have been set for the Chief Executive of the Warship Support Agency for financial year 2003–04. The targets build on progress already made and are as follows:

Key Target 1: Quantity

To meet the 100 per cent. available vessel days target.

Key Target 2: Timeliness

To meet the < 6.5 per cent. upkeep period timeliness target.

Key Target 3: Timeliness

To achieve the 95 per cent. target for timely completion of the high priority upgrade programme.

Key Target 4: Quality

To achieve the Operational Support Services target of providing the appropriate standard of single living accommodation to 35 per cent. of naval personnel.

Key Target 5: Quality

To achieve the Operational Support Services target of meeting the Customers Needs ISO Quality Control Comment Form targets, as follows:

Group 1–0 failures

Group 2–0 failures

Group 3 < 5 per cent. failure

Key Target 6: Quantity

To generate the capacity to support the Naval Force Generation Plan target with Green assessments against all elements.

Key Target 7: Cost/Efficiency

To make the necessary Agency contribution to the Defence Logistics Organisation Strategic Goal of reducing Output Costs by 20 per cent. by 2005 whilst ensuring that we continue to deliver and, where appropriate, improve the quality of our outputs.

CONSTITUTIONAL AFFAIRS

Access to Government Information

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Code of Practice on Access to Government Information Monitoring Report for 2002 is being published today. Copies are available in the Libraries of both Houses.

HOME DEPARTMENT

Immigration Control

The Minister for Citizenship and Immigration (Beverley Hughes): The Government are firmly committed to maintaining effective immigration controls while at the same time ensuring that genuine passengers are able to pass through our ports with the least possible inconvenience.

The number of people arriving at UK airports who are found to be inadmissible is unacceptably high. Certain nationals, who are required to hold a valid visa to enter the UK, may transit this country for up to 24 hours without a visa.

This provides a relatively easy and inexpensive way for those who are intent on circumventing our immigration controls to do so. We have already introduced measures to tackle this problem with the introduction of a direct airside transit visa requirement for 16 nationalities on 24 June. We now need to take further action and have identified six nationalities (Angola, Bangladesh, Cameroon, India, Lebanon and Pakistan) as posing a particular problem. Therefore from 00.01 hours on Thursday 16 October nationals of those six countries wishing to transit the UK will require a visa to do so. To avoid undue hardship for those who had already made their travel plans, we have agreed to operate a grace period. Until 23.59 hours on Monday 20 October any transit passenger who bought their ticket on or before 15 October will not be refused entry solely on the basis of not holding a valid transit visa. Also, any person on the return leg of a journey they commenced before 16 October and who passed through the UK on the outward leg of their journey will be allowed to transit the UK without a visa until 23.59 on 12 November.

In parallel with those measures we are introducing changes that will allow certain groups of low risk passenger who would normally require a transit visa to be exempt from such a requirement if they are in possession of specific documents. This will include those who are in possession of a valid US or Canadian visa or certain types of residence permits, long-stay visas for entry to an EEA state, or the EU common format residence permit.

We have also decided to remove the requirement for nationals of Croatia, Libya and Slovakia to hold a visa when transiting the UK for up to 24 hours. Finally, holders of diplomatic or service passports issued by the People's Republic of China, and holders of diplomatic or official passports issued by India will also be exempt from the requirement to hold a visa when transiting the UK for up to 24 hours.

WORK AND PENSIONS

Departmental Estates

The Secretary of State for Work and Pensions (Mr. Andrew Smith): In my written answer on 24 July 2002, *Official Report*, column 1583W, I announced that my Department had decided to negotiate with its existing supplier LandSecurities Trillium (LST) to provide estate and property services to its former Employment Service buildings by expanding the existing PFI (PRIME) contract.

These negotiations have now reached the point where I can announce that agreement in principle has been reached. Subject to contract, the expansion will occur later this year. As part of this deal, my Department will receive £100 million as a transfer payment as part of the agreed valuation of the former Employment Service estate.

The expansion of the PRIME contract represents the best value solution. It will provide a uniform and consistent service with sufficient flexibility to meet the Department's future business needs.

Note: PRIME (Private Sector Resource Initiative for the Management of the Estate) is a PFI contract let to Trillium (now LandSecurities Trillium) in April 1998.

Social Inclusion

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Copies of the UK's second National Action Plan (NAP) on Social Inclusion, covering the period 2003–05 have today been placed in the Library.

The Government's commitment to eradicating child poverty and ensuring that everyone in the UK has the opportunity to escape social exclusion is central to its programme.

To achieve this, we need to work effectively with a wide range of organisations across the UK—and with people who are experiencing poverty and social exclusion. The UK Government has made clear its commitment to working with the European Union (EU) to make a decisive impact on poverty across Europe by 2010.

The two-yearly NAPs enable the Government to:

- join up action across the UK, encouraging the participation of the voluntary and community sector, 'grassroots' people and all levels of government;
- identify best practice and assess the effectiveness of our strategy against other EU Member States using commonly agreed indicators; and so
- learn from what works well both within the UK and across the EU.

In preparing the UK's second NAP, published in July 2003, the Government has achieved unprecedented levels of participation in the anti-poverty strategy and a shared understanding of the challenges which will need to be addressed in the coming two years. The NAP also reflects the success of the Government's broader strategies. In particular, macroeconomic stability has generated resources to target investment in the priority areas of health, education, criminal justice, housing and transport;

Overall, there are now over 1.5 million more people in employment than in 1997 and around 350,000 fewer children in workless households. There has been good progress in reducing the numbers below absolute low-income thresholds—around 1.8 million fewer children

and 1.6 million fewer pensioners below the 1996–97, 60 per cent. median income after housing costs threshold held constant in real terms.

Employment

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Copies of the UK's 2003 National Action Plan for Employment have been placed in the Library today.

The EU Treaty requires Member States to submit an annual report setting out the principal measures being taken at a national level to implement national employment policies in the context of the agreed EU Employment Guidelines.

The National Action Plan responds to this requirement. Reporting across the ten Guidelines, it includes detail about: how the UK's institutional and regulatory environment helps encourage job creation and removes barriers to entering and progressing in the labour market; how measures like the New Deal and Jobcentre Plus encourage people back into work; how steps are being taken to ensure that work pays by eliminating unemployment and poverty traps; and how measures are being developed that help create a skilled and adaptable workforce.

In preparing this plan, the Government have worked closely with representatives from local government and the voluntary sector, as well as the CBI and TUC, so that we have been able to include a broad range of examples of how the objectives of creating more and better jobs and greater social cohesion are being pursued in the UK.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Commons Commissioners

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): This Department is publishing a Report of a Financial Management and Policy Review (FMPR) of the Commons Commissioners.

The Commissioners act as an independent tribunal, now sponsored jointly by the Department for Environment, Food and Rural Affairs and the National Assembly for Wales. It was established under the provisions of the Commons Registration Act 1965 to deal with disputed registrations of common land.

The FMPR Report is available on the DEFRA website at http://www.defra.gov.uk/wildlife-countryside/issues/common/index.htm, and copies have been placed in the Libraries of both Houses. In summary, the consultant has concluded that:

> the functions undertaken by the Commissioners still need to be carried out;
>
> the Commissioners provide a cost effective service;
>
> the functions of the Commissioners should not be transferred to another body at this stage. Once the future role of the Commissioners is clearer, a transfer of responsibilities might be a possibility.

On the third point, it should be noted that DEFRA is considering this complex area of policy and law in the light of the conclusions of the Common Land Policy Statement published in July 2002.

The Review also recommended a number of primarily administrative improvements relating to internal audit, the keeping of better management information and the introduction of performance monitoring. The Chief Commissioner and his Clerk will be considering how to take these issues forward, in close conjunction with DEFRA and Welsh Assembly Government officials.

TRANSPORT

Powering Future Vehicles Strategy

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Last July, the Department for Transport, the Department of Trade and Industry, the Department for Environment, Food and Rural Affairs and the Treasury jointly published the Government's Powering Future Vehicles strategy for promoting the development, introduction and take-up of clean, low-carbon vehicles and fuels in the UK, and ensuring the full involvement of the UK's automotive industries in the new technologies. The strategy set out the Government's objective that the UK should lead the global shift to the low-carbon economy, building competitive advantage for our automotive industries. Today the Low Carbon Ministerial Group, charged with oversight of the implementation of the Powering Future Vehicles strategy, published its first annual report, setting out the significant progress made towards the strategy's targets for low-carbon cars and buses and the other objectives it set. The strategy emphasised that a speedy and productive shift to low-carbon vehicles and fuels needed to involve not only Government, but the other stakeholders—the auto and fuel industries, environmental groups, and transport users.

The Government therefore welcomes the setting up of a Low Carbon Vehicles Partnership, bringing together all those with a stake in and commitment to the shift in the UK's transport economy—with the involvement of industry leaders and others at the most senior level. The report has been published on the DfT website, and copies have been placed in the Libraries of both Houses.

Written Ministerial Statements

Thursday 16 October 2003

HOME DEPARTMENT

Animal Procedures Committee Report 2002

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): In accordance with section 20(5) of the Animals (Scientific Procedures) Act 1986, I have placed the Committee's annual report for 2002 in the Library today. The report includes the Committee's consideration of particular licence applications and its consideration of enforcement and compliance issues.

WORK AND PENSIONS

Benefit Fraud Inspectorate Report (Redcar and Cleveland Borough Council)

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): On behalf of my right hon. Friend the Secretary of State for Work and Pensions, the Benefit Fraud Inspectorate (BFI) visit report on Redcar and Cleveland borough council was published on 9 October 2003 and copies of the report have been placed in the Library.

Following the housing Green Paper "Quality and Choice: A Decent Home for All", published in April 2000, the Department for Work and Pensions developed a performance framework for housing benefits. The performance standards for housing benefits allow local authorities to make a comprehensive self-assessment of whether they deliver benefit effectively and securely. They are the standards that the Department for Work and Pensions expects local authorities to aspire to and achieve in time.

The BFI visited Redcar and Cleveland borough council to find out why the council had not regularly submitted performance data to the Department for Work and Pensions as required by the Department.

It was agreed with the council that the normal scope of a BFI inspection would not be suitable, and that the BFI visit would look at the key performance indicators produced by the council and the processes that were intrinsic to the production of its performance data.

The report finds that the council had undergone two major changes since April 2002. It had implemented the verification framework in April 2002 and transferred its housing stock to a private landlord as a large-scale voluntary transfer in July 2002. The BFI's visit concluded that these changes were poorly planned and senior management did not fully anticipate the effect they would have in terms of resources. Consequently they have had a detrimental impact on the benefits business.

At the same time as these changes, there was considerable uncertainty within the benefits service because the council had started negotiations with a private contractor with a view to contracting-out the benefits service.

These factors caused a backlog of work to build up in August 2002 and this stood at 12,000 items (11 weeks work) at the time of our visit. The report finds that since August 2002, the council's performance in processing new claims to benefit and changes of circumstances had deteriorated significantly. The BFI's sampling showed it had moved from delivering a quick and efficient service to its customers, to one where new claims to benefit and changes of circumstances were taking an average 77 and 44 days respectively to process. However, the latest performance data received by the Department for Work and Pensions indicates that the council's performance is better than this.

The report finds that the council's benefits service used an IT system that was developed in 1987 and which no longer fully supported the business. This had made it difficult for the council to produce the management information required by the Department for Work and Pensions.

In May 2003, the benefits service was contracted out and plans put in place to clear the backlog of work, and also to recruit staff to take the benefits service to full complement. The new contract had been negotiated with the requirement that a new IT system will be implemented before the start of the 2004–05 financial year. In 2002–03, Redcar and Cleveland borough council administered some £38.6 million in housing benefits, about 14 per cent of its total gross revenue expenditure.

The report makes recommendations to help the council address weaknesses and to further improve the administration of housing benefit and council tax benefit.

My right hon. Friend the Secretary of State is now considering the report and will be asking the council for its proposals in response to BFI's findings and recommendations.

DEFENCE

Defence Science and Technology Laboratory

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The following key targets have been set for the Defence Science and Technology Laboratory for financial year 2003–04:

Propose simpler method of measuring customer satisfaction and at least maintain overall satisfaction and improved customer understanding of DSTL by 2005.

Maintain, and by the end of a three-year period show, an increase in scores for scientific and engineering capability in the technical benchmarking exercise.

Maintain accreditation to ISO9001: 2000, Good Laboratory Practice, IiP and other mandated quality and safety standards. Implement all recommendations arising from the Safety, Health, Environment and Fire (SHEF) audits and Board of Inquiry.

Achieve a Return on Capital Employed (ROCE) of 6.5 per cent. for 2003–04 and an MOD dividend of £3 million per year. Capital employed will equate to the total assets from which shall be deducted the total of current liabilities.

Maintain the average charge rate for manpower for 2003–04 and beyond below that for 2001–02 uplifted by GDP deflator.

Achieve planned progress on site rationalisation to meet the 2006 date for transfer of DSTL staff to the new core site.

Agree and implement a DSTL diversity action plan.

CONSTITUTIONAL AFFAIRS

European Convention for the Protection of Human Rights and Fundamental Freedoms

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): On 10 October 2003, the UK ratified protocol 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms banning the death penalty in all circumstances. The ratification will apply at present only to the metropolitan area of the United Kingdom. Ratification will be extended to the Crown Dependencies and Overseas Territories at a later date. We shall in due course seek parliamentary approval pursuant to section 1(4) of the Human Rights Act 1998 to add protocol 13 to the list of scheduled convention rights.

Court Service Annual Report and Accounts 2002–03

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Court Service annual report and accounts for 2002–03 has been laid before Parliament today. This document gives full details of the Agency's performance and expenditure for that year. Copies of the report have been placed in the Libraries of both Houses.

DEPUTY PRIME MINISTER

Supporting People

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): The supporting people programme went live on 1 April. The programme provides services which help vulnerable people—including victims of domestic violence, older people and teenage parents—live independently in their accommodation.

The Government have today announced a grant allocation of £1.8 billion for the first year of the programme. Officials will be writing to local authorities individually to confirm allocations for 2003–04.

The Government have also set up an independent review to gauge the true picture of how the funding is being utilised. The review will report by Christmas and will inform local authority budget allocation decisions for the next financial year. This review is in the context of the growth of the transitional housing benefit element of supporting people, which has increased by £400 million from the original estimates by local authorities, which were announced in February. In all there are now an estimated 250,000 units of housing support, excluding sheltered and community alarms, compared to fewer than 100,000 estimated in 2000.

The review will specifically consider:

The considerable variations between authorities' costs and patterns of service provision.

Services which were previously paid for out of other budgets where it is unclear how the resulting savings have been re-deployed;

Whether the programme is meeting its original objectives, including schemes which raise questions about compliance with grant conditions.

A key objective of the programme remains to ensure vulnerable groups receive the level of complex support they need through planned sustainable spending arrangements that demonstrate equity, efficiency and value for money.

Written Ministerial Statements

Monday 20 October 2003

HOME DEPARTMENT

Extradition Bill (Draft Code of Practice)

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I am today drawing the House's attention to the publication of the responses received by the Home Office to its consultation on a draft extradition code of practice.

The draft code of practice, which sets out the application and operation of police powers under Part 4 of the Extradition Bill, was published on 9 June 2003 and comments on the draft were invited by 8 September 2003.

Twenty nine responses were received in total. Twenty six authors have given permission for their responses to be made public and these are now available in the Libraries of both Houses and can also be viewed on the Home Office website at www.homeoffice.gov.uk/crimpol/oic/extradition/bill/documents.html.

The Government will be publishing their response to the representations in due course.

Criminal Records Bureau (Basic Disclosures)

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): On 9 April the Home Office issued a consultation paper seeking views on the Independent Review Team's recommendation, *Official Report* 27 February 2003, col. 33–36WS, that applications for basic disclosures should be routed through registered bodies. The consultation period closed on 30 June; 352 responses were received. I have today placed in the Library an analysis of those responses. We will consider carefully the views expressed in response to the consultation before deciding how best to proceed with the introduction of the basics service.

CABINET OFFICE

Efficiency Review

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): My right hon. Friend the Chancellor for the Exchequer announced an efficiency review of the public sector in his spring Budget speech. (House of Commons, *Official Report*, 9 April 2003, cols. 271–288). The review is being conducted by a joint team from the Cabinet Office and Her Majesty's Treasury.

I have today placed in the Libraries of the House copies of the consultation document "Efficiency Review—Releasing Resources to the Frontline". The consultation seeks the views of a wide range of public sector employees and other interested parties to inform the review, with initial views requested by the 21 November 2003. A more detailed consultation will be undertaken when specific proposals have been developed.

WORK AND PENSIONS

Guaranteed Minimum Pension

The Secretary of State for Work and Pensions (Mr. Andrew Smith): In our document "Action on Occupational Pensions" (Cm 5835), published on 11 June, the Government stated their intention to make it easier for employers to provide pensions by simplifying key areas of legislation while at the same time offering appropriate protection to scheme members. In particular, we proposed to explore options for a workable and affordable solution to the problems created by the complexity of the Guaranteed Minimum Pension (GMP) element of contracted-out schemes. I am now able to announce the results of this work.

We intend to introduce measures that will permit contracted-out defined benefit schemes to convert GMPs into scheme benefits. Where a scheme converts its liabilities in this way, it will no longer be required to offer a scale of benefits incorporating the complex GMP rules for the period 1978 to 1997 and will be free to design a benefit structure that best reflects the needs of its members. If schemes take up this option they will have to convert on the basis of actuarial equivalence: the trustees will be required to offer scheme benefits of equal accrued value in exchange for the benefits given up, including the GMP.

As a result of this and other measures announced previously, pension schemes will be able to achieve significant simplification in their administration. On top of the other proposals for simplifying contracting out in "Action on Occupational Pensions", we estimate that these measures should result in administrative savings for pension schemes of up to £16 million a year.

Because of the process of actuarial conversion, any resulting changes will not affect the value of individual accrued rights. Members' interests will also be protected by other measures already outlined in our Green Paper "Working and Saving for Retirement" and "Action on Occupational Pensions".

For example, the new Pensions Regulator will be able to issue a code of practice aimed at protecting the interests of members of schemes wishing to take advantage of the GMP conversion measure. Also, the Pensions Advisory Service and the Pensions Ombudsman will be able to consider any complaints that members have as a result of any change.

Nothing in these proposals forces schemes to change and we appreciate that many of them may not wish to do so. We are simply offering schemes the option to design their benefits more flexibly across the piece in this way, while protecting the value of members' accrued rights. This means we are striking the right balance between making it easier (and more cost effective) for employers to run schemes and safeguarding members' rights.

CONSTITUTIONAL AFFAIRS

Fine Enforcement

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Securing a sustained improvement in fine enforcement and increasing confidence in the Criminal Justice System are key Government priorities. That is why back in June this year we announced a seven-point plan to secure the level of enforcement improvement required.

The Department for Constitutional Affairs is taking forward a wide-ranging programme of change to deliver the seven-point plan. As part of this we have undertaken a review of the existing fine enforcement payment rate target to test whether it provides the right focus for those involved in enforcement activity and are now making changes.

As well as criminal fines properly due, the existing target includes, among other things, civil payments and judicially remitted fines. I have now reviewed it so that the target is to collect a set proportion of fines which are properly due. This will provide a clearer focus for Magistrates' Courts Committees and enable relative performance to be more easily assessed.

The effect of the revised form of measurement is to change the existing target of 68 per cent. to a value of 75 per cent. Performance data under the "new" measure will first be available from January 2004 and information under both the "old" and the new measure will be available for at least the remainder of 2003–04. Performance in areas no longer captured by the payment rate target will be monitored and managed separately.

Implementation of the overall fine enforcement programme will in time enable targets to be set at higher levels.

TREASURY

Stamp Duty Land Tax

The Financial Secretary to the Treasury (Ruth Kelly): I am pleased to announce the next steps in the process of modernising stamp duty on land transactions. These include:

> A significant change to the proposed charge on the rental element when a new lease is granted ("lease duty"), reducing tax bills by £1500 per lease on commercial transactions (£600 per lease on residential transactions), which will be of significant benefit to smaller businesses
>
> A new relief for businesses raising finance through the sale and leaseback of their land and buildings and relief for "chain-breaking" and similar companies which help to ensure an active housing market
>
> Further consultation on how the new regime might apply to partnerships.

The announcement follows extensive consultation on the process throughout the earlier part of this year.

These proposals along with those announced in Budget 2003, will help to achieve the Government's aim of a modern, efficient, system of taxing land transactions which promotes fairness between taxpayers, reduces distortions and prevents avoidance. I am also pleased that our proposals, which follow extensive and valuable consultation with interested parties, will be of particular help to small and medium-sized enterprises and business start-ups.

The Inland Revenue is today publishing a news release, supplemented by a technical note, giving details of the proposed changes. I will be laying regulations to give effect to the changes before the House shortly. The Inland Revenue is also publishing for consultation draft clauses on the Stamp Duty Land tax treatment of partnership transactions.

The Government's proposals on lease duty follow extensive consultation over the last 18 months. I am extremely grateful to all who participated in the consultation process. A good deal of valuable information and data was provided by participants and some important work was done in partnership. Throughout the consultation process the Government has been particularly keen to have regard to the effect of any new structure on small and medium-sized enterprises and business start-ups.

Having considered all the contributions made I now propose to modify the structure contained in the Finance Act 2003, by way of regulations under section 112 of that Act, as follows:

> The Finance Act charges Stamp Duty Land Tax on the "Net Present Value" ("NPV") of rent payable under a lease. NPV sums the discounted values of the rents. This discount recognises that future rent payments will be of less value. The Government believe that NPV represents a fair way of assessing the amount on which Stamp Duty Land Tax should be charged and proposes to retain it.
>
> The Finance Act sets a threshold of £150,000 for commercial leases, and £60,000 for residential leases. If the NPV does not exceed the threshold no Stamp Duty Land Tax is charged on the rental element. These thresholds mean that 60 per cent. of commercial leases and 90 per cent. of residential leases will pay no Stamp Duty Land Tax on the rental element. The Government believe these thresholds are fair and intend to retain them
>
> The Finance Act provides that once the threshold is exceeded Stamp Duty Land Tax is charged at 1 per cent. of the full amount of the NPV. The Government propose to modify this so that Stamp Duty Land Tax is charged at 1 per cent. of the excess over the threshold. This means that on any commercial lease chargeable to Stamp Duty Land Tax the tax payable will be £1,500 less than under the Finance Act provisions.

EXAMPLE

> A lease for 18 years at an annual rent of £15,000 will have an NPV of £197,845. Under the Finance Act provisions Stamp Duty Land Tax of £1,978 would be payable. Under the Government's proposals only £478 will be payable.

I also propose to clarify the Stamp Duty Land Tax treatment of leases with uncertain rents, so as to avoid an undue compliance burden on tenants, and to provide that rent increases more than five years after the start of a lease are ignored.

I also propose (by way of regulations made under section 109 of the Finance Act 2003) to widen the reliefs in sections 58 and 59 of that Act to include companies who help to ensure an active housing market, by "chain-breaking" (buying property when a prospective sale falls through) and by buying houses from the personal representatives of people who have died. I also propose

to give relief for sale and lease-back transactions (where a company raises finance by selling a property for a capital sum and leasing it back at an annual rent).

In his Budget statement my right hon. Friend the Chancellor of the Exchequer announced that certain transactions involving partnerships would remain within the existing stamp duty regime until at least 2004 to give time for further consultation. These are: transactions between a partnership and an incoming partner, changes in partnership interests and transactions between a partnership and a departing partner.

The Inland Revenue is today publishing draft clauses which bring these transactions, so far as they involve dealings in land, within the scope of Stamp Duty Land Tax. As with the Government's other proposals the aim is to give fairness between taxpayers, reduce distortions and prevent avoidance.

My officials will be meeting interested parties to discuss these proposals but would welcome comments from others. The Government's intention is that the clauses will be included in the Finance Bill 2004 and will take effect from the date of royal assent to that Bill 2004.

Written Ministerial Statements

Tuesday 21 October 2003

TREASURY

National Statistics

The Financial Secretary to the Treasury (Ruth Kelly): The National Statistics Annual Report for 2002–03 is being published and laid before the House today. Copies are available in the Vote Office and from the Libraries of the House. The report can also be obtained free on the National Statistics Web site.

CULTURE, MEDIA AND SPORT

Culture Online

The Secretary of State for Culture, Media and Sport (Tessa Jowell): Culture Online is a new project, led by my Department, which aims to use new technology to increase access to and participation in the arts and culture. Digital technologies—including, but not limited to, the internet—give us the opportunity to present cultural resources and activities in different formats and allow people to use and add to them in new and exciting ways. Projects involving interactive games, audio and video footage, and digital cameras and editing software and tools can improve the quality of education and bring in new users.

Culture Online is commissioning digital educational materials from cultural and new media organisations. We are about to commission the first seven projects (details of which will be placed in the Libraries of both houses). They involve a range of organisations including local and regional museums and theatres, the V&A, Kew Gardens and the National Theatre. Just over a half of all projects will be aimed at school age children. The rest will be aimed at adult learners, particularly those who may not traditionally have been involved in the arts and culture. The first projects will start in November and will be accessible by the public next year. Projects will be available through participating organisations websites, the Culture Online website www.cultureonline.gov.uk and the DfES Curriculum Online portal.

DEPUTY PRIME MINISTER

Affordable Housing

The Deputy Prime Minister (Mr. John Prescott): I am pleased to be announcing today the allocation of nearly £5 billion over the next two years to drive forward the Government's commitment to affordable housing. This includes the balance of the £1 billion for key worker housing promised in the communities plan and funding to help ensure that all people living in social housing have a decent home by 2010.

KEY WORKER HOUSING PROGRAMME

Using housing initiatives to support recruitment and retention in key public services is a government priority. Over the summer the Government have worked to develop a successor programme to the starter homes initiative. This will target resources on the key workers who can make the biggest possible contribution to improving frontline public services.

The proposals I am announcing today represent the main features of the key worker housing programme to be run in 2004/05 and 2005/06.

The majority of support will continue to be directed towards our priority categories such as teachers and health workers. However, we also propose that the programme should be widened to apply to other public sector workers, such as social workers, where there is clear evidence of recruitment and retention problems. This is in response to the needs identified by the regional housing boards in their housing strategies.

Support will be provided to key workers through one of four simple options. Emphasis will be more on family homes rather than on starter homes as the evidence base compiled in recent months suggests that this is what the workers who are critical to service delivery need and want.

The options are: Homebuy, "homebuy plus", shared ownership or intermediate renting. Homebuy will provide key workers with an interest-free equity loan equal to 25 per cent. or more of the value of the property on the basis that the key worker pays back the same proportion of the value of the property when he or she sells it. Homebuy plus will offer assistance on the same basis but with larger equity loans for a very small number of critically important key workers—for example, teachers who will become middle managers in key London schools. Shared ownership will allow a key worker to buy part of a property—at least 25 per cent.—and pay rent on the remainder. Key workers will be able to increase their stake in the property when they can afford to do so. Intermediate renting offers the chance to rent a property at a rate between social rents and open market values.

The starter homes initiative has concentrated on helping key workers buy homes on the open market. The new scheme will shift the balance progressively towards new build schemes. Details will be decided in consultation with the regional housing boards.

Through this programme we will ensure that support for key workers is better targeted and better tailored to meet both the recruitment and retention needs of our frontline public services and the needs of the employees crucial to delivering those services.

LOCAL AUTHORITY SOCIAL HOUSING GRANT

I am pleased to announce increased funding for transitional arrangements following the abolition of local authority social housing grant. An additional £75m has been made available for debt-free authorities.

Local authority social housing grant (LASHG) was abolished from 1 April 2003. It was a mechanism which local authorities used to fund new or improved social housing through registered social landlords (RSLs). The authority made a loan from its own capital resources to the RSL. The loan was then repaid to the authority by the housing corporation. With-debt authorities were then required to set-aside the reimbursement to meet debt and credit liabilities. Debt-free authorities, on the other hand, were allowed to use the reimbursement for any purpose they wished—not necessarily housing. This meant debt-free authorities effectively obtained additional affordable housing at no cost to themselves.

As anticipated, the transitional funding was oversubscribed. Many of the bids submitted did not meet the bidding criteria. The housing corporation prioritised the bids in consultation with the Government offices and I am today announcing approval for transitional local authority social housing grant schemes (LASHG). The transitional arrangements will lead to £680m spend on schemes and will provide 14,000 homes over the next three years.

The housing corporation will be notifying local authorities of the outcome of the bids.

I should like to emphasise that local authorities remain able to support new social and key worker housing by housing associations. They will, however, no longer be reimbursed by the housing corporation—and, in particular, debt-free authorities will no longer be able to spend the money twice. I would encourage local authorities to continue to support the acquisition of new affordable housing wherever this is the best way to achieve the objectives set out in their housing strategies.

REGIONAL HOUSING BOARDS

The communities plan set out a range of measures to deliver a step change in tackling the serious imbalances between the supply of and demand for housing in many parts of England. A key element of this was to ensure better integration between investment in housing, the planning system and economic development strategies.

In order to help achieve this, the framework for determining the allocation of funds for housing investment is being substantially changed to focus resources on strategic housing priorities. Regional housing boards have been established to make recommendations to me on how the funds available to each region should be distributed between local authorities and housing associations and where they should be targeted. These recommendations reflect priorities set out in their regional housing strategies, which build on the existing housing statements.

I have given careful consideration to their funding recommendations, Regional Housing Strategies and other supporting information and I can now announce my conclusions.

The task the boards faced—balancing the competing demands within the region while at the same time supporting delivery of a small number of key national priorities and targets—was a difficult one.

I am pleased to say that I am accepting the broad thrust of the Boards' recommendations for 2004/05 and 2005/6 and their regional spending priorities. In most regions the recommendations will be accepted in their entirety. There have been further discussions with the boards for the London, East and South East Regions. These have taken into account the increased resources now available for transitional local authority social housing grant and the additional homes we expect English Partnerships to provide via innovative new schemes, neither of which the regional boards were aware of at the time they made their recommendations. As a result the Office of the Deputy Prime Minister has been able to increase the funding made available for key worker housing.

A table giving details of each region's allocation will be placed in the Library. Details of the housing allocations for individual local authorities will be announced in 4–6 weeks time.

A competitive bidding round for the funds available for new affordable housing schemes is being launched by the housing corporation; the results will be announced by March.

I have been impressed by what the boards, local authorities and other stakeholders have achieved in a short space of time. There is clearly a real appetite for a strengthened regional role on housing and for finding new ways of working to improve effectiveness of delivery.

It is important to build on this—both to increase and strengthen partnership working and innovation and to develop regional and, where appropriate sub-regional, housing strategies. Sub-regional housing strategies require a stronger analysis of current and future housing needs. The Office of the Deputy Prime Minister always recognised that the short time available would limit the analysis this year.

Central Government will play their part. Work is already underway to evaluate the first round of the new arrangements and will include feedback from the regional housing boards. The Office of the Deputy Prime Minister will consider carefully what changes are needed.

HOME DEPARTMENT

Police Performance Monitors

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): Today I have published the second set of police performance monitors for individual forces in England and Wales. The first set of performance monitors was published in February 2003. The "performance monitor" diagrams provide a quick, visual summary representation of the balance of performance for a force. Although the diagrams are simple to look at, they contain a lot of information and have the capacity to reflect performance in a number of separate areas of policing responsibility.

The forthcoming National Policing Plan 2004–07, to be published in November 2003, describes in more detail the ongoing work to develop a set of national measures of policing performance and an associated assessment system. While this is being developed, we are continuing

to monitor the performance of police forces across a set of "interim indicators" of policing performance, as well as through other relevant information.

The publication of the second set of performance monitors will enable the public to gauge the performance of their local force across a range of policing responsibilities. The ability to make this assessment has been considerably improved by the addition of bar charts to the original monitor diagrams, giving a more detailed breakdown of the comparison of forces with their peers. This is further enhanced by the inclusion of two years' worth of performance information, which indicates changes in police performance since last year.

Asylum Seekers (Language Analysis Pilot)

The Minister for Citizenship and Immigration (Beverley Hughes): I am pleased to announce the outcome of the pilot testing of language analysis to help determine asylum claims from selected applicants who claimed to be nationals of Afghanistan, Somalia and Sri Lanka. The pilot was established in the light of concerns that some asylum seekers were posing falsely as nationals of these three countries. Its purpose was to assess the potential value of language analysis in providing expert evidence to identify the place of origin of asylum seekers, and to detect and deter abuse of the asylum system.

Evaluation of the decisions and appeals outcomes for cases in the three-country pilot to the end of July this year has shown that language analysis is a valuable aid in detecting false nationals (9 per cent. of the total number of applicants selected for the pilot and 21 per cent. of claimed Somali nationals) and in delivering robust and effective decisions. The percentage of outright refusal decisions was 78 per cent. compared with 51 per cent. for the pilot nationalities as a whole in 2002. In cases where appeal rights have been exhausted the percentage of decisions upheld (86 per cent.) was also higher than the norm (68 per cent. for these nationalities, in 2002).

In order to address continuing concerns about abuse of the asylum system and in the light of the initial and similarly encouraging results from the subsequent Iraqi language analysis pilot, I have decided to commission further work to take forward the wider introduction of language analysis. To achieve maximum benefit, this will form part of the asylum screening process, and will be targeted on cases where claiming a false nationality would give rise to a greater likelihood of being granted asylum, humanitarian protection or discretionary leave.

The evaluation of the appeals outcomes for cases in the three-country pilot found that challenges to the reports have focused on the credentials of individual language analysts. It is of course essential that the reports are accepted as credible evidence at appeal and that failed applicants are removed from the UK. This demonstrates the need to ensure that the credentials of the language analysis bureau and their analysts meet the requirements of the Immigration Appellate Authority.

Among other options, we will be considering the feasibility of establishing a language analysis bureau in the UK to address this issue.

The race monitor, Mary Coussey, who reports to Parliament via the Secretary of State, will exercise independent scrutiny of the operation of language analysis.

A copy of the summary of findings of the three country language analysis pilot has been placed in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Government/Business Information Sharing

The Minister for Trade and Investment (Mr. Mike O'Brien): The Foreign and Commonwealth Office and the Confederation of British Industry have been working together to strengthen arrangements for government and business to share information on a wide range of issues affecting their security when operating in overseas markets. The Government recognise that business needs good information sharing to ensure that they are making the right decisions on their investments in overseas markets.

Most of our embassies and high commissions already have arrangements to exchange information on security issues with locally-based British business representatives and to provide information on request to business visitors. The new scheme is designed to make the service more systematic and more proactive, and will seek to ensure that all posts and FCO departments provide a consistent level of service.

A major feature of the new scheme will be the establishment of a forum in the UK for regular discussion of security related issues. A steering group consisting of FCO, CBI and British Trade International officials and business representatives will monitor the process to ensure we are fully meeting the needs of business. Details of the new scheme have been placed on the FCO, British Trade International and CBI websites with links to each other.

NORTHERN IRELAND

Local Museum and Heritage Review

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): The local museum and heritage review, which was instigated by Michael McGimpsey, Minister in the NI Executive, has sought to chart the best way forward for the museum and heritage sectors in Northern Ireland.

The Department of Culture, Arts and Leisure and the Department of the Environment have considered carefully the report of the review steering group and have produced this response that sets out our proposals for taking forward the review's recommendations.

I believe that the response provides a sound basis for the future development of local museum and heritage provision in Northern Ireland.

I am pleased to be able to commend this joint response by the Department of Culture, Arts and Leisure and the Department of the Environment.

Copies of the Joint Response are now available in the Library.

TRANSPORT

Working Time Directive

The Minister of State, Department for Transport (Dr. Kim Howells): A consultation document on working time limits for the road transport sector has today been published. The proposals will form the basis for transposing the sector specific road transport directive scheduled for implementation by 23 March 2005, into domestic legislation.

These proposals will provide extra protection for drivers and crew of heavy goods and public service vehicles, who carry out road transport activities covered by the EU drivers hours rules—regulation (EEC) 3820/85. The main provisions of the directive include:

Weekly working time is limited to an average 48 hours.

Up to 60 hours work can be performed in a single week, as long as the average 48 hour limit is maintained.

Night workers are restricted to 10 hours working time in any 24 hour period.

Self-employed drivers will be subject to the RTD from March 2009.

The consultation exercise seeks views on how the Government should implement the RTD. The document provides a summary of the contents of the directive and sets out the Government's preliminary views on how it should be transposed. Specific issues include the definition of night time for the purpose of the night working limit and the intention to use the Vehicle and Operator Services Agency to enforce the directive. The consultation document also seeks views on whether we should implement the derogations available under the RTD.

An assessment of the costs and benefits of these proposals is being published alongside the consultation document. Copies of these documents will be placed in the House Library and will also be available on the DfT Website.

Written Ministerial Statements

Wednesday 22 October 2003

ENVIRONMENT, FOOD AND RURAL AFFAIRS

National Forest Company

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): I am pleased to announce that I have arranged for copies of the National Forest Company's annual report and accounts for 2002–03 and its corporate plan for 2003–04 to be placed in the Libraries of the House.

The report is being made available on the company's website http://www.nationalforest.org/

Veterinary Surveillance Strategy

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): Later today, the Chief Veterinary Officer will launch the UK's veterinary surveillance strategy (VSS).

This strategy will form an integral part of the developing animal health and welfare strategy for Great Britain which aims to improve the health and welfare of animals kept by man and to protect public health from animal disease. The veterinary surveillance strategy launched today seeks to enhance veterinary surveillance to enable faster, better targeted disease prevention and control measures.

The core objectives of the ten year strategy will be to deliver earlier warning and more rapid detection and analysis of disease threats, provide open and transparent prioritisation of surveillance activities, to give a clear, well defined evidence base for all animal health and welfare related policies, and to make better use of the data collected.

The launch follows extensive consultation across Government and with the veterinary, farming and wildlife sectors.

Copies of the strategy document have been placed in the Libraries of both Houses.

HOME DEPARTMENT

Campsfield House

The Minister for Citizenship and Immigration (Beverley Hughes): Campsfield House opened as an immigration centre in November 1993 following its closure as a young offenders institution. In February 2002 the Home Secretary expressed concerns about the quality of the accommodation and it was concluded that it should close. However, Campsfield has proved invaluable in recent months in holding short term detainees. Furthermore, during the refurbishment of Harmondsworth, its South East location makes the establishment strategically important.

Consequently, and as part of a wider review of the removal estate, we have examined the possibility of maintaining Campsfield. We now propose to modernise and develop the centre, bringing the facilities up to an acceptable standard so as to maximise the capacity of the removals estate and retain a valuable resource.

HEALTH

Patient and Public Involvement in the NHS

The Minister of State, Department of Health (Ms Rosie Winterton): The Government's response to the Seventh Report of the House of Commons Select Committee on Health, on Patient and Public Involvement in the NHS, Cm 6005, has been published today. Copies have been placed in the Library.

TRADE AND INDUSTRY

Community Interest Companies

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): I announced in a written ministerial statement to the House on 26 March 2003, *Official Report,* column 14WS, that a joint DTI/Home Office/ Treasury consultation document on proposals for a community interest company (CIC) was being published. The consultation document set out proposals for a new type of company, not for profit, and working for the public benefit.

I am today publishing a report on the outcome of the consultation. The consultation ended on 18 June and the Government received over 130 formal responses. The overall reaction to the consultation has been extremely positive, with the concept of the CIC receiving widespread support. This is consistent with the response to the outline proposal on CICs in the Cabinet Office Strategy Unit report of September 2002 "Private Action, Public Benefit". Respondents suggested that this new type of company, with the features proposed, could potentially benefit a range of organisations, particularly those looking to work for community benefit within the relative freedom of the non charitable form, but with a clear assurance of not for profit status.

The Government are encouraged by the confirmation of strong support for the CIC concept which this consultation demonstrated. As I announced in July 2003, we intend to proceed with legislation on CICs as soon as Parliamentary time allows.

In the light of the responses to the consultation, and further consideration of the technical issues, the Government intend that the key features of the CIC will be largely as proposed in the March 2003 consultation paper. However, we intend to clarify and in some respects amend the detail of the proposals, as described in the report. In view of the responses on stakeholder consultation, we do not propose that there should be a statutory requirement for CICs to carry out such consultation.

Nonetheless, there will be a strong presumption that CICs should take steps to engage their stakeholders where appropriate. As the consultation paper suggested, there will be a requirement on CICs to report annually on what has been done to involve stakeholders and this will be supported by guidance on good practice. We also intend that the CICs should report to stakeholders on key issues such as directors' remuneration.

Copies of the report on the public consultation and the Government's intentions are available in the Libraries of both Houses and on the DTI website.

WORK AND PENSIONS

Pensions

The Minister for Pensions (Malcolm Wicks): Today we have published proposals to amend the statutory priority order when a defined benefit pension scheme subject to the minimum funding requirement is wound up and draft regulations to bring these proposals into effect.

The draft regulations are intended to ensure that, where there are insufficient assets to meet all liabilities, they are shared as fairly as possible between non-pensioner and pensioner scheme members.

As outlined in "Action on Occupational Pensions" the degree of protection offered by the new priority order reflects the length of time a member has been contributing to a scheme and also gives priority to the rights of non-pensioners over the future indexation of pensions in payment.

We are consulting on the draft regulations and proposed new priority order and should welcome views on both by 3 December 2003. We aim to lay these regulations by early 2004 so that they come into force as soon as practicable.

FOREIGN AND COMMONWEALTH AFFAIRS

Proliferation Security Initiative

The Minister for Europe (Mr. Denis MacShane): Members of the proliferation security initiative (PSI) met on 9–10 October in London. Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, Spain, the United Kingdom and the United States took part in the meeting. The London meeting built on the firm foundations laid during earlier meetings in Madrid, Brisbane, and Paris.

The PSI aims to expand capabilities to conduct maritime, aviation and land interdiction operations in order to help counter the threat of WMD proliferation. At the Paris meeting, PSI participants agreed a statement of interdiction principles, outlining the aims and scope of the initiative and making clear that all action will be in accordance with international law. Following its publication, we have been drawing governments' attention to, and eliciting support for, the statement.

At the London meeting, we analysed the responses to date. So far the results have been very good: over 50 countries have already expressed support for the PSI. We hope to build on this over the coming weeks and months. WMD proliferation is a global threat—we need to encourage a global response.

The London meeting also agreed a short statement on the focus of the PSI efforts. This makes it clear that the initiative does not target any particular country—there are no blacklists—but aims to impede and stop trafficking of WMD, their delivery systems and related materials by any state or non-state actor engaged in or supporting WMD proliferation programmes, at any time and in any place.

The PSI is a global initiative with an inclusive mission. It is an activity, not an organisation. Successful interdiction of trafficking in WMD, their delivery systems and related materials requires the widest possible co-operation between states. It was agreed at the London meeting that participation in the PSI should be open to any state or international body that accepts the Paris statement of interdiction principles and makes an effective contribution. Participation will vary with the activity taking place, and the contribution participants could provide. Some countries have particular experience, assets or expertise relevant to all PSI activities; other countries or organisations could be expected to contribute according to their particular capabilities. I hope that we can therefore ensure as wide participation in the initiative as practically possible, including—where appropriate—contributions from the EU and NATO.

The London meeting also developed further a series of interdiction training exercises, which will be taken forward over the coming months.

In short, we have agreed the broad direction of the PSI. We now have to work to fill in the detail. In doing so, we are keen for the PSI to be an open and transparent process. As such, the chairman's summary was agreed as a public document, and is available on the FCO web-site at www.fco.gov.uk/internationalsecurity, under the heading "Counter-Proliferation".

CONSTITUTIONAL AFFAIRS

Libra Project

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The House was informed in July 2002 that the Libra project would be delivered by way of three separate contracts. The delivery of the infrastructure underpinning the system was contracted to Fujitsu Services until 2006–07 at the time of that announcement. I can inform the House that the remaining contracts are now in place. Accenture (UK) Ltd, has today been awarded a five year, £38.5 million contract to deliver a service using specialised software for case management and tracking, payment of fines and court administration to the magistrates' courts in England and Wales. Case management seeks to speed up the courts process by implementing better ways of working. The contract to develop and support the special software was awarded

in January 2003 to STL Technologies, part of the Technology Group. That five year contract is worth £35 million.

INTERNATIONAL DEVELOPMENT

Montserrat

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Further to written statements on 17 July 2003 and 15 September 2003, *Official Report*, columns 86WS and 42WS by my right hon. Friend the (then) Minister of State for International Development and me respectively, DFID has continued to work closely with the Montserratian authorities to alleviate the impact upon the island community of the volcanic activity which affected Montserrat between 12 and 14 July this year.

I can now confirm that an additional £3.5 million in budgetary assistance has been made available to the Government of Montserrat (GoM) to fund Montserrat's ash clearing assistance programme (ACAP). The programme, designed jointly by DFID and GoM, entails clearance of the volcanic ash from residential and business properties as well as from roads and public facilities. We have contracted a manager for the programme, who is responsible for overall co-ordination of the ash clearing exercise. His work includes liaison with key GoM staff to ensure that management of equipment, staffing, materials and other resources is coordinated effectively.

DFID's total budget for Montserrat in the current financial year, including this latest additional provision, is now more than £23 million.

Written Ministerial Statements

Thursday 23 October 2003

SOLICITOR-GENERAL

Treasury Solicitor's Annual Report

The Solicitor-General (Ms Harriet Harman): The Treasury Solicitor's Annual Report and Accounts 2002–2003 have today been published and laid before Parliament. Copies have been placed in the Libraries of both Houses.

HOME DEPARTMENT

Immigration Procedures (Work Permit Holders)

The Minister for Citizenship and Immigration (Beverley Hughes): On 17 June I announced the introduction of UK residence permits and in parallel to this the introduction of an entry clearance requirement for all persons who want to stay in the UK for more than six months. The entry clearance requirement is being gradually phased in over a two year period. The first phase will require nationals of 10 specified countries to obtain entry clearance from 13 November.

I have now decided to expand further the scope of the entry clearance requirement in order to streamline procedures for work permit holders. With effect from 13 November all work permit holders and training and work experience scheme (TWES) permit holders who wish to stay in the UK for more than six months should obtain entry clearance before travelling. This will enable these permit holders to be granted their full period of stay in the UK, as stated on their work permit, before they arrive here, saving them from needing to make a further application for stay shortly after arrival.

There will be a grace period for work permit and TWES permit holders until 23.59 on 13 January 2004 to ensure that those who are not aware of these new arrangements are not unduly inconvenienced on arrival in the UK. During this grace period if a work permit holder arrives in the UK without entry clearance, and would qualify for entry except for the absence of the necessary entry clearance, they will be admitted for a period of six months. During that time they will be able to apply for an extension of stay for a period up to the length of their work permit. This application will not require an accompanying second work permit application to be made by a UK employer.

DEFENCE

Suez Medal

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Further to the written answer to the House by my right hon. Friend the Prime Minister on 11 June 2003, *Official Report*, column 869W, I am pleased to announce that Her Majesty The Queen has graciously agreed to the institution of the naval general service medal 1915 to 1962 and the general service medal 1918 to 1962 with the new clasp "Canal Zone" for service in the Suez Canal Zone. Command Paper No. 5999 is laid before Parliament today detailing the criteria for this award. My Department's medal offices will now commence the award to eligible Suez veterans.

Individuals who served in the Canal Zone during the early 1950s, or their next of kin, are invited to write to the appropriate medal office providing their name, date of birth and service number. The addresses of the medal offices are as follows:

Royal Naval Medal Office, Room 1068, Centurion Building, Grange Road, Gosport, Hampshire PO13 9XA.

Royal Marines Medal Office, Room 038, Centurion Building, Grange Road, Gosport, Hampshire PO13 9XA.

Army Medal Office, Government Buildings, Worcester Road, Droitwich Spa, Worcestershire WR9 8AU.

Royal Air Force Medal Office, Room 6, Building 248A, RAF PMA, RAF Innsworth, Gloucester, Gloucestershire GL3 1EZ.

Civilian Honours Unit, Room 462, St Giles Court, 1–13 St Giles High Street, London WC2H 8LD.

Royal Fleet Auxiliary Medal Office, SOS RFA CSIA, Room F11, Lancelot Building, PP29, HM Naval Base, Portsmouth, Hampshire PO1 3NH.

FOREIGN AND COMMONWEALTH AFFAIRS

Iran

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Together with my French and German colleagues I visited Tehran on 21 October for discussions on Iran's nuclear programme. We met President Khatami, Foreign Minister Kharrazi and the Secretary of the Supreme National Security Committee Hassan Rouhani. Our discussions were aimed at underlining to the Iranian authorities the concerns of the international community regarding Iran's nuclear ambitions, and the necessity for Iran to comply fully with the requirements of the international atomic energy agency (IAEA) board of governors' resolution adopted on 12 September.

By the end of our visit, we were able to agree a joint statement, which committed Iran to comply with the three key elements of the IAEA board resolution:

> to engage in full co-operation with the IAEA to address and resolve, through full transparency, all requirements and outstanding issues of the agency, and clarify and correct any possible failures and deficiencies within the IAEA;
>
> to sign the IAEA additional protocol, and commence ratification procedures. As a confirmation of its good intentions, the Iranian Government states that it would continue to co-operate with the Agency in accordance with the Protocol in advance of its ratification;
>
> to suspend all uranium enrichment and reprocessing activities, as defined by the IAEA.

I will place the full text of the joint statement in the Library of the House today.

This joint statement represents a good start to the process of resolving international concerns over Iran's nuclear programme and we welcomed it as such. But we also made clear to our Iranian interlocutors that the real test will be full and early implementation of the commitments they have offered. They know that the international community will be looking closely at the evidence in the next report of the IAEA director-general, which is due to be presented to the board of governors in early November.

The joint statement makes clear that, while implementation of the steps outlined should enable the IAEA board to resolve the immediate problem with Iran, there is also a longer-term issue. Britain, France and Germany remain ready to address that issue through dialogue with Iran on a basis for longer term co-operation, which would provide all parties with satisfactory assurances about Iran's nuclear power generation programme. We made clear that it is only once international concerns are fully resolved that Iran could expect easier access to modern technology and supplies.

The visit has demonstrated the value of a united approach between Britain, France and Germany, working to uphold the decisions of the IAEA and its board of governors, and consistent with the common approach to Iran agreed by several European Councils.

Written Answers to Questions

The following answers were received between Tuesday 7 October and Monday 13 October 2003

TREASURY

Asbestos

Dr. Cable: To ask the Chancellor of the Exchequer how much has been spent by his Department on asbestos surveys since 1 January 2001; how much has been spent on the management and removal of asbestos for each building in which asbestos has been identified; and what budget is available for the Department and its agencies to *(a)* commission asbestos surveys and *(b)* manage and remove asbestos from buildings in (i) 2003 and (ii) 2004. [130911]

Ruth Kelly: Detailed costings have not been undertaken in the case of all the Chancellor's Departments, and where this is the case, the data requested can be obtained only at a disproportionate cost. Available data are as follows:

Customs and Excise and the Valuation Office Agency both recorded nil expenditure for asbestos surveys or the removal of asbestos between 1 January 2001 and 1 April 2001. Further information in both cases could be obtained only at a disproportionate cost.

The Government Actuary's Department and the Debt Management Office both recorded nil expenditure for asbestos surveys and removal of asbestos since 1 January 2001.

Work is currently under way on the National Savings and Investments' Glasgow site. Estimated cost of the remedial work to date is £500,000, and estimated costs to the end of the financial year are £750,000 (excluding VAT).

Since 1 January 2001, the Royal Mint has spent £6,802 on asbestos surveys. Expenditure incurred in removing asbestos was £1,380 in 2001; £20,120 in 2002; and £2,980 in 2003.

The Office of National Statistics is currently in the process of conducting a new asbestos survey at a cost of £78,000. Expenditure on remedial work since 1 January 2001 is £154,000.

Expenditure by the Office of Government Commerce on asbestos surveys since January 2001 is approximately £27,000. The cost of remedial work since January 2001 is £279,000.

Council Tax

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the total revenue from council tax in *(a)* 1996–97, *(b)* 2001–02 and *(c)* 2002–03, in (i) cash terms and (ii) real terms using 2001–02 prices; and if he will make a statement. [130146]

Dawn Primarolo: Government grant to local authorities has increased over the period since 1997. Overall there has been a 25 per cent. real increase in total grants since 1997, compared with a 7 per cent. cut in real terms in the four years previously. Most recently, the Local Government Financial Settlement for 2003–04 increased local authority funding through Formula Grant by 5.9 per cent. in real terms. Including other grants, the increase is over 8 per cent. For the first time, every local authority has generated above inflation increases this year.

It is in this context that local authorities have made their decisions about the level of council tax they wish to set in their areas.

The figures requested are shown in the table:

Council tax

£ billion

	Cash	*Real terms (2001–02 prices)*
1996–97	10.1	11.5
2001–02	15.2	15.2
2002–03	16.6	16.2

Customs Officers

Ms Atherton: To ask the Chancellor of the Exchequer how many customs officers there are stationed west of the line from Bristol to Southampton. [131172]

John Healey: I refer my hon. friend to the answer I gave to the hon. Member for Portsmouth, South (Mr. Hancock) on 8 September 2003, *Official Report*, column 99W.

This information is not available in the format requested. Figures for the number of Customs and Excise Officers by Government Office region are published on an annual basis in the Civil Service Statistics, a copy of which is available in the Library of the House, and from the Cabinet Office website.

The Customs figures are based on the number of officers whose office address falls within the defined area. However, Customs are a flexible resource and are frequently called upon to work across regions. In addition, regional staff are supplemented by the National Strike Force, a mobile brigade which is deployed on a national basis according to risk. Staff in these teams are allocated an office address for administrative purposes.

Employer Documentation

Brian Cotter: To ask the Chancellor of the Exchequer if he will list all the documentation issued by his Department that an employer must complete when he or she takes on his or her first employee, in order to be fully compliant; and if he will make a statement. [128689]

Dawn Primarolo: If the employee provides a form P45 showing past pay and tax details, the employer should complete its Part 3 and send it to the Inland Revenue. If there is no form P45, employer and employee should complete a form P46 and send it to the Inland Revenue.

A new employer also needs to set up a PAYE scheme with the Inland Revenue. He or she does this by supplying the necessary details to a dedicated telephone helpline. The Inland Revenue then issue the employer with a "New Employer's Starter Pack". This contains guidance and documentation that the employer may need to operate PAYE throughout the year. The contents and format of this guidance have been developed in consultation with representatives of employers. The CD-ROM version has been particularly well received.

Lambert Report

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the Government response to the Lambert Report. [129699]

John Healey: Richard Lambert published an interim report of his review of higher education-business links on 14 July. This set out a summary of the consultation responses and emerging issues. The Government welcome the emerging findings and expect to receive the final report of the review in the autumn, to which we will respond in due course.

Media Training

Mr. Flight: To ask the Chancellor of the Exchequer what the cost was to his Department of media and voice training for ministers and officials in each year since 1997. [123133]

Ruth Kelly: Treasury Ministers and officials have not received voice coaching.

Media training for Ministers cost £1,199 in 2002–03. No expenditure was incurred in earlier years.

Officials can attend courses run by CMPS or GIGS which include media training, but these costs are not identified separately in the Department's records.

Ministerial Visits

David Davis: To ask the Chancellor of the Exchequer if he will list the *(a)* foreign and *(b)* UK visits he has made since 1 April 2003; with the cost to public funds of each; whom he met; and the gifts received. [126898]

John Healey: The Government publish the overall costs of all ministerial overseas travel and a list of all visits overseas by Cabinet Ministers costing in excess of £500 on an annual basis. For the period up to 31 March 2003, I refer the right hon. Gentleman to the answer given by the Prime Minister to the hon. Member for Warwick and Leamington (Mr. Plaskitt) on 16 July 2003, *Official Report*, column 327W. The next list for the period 1 April 2003 to 31 March 2004 will be published at the end of the financial year.

In respect of gifts received, I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 17 July 2003, *Official Report*, column 445W.

In the UK, the Chancellor visited Aberdeen University in April to receive an honorary degree at a cost of £192, the Carnegie Foundation in Edinburgh in May at no cost, the AMICUS conference in Blackpool in June at a cost of £306, the TGWU conference in Brighton in July at a cost of £42, the Local Government Association conference in Harrogate in July at a cost of £107 and the TUC congress in Brighton in September at a cost of £42.

All ministerial travel is undertaken in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Libraries of the House.

Public Sector Pensions

Mr. Flight: To ask the Chancellor of the Exchequer what the latest estimate is of the present value of the liability for payment of pensions to the beneficiaries of unfunded public sector schemes; and what the value would be if the real rate of discount was *(a)* 3.0 per cent., *(b)* 2.5 per cent., *(c)* 2.0 per cent. and *(d)* the real rate of return on an index-linked stock of similar duration to maturity. [130882]

Mr. Boateng: The Government Actuary's Department estimate that the liabilities of unfunded public service pension schemes were approximately £380 billion as at 31 March 2002.

It is not possible to update that figure before the 2002–03 Resource Accounts for public service pension schemes are published. Revaluation of public service pension liabilities using different discount rates could be carried out only at disproportionate cost.

Mr. Flight: To ask the Chancellor of the Exchequer in relation to the estimation of the cost of pensions under the Whole of Government Accounts, why it has been decided *(a)* to issue figures without explanatory notes, and *(b)* to publish copies of guidance issued to Departments about the estimation of the cost of pensions. [130883]

Ruth Kelly: Central Government Accounts will be published for the first time for 2003–04, as part of the phased introduction of Whole of Government Accounts. Central Government Accounts will include the consolidation of the transactions and balances of those public sector pension schemes covered by the Resource Accounting Manual and other central Government accounting guidance. Central Government Accounts will provide a full explanation of the pension figures in both the income and expenditure account and balance sheet.

The liabilities of the main unfunded public service pension schemes are estimated by the scheme's actuary using assumptions published with the pension scheme accounts, as required by FRS17 and in accordance with the Resource Accounting Manual. Any Departments operating their own unfunded schemes are advised to seek guidance from the Government Actuary's Department on the calculation of the liabilities that should appear in their accounts.

The Resource Accounting Manual, which contains accounting guidance for Departments on all accounting matters, is publicly available.

Mr. Flight: To ask the Chancellor of the Exchequer in relation to the estimation of the cost of pensions under the Whole of Government Accounts, what excess of the discount rate over the rate of price inflation has been

applied to future liabilities; and what the typical corresponding rate is that is used by the private sector under FRS17. [130884]

Ruth Kelly: Central Government Accounts will be published for the first time for 2003–04, as part of the phased introduction of Whole of Government Accounts. Pension liabilities relating to Government employees reported in Central Government Accounts, which will be published for the first time for 2003–04, are a consolidation of the liabilities reported in the underlying scheme accounts. The real discount rate to be used in these accounts is 3.5 per cent., as advised by the Government Actuary's Department and based on the expected yield on long-term gilts.

Private sector schemes reporting under FRS17 are required to use a discount rate equal to the yield on an AA-rated bond of equivalent term and currency to the liabilities, if available. One study (by Lane, Clark and Peacock—"Accounting for pensions: annual survey 2003") has found considerable variation in the discount rate adopted—from under 5.4 per cent. to over 6 per cent. with the majority clustered around 5.6 per cent. real. The value of the liabilities increases as the discount rate decreases.

Ships and Aircraft (VAT)

Mr. Laws: To ask the Chancellor of the Exchequer for what reasons ships and aircraft above a certain size are zero-rated for value added tax purposes; and if he will make a statement. [130552]

John Healey: Under long-standing EU VAT agreements, sea-going vessels used for: navigation on the high seas; for the purpose of commercial, industrial or fishing activities; for rescue or assistance at sea; and commercial aircraft used chiefly on international routes are relieved of tax.

The UK has implemented this by relieving ships and aircraft, not used for recreation or pleasure, from VAT according to their weight. This simple rule provides clarity and certainty for businesses.

Tax Credits

Dr. Cable: To ask the Chancellor of the Exchequer pursuant to his answer of 17 July 2003, *Official Report*, columns 454–55W, on tax credit helplines, how many calls to the working tax credit helpline were expected in the first year of operation; and if he will make a statement. [128752]

Dawn Primarolo: There was no single forecast of calls or callers to the child and working tax credit helplines.

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the total cost of the July 1997 Budget decision to abolish payable tax credits for pension schemes and UK companies for each year from 1997–98 to 2005–06; and if he will make a statement. [130012]

Dawn Primarolo *[holding answer 16 September 2003]*: The estimated effects of the abolition of payable tax credits were published in the Financial Statement and Budget Report in July 1997. The abolition of payable tax credits was part of a wider package of corporation tax reforms, and its actual effects cannot be separately identified.

Mr. Flight: To ask the Chancellor of the Exchequer what his latest estimate is of the amount of research and development expenditure incurred by small and medium-sized companies that will qualify for the research and development tax credit in 2000–01. [131043]

Dawn Primarolo *[holding answer 18 September 2003]*: There are no published estimates of the amount of research and development expenditure incurred by small and medium-sized companies in 2000–01 that will qualify for the research and development tax credit. We have received over 1,700 claims by small and medium-sized companies relating to R&D expenditure in 2000–01.

VAT Registration Threshold

Mr. Laws: To ask the Chancellor of the Exchequer how many businesses were *(a)* above and *(b)* below the VAT registration threshold in each year from 1988–89 to 2003–04; and if he will make a statement. [130544]

John Healey: The information requested is not available.

Details of the total number of businesses registered for VAT are published in HM Customs and Excise Annual Reports, copies of which are available in the Library of the House. These figures include registered businesses whose turnover is below the VAT registration threshold, and do not include businesses whose turnover is above the VAT registration threshold who are not registered for VAT. Data are not available for the number of unregistered traders with turnovers below the VAT registration threshold, as they are not required to register for VAT.

Data are not available on the number of registered traders who are above the threshold. However, VAT Factsheets, published three times a year by Customs, copies of which are available in the Library of the House, show the numbers of VAT-registered traders by turnover bandings.

Registered Maternities

Mr. McWalter: To ask the Chancellor of the Exchequer how many registered maternities there were to women resident in *(a)* Dacorum, *(b)* St. Albans, *(c)* Watford, *(d)* Hertsmere and *(e)* Three Rivers local authority districts which took place in (i) Hemel Hempstead General Hospital, (ii) Watford General Hospital, (iii) St. Albans City Hospital, (iv) Mount Vernon Hospital, (v) Barnet General Hospital, (vi) Chase Farm Hospital, (vii) Northwick Park Hospital, (viii) Luton and Dunstable Hospital, (ix) Stoke Mandeville Hospital, (x) Wycombe General Hospital, (xi) other NHS hospitals, (xii) RAF Halton Hospital, (xiii) other non-NHS hospitals, (xiv) at home and (xv) elsewhere in each of the last three years for which figures are available. [131458]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. McWalter, dated 14 October 2003:

As National Statistician I have been asked to reply to your request for the number of maternities for women resident in *(a)* Dacorum, *(b)* St. Albans, *(c)* Watford, *(d)* Hertsmere and *(e)* Three Rivers local authority districts, which took place in the list of hospitals below for the each of the last three years for which figures are available. (131458)

(i) Hemel Hempstead General Hospital,

(ii) Watford General Hospital,

(iii) St. Albans City Hospital

(iv) Mount Vernon Hospital

(v) Barnet General Hospital

(vi) Chase Farm Hospital,

(vii) Northwick Park Hospital,

(viii) Luton and Dunstable Hospital,

(ix) Stoke Mandeville Hospital,

(x) Wycombe General Hospital,

(xi) other NHS hospitals,

(xii) RAF Halton Hospital,

(xiii) other non-NHS hospitals,

(xiv) at home, and

(xv) elsewhere

No data are available for RAF Halton hospital as it closed in 1996. Three tables showing data for 2000, 2001 and 2002 for the other hospitals are provided in the attached tables.

Maternities in selected hospitals, for selected areas of usual residence of the mother, 2000

	Place of mother's residence				
	Dacorum	*Hertsmere*	*St. Albans*	*Three Rivers*	*Watford*
Place of maternity					
(i) Hemel Hempstead General	1,410	12	1,187	63	12
(ii) Watford General	41	488	81	836	1,056
(iii) St. Albans City	0	0	0	0	0
(iv) Mount Vernon Hospital	0	0	0	0	0
(v) Barnet General	0	1	1	0	0
(vi) Chase Farm	0	25	2	0	0
(vii) Northwick Park	4	12	2	14	7
(viii) Luton and Dunstable	19	2	32	1	3
(ix) Stoke Mandeville	132	0	0	1	0
(x) Wycombe General	1	0	0	2	0
(xi) Other NHS	18	573	291	57	24
(xiii) Other Non-NHS	5	27	7	18	2
(xiv) At Home	67	11	75	17	10
(xv) Elsewhere	2	2	0	0	1
Total	1,699	1,153	1,678	1,009	1,115

Maternities in selected hospitals, for selected areas of usual residence of the mother, 2001

	Place of mother's residence				
	Dacorum	*Hertsmere*	*St. Albans*	*Three Rivers*	*Watford*
Place of maternity					
(i) Hemel Hempstead General	1,361	7	1,026	36	7
(ii) Watford General	53	480	108	807	1,055
(iii) St. Albans City	0	0	0	0	0
(iv) Mount Vernon Hospital	0	0	0	0	0
(v) Barnet General	0	1	0	0	0
(vi) Chase Farm	1	19	2	0	0
(vii) Northwick Park	4	6	2	21	6
(viii) Luton and Dunstable	13	1	61	2	2
(ix) Stoke Mandeville	114	1	2	0	0
(x) Wycombe General	2	0	0	4	0
(xi) Other NHS	24	544	373	44	27
(xiii) Other Non-NHS	8	17	14	14	1
(xiiv) At Home	58	9	61	11	8
(xv) Elsewhere	2	0	0	0	0
Total	1,640	1,085	1,649	939	1,106

Maternities in selected hospitals, for selected areas of usual residence of the mother, 2002

	Place of mother's residence				
	Dacorum	*Hertsmere*	*St. Albans*	*Three Rivers*	*Watford*
Place of maternity					
(i) Hemel Hempstead General	377	3	193	9	1
(ii) Watford General	778	479	598	772	999
(iii) St. Albans City	0	0	0	0	0
(iv) Mount Vernon Hospital	0	0	0	0	0
(v) Barnet General	0	0	0	0	0
(vi) Chase Farm	0	26	2	1	0

Maternities in selected hospitals, for selected areas of usual residence of the mother, 2002

	Place of mother's residence				
	Dacorum	*Hertsmere*	*St. Albans*	*Three Rivers*	*Watford*
(vii) Northwick Park	1	5	1	10	10
(viii) Luton and Dunstable	56	0	198	2	3
(ix) Stoke Mandeville	170	0	0	2	0
(x) Wycombe General	2	0	1	5	0
(xi) Other NHS	52	530	595	54	19
(xiii) Other Non-NHS	5	15	8	13	1
(xiiv) At Home	87	9	69	11	12
(xv) Elsewhere	3	1	0	0	1
Total	1,531	1,068	1,665	879	1,046

Wanless Report

Dr. Starkey: To ask the Chancellor of the Exchequer (1) if he will publish the report by Derek Wanless on the cost-effectiveness of public health interventions; [132198]

(2) when he expects to receive the report of Derek Wanless on the cost-effectiveness of public health interventions. [132199]

Mr. Boateng: Derek Wanless will report to the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Health early in 2004. It is anticipated that a report will be published shortly afterwards.

Cigarettes

Mr. Dobson: To ask the Chancellor of the Exchequer what the limits are on the importation of cigarettes into Britain by individuals who have bought them within the European Union *(a)* paying the duty levied in the country of purchase and *(b)* from a duty-free outlet. [132147]

John Healey: Since the introduction of the Single Market in 1993, travellers making journeys within the EU have been able to bring back as many duty and tax paid cigarettes as they like, providing they are for their own use. Cigarettes may not be brought into the UK for any form of sale or reimbursement without payment of UK taxes. There are no limits on importations of this kind.

Travellers bringing back excise goods into the UK may be required to explain to Customs the purposes for which they are holding those goods. EU agreements establish guidelines to help Member States determine whether goods are imported for 'own use' or for commercial purposes, including provision for a minimum indicative level of 800 cigarettes. The UK applies an indicative level of 3200 cigarettes, which is one of the factors Customs will use in assessing travellers' explanations of the purposes for which they are holding excise goods.

On 1 July 1999, duty and VAT-free sales of goods to intra-EU travellers were abolished, and travellers cannot now make duty-free purchases when travelling between EU Member States.

Transfer Pricing

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 8 September, *Official Report*, column 103W, what the recovery upon transfer pricing cases of tax, interest and penalties was in each of the years 1999–2000 to 2001–02 arising from *(a)* LBO led cases and *(b)* Revenue Policy (International) led cases which taken all together amount to the £1.7 billion referred to in the Commissioners of Inland Revenue's Supplementary Memorandum published in the 29 Report of the Committee of Public Accounts, Session 2002–03, HC 332. [132186]

Dawn Primarolo: The recovery from transfer pricing cases was as follows:

£ million

	LBO	*RP International*
1999–2000	35.1	1.09
2000–2001	55	241.1
2001–2002	87	196.6
	Total 1705.8	

Aggregates Levy/Landfill Tax

Paul Flynn: To ask the Chancellor of the Exchequer how much has been lost to the National Insurance Fund by reductions in contributions by employers to compensate for the aggregates levy and landfill tax, in each year since they were introduced. [132274]

Dawn Primarolo: The reduction in contributions to the National Insurance Fund to compensate for the aggregates levy is £0.4 billion in 2002–03 and estimated to be £0.4 billion in 2003–04. These figures are rounded to the nearest £0.1 billion.

It is not possible to calculate the effects of the compensation for the landfill tax on the NIF due to the structural changes to secondary NICs in 1999.

Affordable Warmth Programme

Mr. Flight: To ask the Chancellor of the Exchequer what the cost to public funds in terms of tax receipts forgone was of the affordable warmth programme in each year since its introduction. [131492]

John Healey: The Finance Act 2000 made capital allowances available specifically for spending on equipment for leasing under an approved affordable warmth programme, a Government administered scheme which aims to support the installation of efficient central heating systems in up to 1 million low income homes over five years. Finance for the programme is provided by commercial leasing packages, administered

through local authorities, with Transco (the pipeline arm of British Gas plc) guaranteeing the residual value of the installed equipment.

The estimated cost to the Exchequer of capital allowances for approved affordable warmth programmes is given in the Financial Statement and Budget Report 2003 [HC 500].

Air Quality

Bob Spink: To ask the Chancellor of the Exchequer if he will make it his policy to create fiscal incentives for cleaner vehicles by co-ordinating rates of taxation on benefits-in-kind with the Government's Air Quality policies. [131687]

John Healey: It has been a long-standing policy of the Governments to introduce cost-effective measures to help reduce the impact that transport has on the environment.

To incentivise cleaner cars, the Government have introduced emission-based reforms for graduated company car tax and fuel scale charges—the charge on free fuel provided for employees. These CO_2-based benefit-in-kind taxes have helped reward the purchase of cleaner cars and the progress made is reflected in the 3.75 per cent. fall in average CO_2 emissions of new cars between 2000 and 2002.

In addition to progress on CO_2, local air pollution has improved dramatically with falls in emissions of particulates and NOx from new vehicles, for example new cars now produce in the region of 90 per cent. less pollutants than those manufactured 20 years ago. This has been driven by successively tougher emissions standards for new cars and given that company cars are generally less than two years old, means they are delivering air quality improvements. To help facilitate this progress, the Government have incorporated air quality incentives into the company car tax regime. There are discounts for cars that use alternative fuels and technologies, for example road fuel gases, and supplements for diesel cars in recognition of their higher emissions of pollutants that damage local air quality. This approach helps ensure there are benefits for the drivers of the very cleanest cars along with benefits for the environment.

Furthermore, to provide incentives for the use of alternatives to the car, in 1998 the Government announced a package of measures, which included removal of benefits-in-kind charges on employer-provided works buses and on public bus subsidies, and new reliefs for commuter and business cycling.

ASPIRE Programme

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 8 September 2003, *Official Report*, column 96W, on the ASPIRE programme, if he will list the potential suppliers with whom the Inland Revenue had engaged in a market-making exercise as part of its plan for the ASPIRE project, indicating in each case whether Inland Revenue or the supplier approached the other first in this matter; when the market-making exercise was *(a)* conceived by Inland Revenue, *(b)* launched with these potential suppliers and *(c)* completed; and how much (i) tax, (ii) interest and (iii) in penalties had been recovered from the suppliers as a whole as a consequence of Inland Revenue compliance activities in the 36 months leading up to the launch with these potential suppliers of the market-making exercise. [131370]

Dawn Primarolo: The potential suppliers the Inland Revenue engaged with as part of the market making exercise for the ASPIRE project were:

Accenture
American Management Systems (AMS)
Capita
Cap Gemini Ernst and Young (CGEY)
Computer Science Corporation (CSC)
Electronic Data Services (EDS)
Hewlett Packard (HP)
International Business Machines Corporation (IBM)
Fujitsu Services
CMG Logica
Microsoft
PWC Consulting
Science Application International Corporation (SAIC)
Schlumberger Sema

In all cases, the Inland Revenue made the first approach.

The Market Making exercise was conceived by the Inland Revenue between August and October 2001, and was launched on 31 October 2001. The exercise continued until 10 May 2002—the closing date for responding to the OJEC notice for the competition. Not all of the potential suppliers responded to the OJEC notice. In addition, an open meeting was held for all interested suppliers on 7 March 2002, which was attended by 42 potential suppliers.

It is a long-standing principle that information provided to the Inland Revenue for tax purposes is treated as confidential and not disclosed to anyone else without the taxpayer's consent. Exceptions to the principle arise only in very restricted circumstances, such as orders by the court to provide information or where Parliament has sanctioned disclosure by specific statutory provisions. There are statutory provisions to ensure confidentiality of taxpayer information and any unauthorised disclosure is a criminal offence. It is for these reasons that I am unable to provide the hon. Member with the information that the hon. Member seeks on these companies.

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his Answer of 8th September, Official Report, column 103W, what criteria were set for the payment of performance related pay in the years 1999–2000 to 2002–03 to the Commissioners of Inland Revenue or their officers, in support of Project ASPIRE or its antecedents. [132187]

Dawn Primarolo: For staff in departmental (grades) pay bands payment of performance pay was dependent upon satisfactory performance measured against an individual's performance agreement. Each performance agreement sets out an individual's key responsibilities and objectives relative to ASPIRE and any other key business objectives they may have had for the years in question. The performance and contribution of the

commissioners and other staff in the Senior Civil Service is additionally assessed in relation to that of others in the same pay band.

Baby Bonds

Vera Baird: To ask the Chancellor of the Exchequer if he will make a statement on the scheme for baby bonds; and when he expects that they will be available for children in Redcar. [132379]

Ruth Kelly: The Child Trust Fund is intended to encourage parents and children to develop the savings habit. It will ensure that every child, whatever their family background, will have access at the age of 18 when they begin their adult life, to a stock of assets which they can invest in their future.

It will also help children and their parents to understand the benefits of saving and investment and how to engage with financial institutions.

Detailed proposals covering the nature of the Child Trust Fund, how it will operate and the information and guidance that will be provided will be published shortly.

Euro

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131597]

Ruth Kelly: Details of expenditure on changeover planning were included in the third outline National Changeover Plan, published on 9 June 2003. Copies of the document are in the Library of the House.

It is difficult to estimate with any accuracy how much any changeover would cost. It would depend on the approach taken. In particular, many IT systems will be euro compatible as a result of ongoing modernisation programmes, which would reduce the costs of any euro changeover.

Keith Vaz: To ask the Chancellor of the Exchequer how many speeches he has made since 1 June 2003 concerning the euro. [131748]

Ruth Kelly: Ministers are holding a series of meetings around the country campaigning for a pro-European consensus.

Financial Services Authority

Mr. Bailey: To ask the Chancellor of the Exchequer (1) what recent discussions he has had with the Financial Services Authority on their discussion paper DP20, with particular reference to mutual organisations; [R][131989]

(2) what representations he has received on the Financial Services Authority's proposed reforms to with-profits products and access to capital for mutual insurers and friendly societies; and what impact these proposals will have on mutual organisations. [R][131990]

Ruth Kelly: The Treasury has received a number of representations on the proposed reforms to with-profits. Officials have discussed a number of issues relating to these proposals with both individual life insurance companies, including mutual life offices, and the FSA. Clearly any decision on taking forward these reforms is a matter for the FSA.

Illegal Meat Importation

Mr. Hendry: To ask the Chancellor of the Exchequer how many prosecutions have been made regarding the illegal importation of meat identified by Customs and Excise sniffer dogs in the last five years; and how many of those have resulted in successful convictions. [131693]

John Healey: HM Customs and Excise took over responsibility for anti-smuggling controls on products of animal origin from Defra on 11 April 2003. The two Defra meat detector dogs and handlers transferred to HM Customs and Excise on 1 May.

None of Customs' seizures of illegal meat since 11 April have resulted in prosecution action.

Income Tax

Mr. Howard: To ask the Chancellor of the Exchequer (1) what he estimates the effect on current receipts would have been in *(a)* 2003–04, *(b)* 2004–05, *(c)* 2005–06, *(d)* 2006–07 and *(e)* 2007–08 if the income tax system had been changed such that (i) the basic rate limit for 2003–04 had been set at £45,385, increasing thereafter in accordance with the normal indexation procedure, (ii) the higher rate of income tax applicable to taxable income above a basic rate limit of £45,385 in 2003–04 and an indexed level thereafter had been set at 50 per cent. in 2003–04 and all subsequent years and (iii) a 60 per cent. marginal rate of income tax had been applied to annual income above £100,000 in 2003–04, with this threshold being indexed in accordance with the normal procedure thereafter; and if he will set out the assumptions concerning changes to economic behaviour, including (A) hours worked by people in different income brackets, (B) changes in consumption levels and (C) decisions on country location taken by companies and individuals that inform this calculation; [123358]

(2) if he will estimate the effect of introducing a 60 per cent. marginal rate of income tax on annual income above £100,000 on *(a)* GDP and *(b)* current receipts after (i) one year, (ii) five years and (iii) 10 years; and if he will set out the assumptions on which the calculation is based. [123359]

Dawn Primarolo *[holding answer 3 July 2003]:* We have compiled comprehensive information on income tax which has been placed in the Library of the House.

Individual Learning Accounts

Mr. Flight: To ask the Chancellor of the Exchequer what the cost to the Exchequer in terms of tax receipts forgone was of the individual learning accounts introduced in the 1999 budget in each year since introduction. [131359]

Dawn Primarolo: I refer the hon. Member for Arundel and South Downs to the answer I gave to the hon. Member for Yeovil (Mr. Laws) on 15 September 2003, *Official Report*, columns 594–95W.

Inland Revenue

Norman Lamb: To ask the Chancellor of the Exchequer what properties the Inland Revenue owns; what properties have been sold by the Inland Revenue since May 1997 other than to Mapeley Steps Ltd.; and when they were sold. [122210]

Dawn Primarolo: The Inland Revenue owns:

Sheraton House, Skinner Street, Stockton (which is in the process of being sold); and the freehold of Darwin House, Shrewsbury—a historic building—let on a 175 year lease to Mapeley STEPS Ltd.

The properties sold since 1997, other than to Mapeley STEPS Ltd. are listed as follows.

Dundonald House, Bexhill on Sea—March 1998

Stuart House, Edinburgh—January 1999[1]

Montrose House, Glasgow—January 1998[1]

Highland House, Manchester—November 1998[1]

Holborn House, Stockport—January 1999[1]

55–59 Wilson Patten Street, Warrington—January 2000

St. Johns House, Bootle—August 2000[1]

Government Buildings, Oxford—December 2000

23, Piccadilly, York—March 2001[2]

Rutland House, Bradford—March 2001[2]

6 Dormer Place, Leamington Spa—August 2002

[1] These buildings were sold as part of individual building PFI contracts negotiated prior to the Mapeley contract and therefore not included as part of the Mapeley deal.

[2] These buildings were transferred to Mapeley STEPS Contractor Ltd.

Iraq

Llew Smith: To ask the Chancellor of the Exchequer what proportion of the money set aside to support the invasion of Iraq has been spent to date; and what plans he has to increase the funds available to support activities in Iraq. [129725]

Mr. MacDougall: To ask the Chancellor of the Exchequer what the most recent estimate is of the cost of the war with Iraq in 2003. [130522]

Mr. Flook: To ask the Chancellor of the Exchequer what estimates he has made of the cost of deployments to Iraq in *(a)* this financial year and *(b)* each of the next three financial years. [131511]

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what his latest estimate is of the cost to the UK of *(a)* the conflict in Iraq and *(b)* the occupation since the end of hostilities; and if he will make a statement. [131468]

Mr. Paul Marsden: To ask the Chancellor of the Exchequer what the most recent estimate is of the cost of the recent conflict in Iraq. [132296]

Mr. Boateng *[holding answer 17 September 2003]:* As the Chancellor said in his 2003 Budget statement,

> "I can confirm that I have set aside £3 billion, in a special reserve available to the Ministry of Defence so that our troops continue to be properly equipped and given the resources that they deserve and have a right to expect." [9 April 2003, *Official Report*, column 271].

It is too early to provide total costs of the military campaign in Iraq. However, the Ministry of Defence estimate for the preparatory phase, up to the point military operations began, at around £700 million.

Landfill Tax Credit Scheme

Sir Michael Spicer: To ask the Chancellor of the Exchequer what plans he has to include furniture recycling projects in the Landfill Tax Credit Scheme. [131406]

John Healey: There are no such plans. From 1 April funding for sustainable waste management projects was removed from the Landfill Tax Credit Scheme and is now the responsibility of the Department for the Environment, Food and Rural Affairs.

Local Authorities: Euro Preparations Guidance

Mr. Ruffley: To ask the Chancellor of the Exchequer what estimate he has made of the cost for each local authority in the East of England of implementing the guidance contained in Local Authorities: Euro Preparations Guidance—Part 1, June 2003. [131838]

Ruth Kelly: We expect no significant costs to local authorities at this stage. Local authorities would have a critical role to play during any changeover and as part of sensible business planning, in line with preparations in the wider public sector and across the economy, the guidance recommends that they should make preparations. All the evidence from the euro area suggests that early planning can significantly reduce costs.

Penrose Report

Mr. David Stewart: To ask the Chancellor of the Exchequer when he expects to receive Lord Penrose's report on Equitable Life. [131354]

Ruth Kelly: The timetable for his report is a matter for Lord Penrose. Lord Penrose remains committed to producing his report as soon as he properly can.

Events (Ministerial Attendance)

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport if she will list the *(a)* sports events, *(b)* arts events, *(c)* broadcasting events, *(d)* tourism events and *(e)* museums and galleries she has attended since 1 November 2002. [118007]

Tessa Jowell: The number of events attended since 1 November 2002, is given in the following list:

Sporting:

8 December 2002 BBC Sports Personality of the Year.

1 January 2003 Arsenal v Chelsea @ Highbury

12 February 2003 England v Australia @ Upton Park

16 March 2003 World Indoor Athletics Championships

13 April 2003 London Marathon Opening.

Arts:

19 November 2002: A Streetcar Named Desire.

10 November 2002: Twelfth Night @ Donmar Warehouse.

15 December 2002: Mahler 2 @ Royal Festival Hall.

21 December 2002: The Wind in the Willows @ Linbury Studio.

23 December 2002: The Merry Wives of Windsor @ RSC Swan Theatre.

28 January 2003: The Rite of Spring @ Treptow Arena

10 February 2003: The Vortex @ Donmar Warehouse.

15 May 2003: Henry V @ National Theatre.

20 May 2003: Winters Tale @ Roundhouse

28 June 2003: The Lady from the Sea @ The Almeida Theatre

Broadcasting:

6 February 2003: Launch of BBC 3.

23 February 2003: BAFTAS

13 May 2003: Thirty Club Dinner

16 May 2003: Cannes Film Festival: Calendar Girls.

Tourism:

7 November 2002: Tourism Forum @ Tate Modern

4 February 2003: Cumbria: CBI Dinner

5 February 2003: BTA Breakfast.

22 May 2003: Tourism Breakfast @ Claridges

Museums and Galleries:

17 December 2002: The Soul of the Homeless @ Museum of London.

3 February 2003: Constable to Lacroix @ Tate Britain.

17 March 2003: Duhrer Exh. @ British Museum.

25 March 2003: Titan Exhibition @ The National Gallery.

17 March 2003: Roundhouse Theatre Event

3 April 2003: British Empire and Commonwealth Museum

28 April 2003: Built Heritage Foundation, Shoreditch.

28 April 2003: Elizabeth @ National Maritime Museum.

The list includes events attended up to the start of the summer parliamentary recess 2003.

National Insurance Contributions

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what representations he received on the decision to remove the concession on Class 1 national insurance contributions applicable to mariners working on UK and Isle of Man registered ships where such ships never enter or trade in UK territorial waters *(a)* before and *(b)* after the decision was announced; what discussions he has held on the matter; what estimate he has made of the net revenue effect of this change to (i) receipts by Her Majesty's Treasury and (ii) seafarers and mariners registered as UK citizens; and what estimate he has made of the effect of this change on the (A) international competitiveness of the UK/Isle of Man shipping industry and (B) future numbers of UK citizens employed in the industry. [131875]

Dawn Primarolo: None. The changes announced were in relation to ships trading in UK waters, not international shipping.

PAYE

Mr. Flight: To ask the Chancellor of the Exchequer pursuant to his answer of 20 January 2003, *Official Report*, column 57W, on PAYE schemes with one or two employees, how many such schemes there were for each year from 1999–2000 onwards for companies only, excluding unincorporated businesses. [131397]

Dawn Primarolo: The information is in the table.

PAYE schemes live at April:	*Number of PAYE schemes with one or two employees*[1,2,3]
2003	396,000
2002	366,000
2001	353,000
2000	334,000

[1] Companies only.

[2] Figures have been rounded to the nearest thousand.

[3] Schemes live at a particular date have been classified by the number of employees shown on the most recent end-of-year returns submitted by employers. The number of employees may not be available for newly set up schemes at each of these dates.

Pensioners (Tax Rates)

Mr. Laws: To ask the Chancellor of the Exchequer how many pensioners pay tax at a marginal rate of 40 per cent.; and if he will make a statement. [130564]

Dawn Primarolo: An estimated 190,000 state retirement age pensioners pay tax at a marginal rate of 40 per cent. in 2003–04.

This estimate is based upon the 2000–01 Survey of Personal Incomes and is consistent with April Budget 2003.

Reduced VAT Rate (Energy Saving Materials)

Mr. Flight: To ask the Chancellor of the Exchequer what the cost to the Exchequer was of the reduced rate of VAT on energy saving materials in each year since 1998; and what effect the extension had on these sums in each year from 2000. [130998]

John Healey: Estimates of the revenue cost of the reduced rate of VAT for energy saving materials measures for the years 1998–99 to 2000–01 were published in Table 1.3 of the 1998 Financial Statement and Budget Report [HC 620] It is estimated to have the same full-year cost in subsequent years.

Estimates of the additional cost for the years 2000–01 to 2002–03 of extending the measure in Budget 2000 were published in the 2000 Financial Statement and Budget Report [HC 346].

Urban Regeneration Cost

Mr. Flight: To ask the Chancellor of the Exchequer what the cost to the Exchequer has been of the four measures to regenerate Britain's towns and cities announced on 8 November 2000 and introduced in the 2001 Budget. [131296]

Dawn Primarolo: Costs of major tax reliefs can be found in Table A3.1 of the 2003 Financial Statement and Budget Report and in the Tax Ready Reckoner and Tax Reliefs. Costs of minor tax reliefs can be found on the Inland Revenue website.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer which Minister is responsible for the implementation of stamp duty land tax. [131293]

Ruth Kelly: I am.

Mr. Prisk: To ask the Chancellor of the Exchequer on what date he will publish *(a)* the results of the consultation on the reform of stamp duty land tax affecting commercial leases and *(b)* revisions to the Government's proposals. [131292]

Ruth Kelly: We expect to publish shortly.

Tax Credits

Dr. Cable: To ask the Chancellor of the Exchequer how many staff were seconded to work on working families tax credit, broken down by Government department; how many of those staff are still seconded to work on the working family tax credit; what arrangements were made to cover the work previously being undertaken by staff who were seconded; and if he will make a statement. [128800]

Dawn Primarolo: A number of staff have been seconded to Inland Revenue from other Government Departments in recent years, including from the former Department of Social Security and the Department for Work and Pensions. However, I regret that information is not held centrally on their areas of work.

Tax Incentives

Mr. Walter: To ask the Chancellor of the Exchequer what plans he has to implement tax incentives for companies who allow members of staff to work from home; and what assessment he has made of the impact this would have on traffic congestion. [131898]

Dawn Primarolo: Companies can usually claim any expenses wholly and exclusively incurred in respect of employees' home working as a deduction in working out their trading profits for tax purposes.

In addition, a number of measures have been introduced in recent years to help employers support home workers without them incurring a tax charge or liability to pay National Insurance contributions. These include:

exemption for provided computer equipment;

exemption for other provided equipment, services and supplies;

exemption for reimbursed additional household costs.

Estimates of the effects these measures will have on reducing levels of traffic congestion are not available.

Tax Liability (Company Car Benefit)

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how much revenue was generated from duties on company car benefit in kind in each financial year since 2000–01. [131297]

Dawn Primarolo: Latest estimates of the tax liability on company car benefit are available on the Inland Revenue's website at: http://www.inlandrevenue.gov.uk/stats/taxable_benefits/tbikaep_t05_1htm

Tax Relief (Employee-loaned Computers)

Mr. Flight: To ask the Chancellor of the Exchequer pursuant to the answer of 16 January 2003, *Official Report*, column 754W, on tax relief on employee-loaned computers, whether the information requested has been collected from employers. [130999]

Dawn Primarolo: I refer the hon. Member to the answer I gave to the hon. Member for Yeovil (Mr. Laws) on 15 September 2003, *Official Report*, columns 592–93W.

Trading Fund Models

Mrs. Helen Clark: To ask the Chancellor of the Exchequer (1) pursuant to his answer of 2 July 2003, *Official Report*, column 276W, on trading fund models, if he will make it his policy to require Government agencies operating on a trading fund model to report the amounts of their turnover provided by sales to *(a)* Government Departments and Government agencies, *(b)* private sector customers and *(c)* value added resellers; and if he will make a statement; [132166]

(2) if he will require Ordnance Survey to publish in its Annual Report the breakdown of its turnover of between sales *(a)* to Government Departments and Government agencies, *(b)* to private sector customers and *(c)* to value-added resellers; and if he will make a statement. [132167]

Mr. Boateng: Trading funds prepare their accounts in accordance with the requirements of "Trading Funds: Accounts Guidance issued by HM Treasury". These requirements comply with Generally Accepted Accounting Practice in the United Kingdom (UK GAAP) to the extent that this is meaningful and appropriate in the public sector context. UK GAAP includes pronouncements by the Accounting Standards Board, one of which (Statement of Standard Accounting Practice 25) requires the disclosure of turnover by class of business or geographical segment where the body operates in more than one class of business or geographical segment. In line with the provisions of SSAP 25, it is for the management of the trading fund to define the appropriate class of business or geographical segments. In addition, where a trading fund provides different services as defined in the "Fees and Charges Guide" (also issued by HM Treasury), the Guide requires information about the performance of each service—including details of the turnover—to be disclosed.

There are currently no plans to extend the disclosure requirements for trading funds (either in general or in specific cases) beyond those of SSAP 25 and the "Fees and Charges Guide".

VAT (Church Repairs)

Mr. Ruffley: To ask the Chancellor of the Exchequer what recent discussions his Department has had with the European Commission regarding the level at which VAT is levied on church repairs in the United Kingdom; and if he will make a statement. [131440]

John Healey: I refer the hon. Member to my answer of 18 September to the hon. Member for Warrington North (Helen Jones) *Official Report*, column 466W.

War Debt

Bob Spink: To ask the Chancellor of the Exchequer what the schedule is for repayments to the USA of War Debt incurred by Britain during and in the aftermath of the Second World War, including the line of credit and the lend-lease loan. [131690]

Ruth Kelly: The schedule for the repayments of interest and principal sums outstanding on the Second World War agreement for a line of credit and a lend-lease loan facility with the United States Government are as follows:

	US$ million
December 2003	148
December 2004	145
December 2005	142
December 2006	83

DEFENCE

Criminal Offences

Simon Hughes: To ask the Secretary of State for Defence if he will list, broken down by Act, the criminal offences created in legislation sponsored by his Department since 1997. [110992]

Mr. Caplin *[holding answer 8 May 2003]:* One offence has been created in legislation sponsored by the Ministry of Defence since 1997. The Armed Forces Act 2001 included powers, in relation to persons subject to Service law, to test for alcohol or drugs after a serious incident and created the offence of failing to provide a sample in such circumstances.

European Security Policy

Mr. Gerald Howarth: To ask the Secretary of State for Defence what part the development of a research-linked European security policy will play in future British security policy. [130806]

Mr. Hoon: The European Commission has yet to define precisely the content of its proposed "Preparatory Action on the enhancement of European industrial potential in the field of security research". It is therefore too early to assess whether any security research programme emerging from this will influence British defence or security policies.

Far East Civilian Survivors

Miss McIntosh: To ask the Secretary of State for Defence what plans there are to extend ex gratia compensation payments to Far East British civilian survivors of the Second World War who cannot prove a bloodlink; and if he will make a statement. [131361]

Mr. Caplin: The eligibility criterion for the ex gratia payment scheme requires that Civilian Internees of the Japanese during the Second World War were British subjects who had been born or had a parent or grandparent born in the United Kingdom. This criterion has been thoroughly examined by the courts, including the Court of Appeal, and confirmed.

Friendly Fire

Mr. Keetch: To ask the Secretary of State for Defence what inquiries are being conducted in the United Kingdom armed forces into the Friendly Fire incidents of the recent Gulf conflict; whether US personnel *(a)* participated in and *(b)* have been denied permission to participate in the inquiries; and if he will make a statement. [130529]

Mr. Ingram *[holding answer 17 September 2003]:* The United Kingdom armed forces thoroughly investigate all suspected incidents of Friendly Fire. Depending on the type of incident, investigations may be undertaken by a variety of agencies. This could include Royal Military Police, the Land Accident Prevention Investigation Team, Boards of Inquiry or Unit Inquiry Teams.

United States personnel have had observer status for UK investigations where relevant. The UK and the US have also jointly interviewed witnesses where possible and necessary. Further, a UK representative sits on the US-led Board of Inquiry into the incident suspected of involving an RAF Tornado and a Patriot Missile. For the incident suspected of involving a UK Scimitar and a US A-10, a joint UK/US, US-led inquiry has been held and UK representatives sat on the inquiry board. We are not aware of any further Friendly Fire incidents that may have involved UK and US personnel. There is no indication that the evidence of any US personnel has been withheld from UK representatives or that US personnel have been denied permission to participate in the inquiries.

Iraq

Adam Price: To ask the Secretary of State for Defence how many Iraqi civilians have been killed by United Kingdom or United States military forces in *(a)* Iraq and *(b)* Baghdad since the end of the conflict in Iraq. [129641]

Mr. Hoon: We make every effort to minimise the impact of military operations on the Iraqi civilian population. We have no reliable means of ascertaining the numbers of civilians killed by United Kingdom Forces since the conflict ended.

Mr. Jenkin: To ask the Secretary of State for Defence how many *(a)* small arms and *(b)* heavy weapons have been (i) confiscated and (ii) destroyed by UK forces since cessation of hostilities in Iraq. [126136]

Mr. Ingram: We did not centrally record the numbers of weapons confiscated or destroyed before 10 May 2003. Since then, as of 24 September, over 3,100 small arms and 450 heavy weapons (rocket-propelled grenades, mortars and man-portable air-defence missile systems) have been confiscated by forces of the Multinational Division under United Kingdom Command. We do not separately record the numbers destroyed. Excellent progress also continues to be made in the broader task of munitions clearance.

Kenya (Rape Allegations)

Mr. Caton: To ask the Secretary of State for Defence if he will make a statement on progress in investigating allegations made by women in Kenya that they were raped by British soldiers. [125945]

Mr. Ingram: The Special Investigation Branch (SIB) of the Royal Military Police is currently engaged in a major criminal investigation into these allegations. A major incident room has been established in the UK and the investigation team has visited Kenya a number of times in recent months to examine Kenyan police records and to interview alleged victims. The SIB continues to act with the full support of the Kenyan authorities. It would be inappropriate to comment further while the investigation remains on-going.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Secretary of State for Defence how much was paid to Microsoft in licensing fees by his Department and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130669]

Mr. Caplin: The total expenditure on Microsoft licensing fees is not held centrally and could be provided only at disproportionate cost; however the Defence Communication Services Agency holds some information on expenditure and this is set out as follows. As the DCSA has steadily taken on responsibility for more of the MOD's IT over the last three years, the early figures should be viewed as representing only a share of MOD's total expenditure. The later figures encompass an increasingly high proportion of it (though still not all).

	£ million
2001–02	15.06
2002–03	21.35
2003–04	25.87

£17 million per year has been allocated for a future agreement and negotiations are under way at present. Due to these negotiations it would not be appropriate to give further information on future budgeting and it is therefore withheld under Exemption 2 of the Code of Practice on Access to Government Information.

MOD Housing

Diana Organ: To ask the Secretary of State for Defence whether it is his policy that members of the armed services are responsible for payment of repairs to buildings, following a burst water tank, when they are the key holder of Ministry of Defence housing. [123904]

Mr. Caplin: Military personnel occupy Service Families' Accommodation under a contractual licence and have a general obligation to report structural defects including leaks or water tank bursts. Where damage to the fabric of the building occurs through negligence on the part of the licensee, the terms of the licence allow the staff of the Defence Housing Executive to raise charges in respect of the cost of repairs.

Non-Combatant Deaths

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence what steps he is taking to reduce the number of non-combatant deaths of armed forces personnel. [129074]

Mr. Ingram: We take non-combatant deaths, which can occur in a range of circumstances, very seriously. Road Traffic Accidents account for the majority of non-combat deaths, and the Ministry of Defence operates a number of road safety campaigns to increase awareness of risks on the road.

Another significant contributor to non-combat deaths is disease, to which members of the Armed Forces are as susceptible as the general public. But as part of the Defence Health Programme we are creating a health promotion strategy to co-ordinate work already in hand within each of the three Services. Through an emphasis on fitness and proper nutrition, together with increased availability of health advice and access to treatment, we aim to reduce the instance of disease-related deaths. Fewer than one in 20 non-combat deaths throughout the armed forces last year were ruled by the coroner as suicides or open verdicts. Through a tri-Service Suicide and Self-harm Prevention Working Group we are developing a more cohesive Armed Forces suicide and deliberate self-harm prevention policy. Other measures include the benchmarking of prevention measures with the NHS, HM Prison Service and other nations, and the development of a Stress Policy. Moreover, personnel are trained to be on the alert for signs of depression, altered behaviour and other possible indicators of self-harm. Further studies are planned into the identification of factors which may indicate greater risk of self-harm and suicide.

QinetiQ

Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the implementation of the long term partnering agreements on QinetiQ. [120789]

Mr. Caplin: The Long Term Partnering Agreement (LTPA) between the Ministry of Defence and QinetiQ came into effect on 1 April 2003. Under the Agreement, MOD retains ownership of its ranges and QinetiQ operates them on behalf of the Department to provide MOD with a long term test and evaluation capability.

The LTPA is worth up to £5.6 billion to QinetiQ and is expected to deliver savings to the MOD of around £700 million (at current prices).

Absent Without Leave

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his Answer of 11 July 2003, *Official Report*, column 1033W, on trained personnel, how many of the service personnel who went absent without leave in each year were dismissed from each service. [127908]

Mr. Caplin: Available information is shown in the table. Please note that as data are captured using different methods for each of the three Services, the given figures are not directly comparable on a Tri-Service basis.

Figures are based only on trained personnel and have been rounded to prevent accidental disclosure of sensitive personal data.

The figures in this answer will differ from those given by my hon. Friend for Kirkcaldy (Dr. Moonie) in his answer of 7 January 2003, *Official Report*, columns 40–42W as AWOL figures for those under training were included at that time.

Naval Service[1,2]

The Naval Service figures for the period 1 January–31 December

	Number reported AWOL	*Number dismissed from the Service*[2]
1998	25	10
1999	35	5
2000	50	5
2001	85	10
2002	90	5

[1] These figures relate to Royal Navy only so do not include Royal Marines.

[2] Those dismissed at court-martial or additionally, for the Naval Service only, at Summary Trial under warrant punishment system, as the result of a (or several) discipline offence(s). For the Naval Service dismissals the dismissal may not be solely due to the AWOL offence although one of the recorded offences was AWOL. They do not include personnel who were recorded as AWOL and later dismissed at a hearing with AWOL not recorded as an offence. In the case of the Army there are figures for the number of soldiers who have been court-martialled for going AWOL and then a third set of figures for those who have been subsequently dismissed as a direct result of the court-martial. The RAF figures are those personnel reported as AWOL and later dismissed for any reason.

Army[1,2,3]

Financial year	*Number reported AWOL*[2]	*Number court-martialled for going AWOL*[1]	*Number dismissed from the Service*[1]
1998–99	1,400	90	45
1999–2000	1,665	100	50
2000–01	1,850	115	50
2001–02	1,655	120	45
2002–03[3]	1,685	125	65

[1] Those dismissed at court-martial or additionally, for the Naval Service only, at Summary Trial under warrant punishment system, as the result of a (or several) discipline offence(s). For the Naval Service dismissals the dismissal may not be solely due to the AWOL offence although one of the recorded offences was AWOL. They do not include personnel who were recorded as AWOL and later dismissed at a hearing with AWOL not recorded as an offence. In the case of the Army there are figures for the number of soldiers who have been court-martialled for going AWOL and then a third set of figures for those who have been subsequently dismissed as a direct result of the court-martial. The RAF figures are those personnel reported as AWOL and later dismissed for any reason.

[2] The AWOL figures differ from the answer given in my answer of 11 July 2003, *Official Report*, column 1033W, due to belated absence publications being actioned or the cancellation of some absences.

[3] Army and RAF dismissal figures for 2002–03 are subject to any unresolved disciplinary actions.

Royal Air Force[1,2]

Financial year	*Number reported AWOL*	*Number dismissed from the Service*[1]
1998/99	20	0
1999/2000	20	0
2000/01	20	[3]
2001/02	15	[3]
2002/03[2]	25	[3]

[1] Those dismissed at court-martial or additionally, for the Naval Service only, at Summary Trial under warrant punishment system, as the result of a (or several) discipline offence(s). For the Naval Service dismissals the dismissal may not be solely due to the AWOL offence although one of the recorded offences was AWOL. They do not include personnel who were recorded as AWOL and later dismissed at a hearing with AWOL not recorded as an offence. In the case of the Army there are figures for the number of soldiers who have been court-martialled for going AWOL and then a third set of figures for those who have been subsequently dismissed as a direct result of the court-martial. The RAF figures are those personnel reported as AWOL and later dismissed for any reason.

[2] Army and RAF dismissal figures for 2002–03 are subject to any unresolved disciplinary actions.

[3] denotes less than five

War Graves (Belfast)

Mrs. Iris Robinson: To ask the Secretary of State for Defence whether the war graves headstones which had been vandalised at Belfast City Cemetery have now been re-instated; and whether those which were beyond repair were replaced. [119594]

Mr. Caplin: Yes. Following a visit by the Director General of the Commonwealth War Graves Commission in autumn 2002 it was agreed with the Lord Mayor of Belfast and City officials to re-erect the headstones. To date some 30 headstones have been re-erected and a further 180 replacements are on order and should be replaced on the graves this autumn. The remaining undamaged original headstones, which have been kept in storage, are currently being examined with a view to their reuse.

FOREIGN AND COMMONWEALTH AFFAIRS

Al Qaeda

Mrs. Curtis-Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what his latest assessment is of the risk of terrorist attack by al Qaeda against the United Kingdom. [129079]

Mr. Blunkett: I have been asked to reply.

The threat from international terrorism in the United Kingdom and to United Kingdom interests worldwide remains real and has not changed from the level that it reached immediately after 11 September 2001. It is kept under constant review.

CABINET OFFICE

Electronic Red Boxes

Norman Baker: To ask the Minister for the Cabinet Office how many electronic red boxes are in use; what has been the total cost of introducing such boxes; and what savings have resulted. [129260]

Mr. Alexander: In 1998, the Defence Research Agency developed a prototype electronic red box to test security and technology features. I am informed that the cost was approximately £1,000. After ministerial trials, the prototype was not rolled out because evaluation found that it would not have significantly improved the efficiency of the management of ministerial business at that time. We continue to explore alternative methods of electronic working such as remote connection to the Government Secure Intranet and Smart Card technology.

HOUSE OF COMMONS COMMISSION

Computer Security

Dr. Cable: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission how much has been *(a)* budgeted and *(b)* spent since April 2002 on (i) combating computer fraud, (ii) preventing theft of computers and (iii) safeguarding the security of information held on computer; and if he will make a statement. [128791]

Sir Archy Kirkwood *[holding answer 16 September 2003]:* As a matter of policy the Commission does not comment on details of, or expenditure on, security arrangements. However, I can reassure my hon. Friend that current security arrangements include a high profile security presence, internal audit of procedures, security tagging of equipment supplied by the House and an in-house IT Security Officer. In addition to this, firewalls, anti-virus software, data encryption for Virtual Private Network access to parliamentary data, and password protection of systems form part of the software-based security arrangements.

In order to maintain the level of protection, PCD is preparing an IT Security Programme, which will address recommendations made by the IT Security Officer following an audit carried out by security consultants.

I would also refer my hon. Friend to the answer I gave to the right hon. Member for North-East Hampshire (Mr. Arbuthnot) on 17 July 2003, *Official Report*, column 501W.

SOLICITOR-GENERAL

Advocacy (National Standards)

Mrs. Curtis-Thomas: To ask the Solicitor-General how the CPS has revised its National Standards of Advocacy; and which areas employ full-time advocacy assessors and trainers to ensure that CPS advocates meet those standards. [128722]

The Solicitor-General: The Crown Prosecution Service regularly revises and publishes National Standards of Advocacy, usually every three years. The standards outline behaviours and practices that are expected of advocates who represent the Crown.

This year the standards have been revised to take account of the increased commitment of the Crown Prosecution Service to the care of victims and witnesses; the increased role of Crown advocates in the higher courts and the need to increase public confidence in the criminal justice system as a whole in line with the Public Service Agreement target.

All Crown Prosecution Service in-house advocates are annually appraised through the performance appraisal system by their line managers. This is most often done by way of observation in court by managers. However, some areas, currently London, Thames Valley and West Yorkshire, employ full-time advocacy inspectors and trainers who observe all the Area's advocates regularly throughout the year and give feedback on performance to the individual as well as their managers.

HOME DEPARTMENT

Child Abuse

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many former care workers in children's homes and institutions have been investigated for child abuse in Merseyside in the past five years; and how many of those individuals were *(a)* charged, *(b)* convicted and *(c)* acquitted. [128349]

Paul Goggins: I understand from the Chief Constable of Merseyside Police that, since Operation Care began in 1996, 541 employees connected with care homes have been the subject of allegations of child abuse. Of these, 98 were arrested, of whom 36 were subsequently convicted in court, 24 after pleading guilty. Nine employees were acquitted and the remainder had proceedings against them discontinued, either before or after being charged, for a variety of reasons, including poor health.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will adopt the recommendation by the Home Affairs Committee that resources be channelled into researching and piloting the use of statement validity analysis as a tool for evaluating the credibility of witness testimony in complex historical child abuse cases. [128352]

Paul Goggins: The Government's response to the Home Affairs Committee's report supported this recommendation, while noting that statement validity analysis is only one of a range of techniques available.

We are aware that the Association of Chief Police Officers' Investigative Interviewing Group, which aims to develop and assist the implementation of a national investigative interview strategy, are in the process of preparing advice to police forces on a number of techniques, including statement validity analysis.

We will consider this advice in future decisions about resourcing research.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) if the Government will adopt the Home Affairs Committee's recommendation that the prosecution of offences relating to child abuse, which is alleged to have occurred over 10 years since the date of the offence, should only proceed with the court's permission, and that the time period does not begin until the complainant has reached age 21 years; [128356]

(2) whether there is a time limit on the number of years after the alleged offence that a child abuser can be prosecuted. [128399]

Paul Goggins: There is in general no restriction on the time that may elapse between the commission of an offence and commencement of prosecution. Either way offences, which can be tried either in a magistrates court or in the Crown Court, and indictable only offences, which must be tried in the Crown Court, can normally be prosecuted at any time. There are statutory

provisions prohibiting proceedings in respect of certain such offences once a specified time has elapsed. An example is contained in the Sexual Offences Act 1956, which provides that prosecutions for unlawful sexual intercourse with a girl under 16 must be commenced within 12 months of the offence. If no time limit is set out in legislation in respect of any either way or indictable-only offence, then the general rule applies, and prosecutions may be commenced however long ago the relevant events occurred.

In their October 2002 report on the investigation of historical abuse cases, the Home Affairs Committee agreed that the prosecution of offences relating to child abuse should not be time-barred.

The Government do not support the Committee's recommendation that the prosecution of offences relating to child abuse, which is alleged to have occurred over 10 years since the date of the offence, should only proceed with the court's permission, and that the time period should not begin until the complainant has reached age 21 years. It is the role of the Crown Prosecution Service to consider each individual case, and whether there is sufficient evidence for a realistic prospect of conviction. One of the factors to be considered is any delay in reporting a crime and the reasons for that delay. We cannot see a good reason to change the current system.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many applications have been received by the Criminal Cases Review Commission from those convicted of abuse in care homes in each year from 1997 to 2003. [128389]

Paul Goggins: The Criminal Cases Review Commission has recorded the following applications from those convicted of abuse in care homes.

	Number of abuse applications
1997	1
1998	1
1999	1
2000	5
2001	8
2002	7
January to August 2003	3
Total	26

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the factors underlying the take-up rate, in historical child abuse cases, of the Criminal Injuries Compensation Scheme. [128395]

Paul Goggins: None.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Criminal Injuries Compensation Authority will conduct a review of the accessability of its scheme to victims of past institutional child abuse. [128396]

Paul Goggins: I would refer the my hon. Friend to the response given by my right hon. Friend the Home Secretary in April 2003 to the Fourth Report from the Home Affairs Committee Session 2001–02 HC 836 on The Conduct of Investigations into Past Cases of Abuse in Children's Homes (column 5799). Paragraphs 71 and 72 of that response addressed a recommendation about the accessibility of the scheme to victims of past institutional child abuse.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what guidelines govern the conduct of police investigations and subsequent prosecution proceedings in care home abuse cases. [128391]

Paul Goggins: The Government's publication "Complex Child Abuse Investigations: Inter-Agency Issues" and the Association of Chief Police Officers' Senior Investigating Officers Handbook both cover the conduct of police investigations into complex historical abuse cases. This is in addition to more general guidelines in the Criminal Procedure and Investigations Act 1996 and accompanying code and the Crown Prosecution Service code for Crown prosecutors.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will take steps to encourage early consultation on the conduct and direction of investigations between the Police and the Crown Prosecution Service in cases of abuse in children's homes. [128393]

Paul Goggins: These steps have already been taken. The Government issued inter-agency guidance on complex child abuse investigations in June 2002. The guidance stresses the need to ensure that the Crown Prosecution Service are involved at an early stage as appropriate, while noting that they should not be involved in operational decisions about the conduct of an investigation.

This approach is further supported by the guidance in the Association of Chief Police Officers' Senior Investigating Officers Handbook.

Confiscated Assets

Mr. Tom Harris: To ask the Secretary of State for the Home Department what the value is of criminals' assets recovered by the Assets Recovery Agency since its launch. [127970]

Caroline Flint: I understand from the Director of the Assets Recovery Agency that, since the agency became operational on 24 February 2003, it has not yet recovered any criminal assets. However, the total value of assets under investigation exceeds £17 million in 33 cases, of which some £10 million is currently frozen under court orders in nine cases pending hearings for recovery orders. In addition, one tax assessment has been issued under Part 6 of the Proceeds of Crime Act for tax in excess of £250,000. The agency has also provided assistance to law enforcement agencies in 11 confiscation order cases raised under the previous legislation with a total value of £3.25 million.

The confiscation powers in the Proceeds of Crime Act 2002 are triggered by offences committed after the provisions were brought into force on 24 March 2003, so it will be a while before cases are dealt with by the Crown court in numbers. As of 31 August, six confiscation orders with a value of just under £120,000 have been made against convicted offenders in England and Wales. The value of cash seizures made under the new powers in the Act which came into effect on 30 December 2002

is over £34 million. 18 restraint orders have also been made on assets with a value of over £4 million. The Enforcement Task Force, in operation since last December, has enforced 248 confiscation orders made under the old legislation with a total value of £14.6million.

Fireworks

Ross Cranston: To ask the Secretary of State for the Home Department pursuant to his answers of 16 December 2002, *Official Report*, column 624W and 28 January, *Official Report*, column 754W, when he expects to place the findings of the exercise on crime and disorder reduction partnerships and their implications for nuisance and noise associated with fireworks in the Library; and if he will make a statement. [116262]

Ms Blears: The results of the monitoring exercise will shortly be placed in the Library.

Graffiti

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether young offenders may be employed in removing graffiti in Sefton. [128521]

Paul Goggins: The local youth offending team (Yot) and Probation Service in Sefton periodically supervise young offenders removing graffiti as part of their reparation requirements, subject to meeting health and safety criteria. The Probation Service is currently planning a project with the Safer Merseyside Partnership to clean local alley walks.

Crime (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many murders in Crosby were committed by a person well known to the victim in the last five years; and what proportion of the total number of murders in Crosby during this period this represents. [129474]

Ms Blears: The data have been obtained from the homicide index as it stood on 8 October 2002. Figures are subject to revision as cases are dealt with by the police and the courts, or as further information becomes available.

Information is held centrally in the form of homicide (i.e. murder, manslaughter and infanticide) by police force area. Therefore, figures can only be provided for Merseyside Police Force Area as a whole.

Currently recorded homicide by Merseyside Police

Percentage

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Total victims	24	28	20	30	28
Victim acquainted with suspect	16	19	10	15	16
Proportion where victim acquainted with suspect	67	68	50	50	57
Proportion England and Wales	63	62	54	54	49

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the clear-up rate for murders committed in Crosby was in each of the last five years. [129475]

Ms Blears: The data have been obtained from the homicide index as it stood on 8 October 2002. Figures are subject to revision as cases are dealt with by the police and the courts, or as further information becomes available. Revisions to the data will particularly affect the numbers detected in the most recent years as longer cases are solved.

Information is held centrally in the form of homicide (ie murder, manslaughter and infanticide) by police force area. Therefore, figures can be provided only for Merseyside Police Force Area as a whole.

Currently recorded homicide by Merseyside Police:

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Total victims	24	28	20	30	28
Victims with no current suspect	4	3	2	7	7
Detection rate (percentage)	83	89	90	77	75

Crime Statistics

Mr. Rosindell: To ask the Secretary of State for the Home Department (1) how many murders there were in Romford in each of the last 10 years; [128362]

(2) how many burglaries were committed in Romford in each year since 1997; [128402]

(3) if he will make a statement on crime statistics in Romford in *(a)* 2002 and *(b)* each of the preceding 10 years; [128382]

(4) how many car thefts there were in *(a)* Romford and *(b)* other London boroughs in 2002; [128363]

(5) if he will make a statement on the level of assaults in Romford in 2002; [128372]

(6) how many incidents of arson there were in Romford in *(a)* 2002 and *(b)* each of the preceding 10 years; [128377]

(7) if he will make a statement on the level of stabbings in *(a)* Romford and *(b)* other London boroughs in 2002; [128378]

(8) how many rape offences there were in *(a)* Romford and *(b)* the London borough of Havering in each of the past 10 years. [128404]

Ms Blears: Recorded crime statistics below police force area level are collected on a basic command unit (BCU) basis. Figures at BCU level for England and Wales are available for six key offences for the financial years 1999–2000, 2000–01, 2001–02 and 2002–03. The area of Romford is included within the Metropolitan police BCU of Havering.

The six key offences recorded are violence against the person (total), sexual offences (total), robbery, burglary in a dwelling, theft of a motor vehicle and theft from a vehicle. At BCU level, numbers of murders, assaults, shoplifting , arson, stabbings and rape offences are not available centrally. The available figures are given in the table.

Basic command unit recorded crime statistics—Havering

Offence	*1999–2000*	*2000–01*	*2001–02*	*2002–03*[1]
Violence against the person	2,661	2,787	3,225	3,901
Sexual offences	145	158	173	178
Robbery	240	392	549	479
Burglary in a dwelling	837	897	1,109	1,058
Theft of a motor vehicle	1,749	1,842	1,883	1,654
Theft from a vehicle	2,120	2,143	2,374	2,230

[1] The Metropolitan police introduced the National Crime Recording Standard on 1 April 2002. This may have caused the large increase in violence against the person offences for 2002–03.

Numbers of car thefts (theft of a motor vehicle and theft from a vehicle) for all the basic command units within the London region for 2002–03 are given in the table.

Basic command unit—recorded crime for vehicle crime offences for 2002–03 London region

Basic command unit	*Police force*	*Theft of a motor vehicle, offences recorded 2002–03*	*Theft from a vehicle, offences recorded 2002–03*
Bishopsgate[1]	London, City of	202	191
Snowhill[1]	London, City of	132	169
Barking and Dagenham	Metropolitan Police	1,489	1,678
Barnet	Metropolitan Police	1,801	3,239
Bexley	Metropolitan Police	1,455	2,022
Brent	Metropolitan Police	1,747	2,897
Bromley	Metropolitan Police	2,095	3,339
Camden	Metropolitan Police	1,919	7,139
City of Westminster	Metropolitan Police	1,464	4,582
Croydon	Metropolitan Police	2,341	3,352
Ealing	Metropolitan Police	2,484	5,925
Enfield	Metropolitan Police	2,033	3,198
Greenwich	Metropolitan Police	2,370	3,293
Hackney	Metropolitan Police	2,495	4,911
Hammersmith and Fulham	Metropolitan Police	1,130	4,476
Haringey	Metropolitan Police	2,449	4,067
Harrow	Metropolitan Police	1,025	2,085
Havering	Metropolitan Police	1,654	2,230
Heathrow	Metropolitan Police	61	309
Hillingdon	Metropolitan Police	1,632	3,689
Hounslow	Metropolitan Police	1,487	3,751
Islington	Metropolitan Police	2,351	5,003
Kensington and Chelsea	Metropolitan Police	1,066	3,185
Kingston upon Thames	Metropolitan Police	437	938
Lambeth	Metropolitan Police	2,648	5,272
Lewisham	Metropolitan Police	1,986	2,420
Merton	Metropolitan Police	938	1,512
Newham	Metropolitan Police	3,657	5,005
Redbridge	Metropolitan Police	1,981	3,615
Richmond upon Thames	Metropolitan Police	615	1,740
Southwark	Metropolitan Police	2,659	4,988
Sutton	Metropolitan Police	822	1,577
Tower Hamlets	Metropolitan Police	2,260	6,026
Waltham Forest	Metropolitan Police	2,217	3,818
Wandsworth	Metropolitan Police	1,637	3,706

[1] The City of London has a small resident population but provides policing services to between 3–400,000 commuters and visitors each weekday. Performance measures based on crime per 1,000 resident population produce an unrealistic picture of a high level of crime, which does not reflect the likelihood of becoming a victim of crime in the City.

Note:

Crimes recorded by the Metropolitan police's special operations unit have not been included in this table.

Criminal Cases Review Commission

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what upgrades are being made to the hardware and software elements of the CCRC's IT system. [128883]

Paul Goggins: During 2003–04 there will be a variety of upgrades to the hardware to refresh items, such as PCs, which are now up to six years old. The document management system and other key software packages are also being enhanced, but the most important advance is expected to be in the area of knowledge management.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the implication of the Criminal Justice and Sentencing Bill for the work of the Criminal Cases Review Commission. [128885]

Paul Goggins: The aim of the Criminal Justice Bill is to create a fair and balanced criminal justice system that convicts the guilty, acquits the innocent and reduces offending and re-offending. The Government do not believe any of the provisions in the Criminal Justice Bill will result in an increase in miscarriages of justice and will not therefore impact on the work of the Criminal Cases Review Commission.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how much funding the CCRC received during the year ending 31 March 2003 from Round 3 of the Invest to Save budget; and what this funding was used for. [128887]

Paul Goggins: The Commission received £82,545 from the Invest to Save initiative in 2002–03 to establish electronic file interchange facilities with the Court of Appeal. Considerable progress was made during 2002–03, with accreditation of the necessary secure x.GSI connection on 1 April 2003.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many days on average it took the Criminal Cases Review Commission to respond to correspondence at *(a)* Stage 0, *(b)* Stage 1, *(c)* Stage 2 Screen and *(d)* Stage 2 in the last 12 months for which figures are available. [128830]

Paul Goggins: All applications are acknowledged within three days. At all other stages during 2002–03 the Commission responded to 99.5 per cent. of correspondence within 10 working days.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many days on average it takes the Criminal Cases Review Commission to complete reviews at *(a)* Stage 1, *(b)* Stage 2 Screen and *(c)* Stage 2. [128831]

Paul Goggins: Reviews at Stage 1 and at Stage 2 Screen are generally completed within 30 working days of allocation. Reviews at Stage 2/3 averaged 216 days in 2002–03.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many decisions on eligibility the Criminal Cases Review Commission made at Stage 1 during the period 31 March 2002 to 31 March 2003; how many intakes there were; and what reasons underlay the difference between these figures. [128833]

Paul Goggins: The Commission made 911 eligibility decisions at Stage 1 during the period 31 March 2002 to 31 March 2003. The intake in this period was 932. The difference is due to the fact that some eligibility decisions take 30 working days to complete.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many cases were completed by the Criminal Cases Review Commission in 2002–03 at each stage. [128834]

Paul Goggins: The Commission completed 299 cases at Stage 1,498 at Stage 2 Screen, and 189 at Stage 2/3 in 2002–03.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many Investigating Officers were appointed each year by the Criminal Cases Review Commission during the period from 31 March 1997 to 31 March; and how many cases were investigated each year. [128835]

Paul Goggins: 21 Investigating Officers were appointed during the period from 31 March 1997 to 31 March 2003 (four in 1997–98, four in 1998–99, five in 1999–2000, three in 2000–01, three in 2001–02 and two in 2002–03) to investigate 29 cases.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* case intakes, *(b)* case completions, *(c)* case in trays and *(d)* cases under review by the Criminal Cases Review Commission in each year since 31 March 1997 to 31 March 2003. [128836]

Paul Goggins: The Commission started its work with 279 cases (248 of which had been transferred from the Home Office and the Northern Ireland Office and 31 had been received by the Commission prior to its official start). There were over a thousand applications in each of the first two years. In 1999–2000 the case intake reduced to 777 since when it has been steadily building to 932 in 2002–03. Against this, 310 cases were completed in 1997–98, 492 in 1998–99, and about a thousand in each of the four years since.

Initial staffing levels proved insufficient to cope with the demand resulting in a rising number of accumulated cases, which peaked at about 1,600 in mid-1999. The Home Office provided extra resources in 1990–2000, a further increase in 2000–01 and, following the 2000 Spending Review, for each of the three subsequent years. At March 2003 there were 282 cases awaiting review and 365 under review. The Home Office is working with the Commission to ensure that it has sufficient funding to allow the accumulated cases to be minimised whilst coping with its increased case intake. The Commission is endeavouring to balance this achievement with the need to avoid having too many or too few staff.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many referrals were made to *(a)* the Court of Appeal and *(b)* the crown court in England by the CCRC in 2002–03. [128838]

Paul Goggins: Of the total of 196 referrals in 2002–03, 179 were to the Court of Appeal, seven to the crown court in England and Wales, and 10 to the Court of Appeal in Northern Ireland.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many CCRC referrals had been determined by the courts of appeal by 31 March 2003; of those determined, what the average time was from referral to judgement; how many convictions have been quashed; how many have been upheld; and how many have been varied since 31 March 1997. [128839]

Paul Goggins: Of 196 referrals, 133 have been determined by the appropriate court of appeal. The average time from referral to judgment was 309 working days. 77 convictions have been quashed, 44 upheld. Two sentences have been upheld and 10 have been varied.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many reapplications were made to the CCRC in each year since 31 March 1997, and what proportion this represents of non-referrals. [128840]

Paul Goggins: Data are available for the last three years. There have been 52 reapplications in 2000–01, 52 in 2001–02 and 79 in 2002–03. These represent 3 per cent. of non-referrals in 2000–01, 4 per cent. in 2001–02 and 8 per cent. in 2002–03.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many reapplications were referred by the CCRC between 2000 and 2003. [128841]

Paul Goggins: During the three-year period 2000–03, eight reapplications were referred by the Criminal Cases Review Commission (CCRC).

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many *(a)* complainants and *(b)* complaints there were to the CCRC in 2002–03; and how many cases were involved. [128842]

Paul Goggins: In 2002–03, 73 complainants made a total of 76 complaints in relation to 75 cases.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the average time was for the CCRC to *(a)* acknowledge a complaint and *(b)* complete an investigation into a complaint in 2002–03. [128843]

Paul Goggins: The average time to acknowledge a complaint in 2002–03 was three working days. The average time to complete an investigation into a complaint was about 29 working days.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many complaints to the CCRC concerned case review actions or decisions in 2002–03; and how many resulted in a change to a case decision. [128844]

Paul Goggins: During 2002–03, 56 complaints concerned case review actions or decisions. None resulted in a change to a case decision.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps are being taken to minimise the number of complaints received by the CCRC. [128845]

Paul Goggins: During 2002–03, the Commission carried out a comprehensive audit of the reasons for complaints. The aim was to define changes that could be made to the Commission's processes, communications and training programme to minimise the number of complaints received. Appropriate changes will be implemented during 2003–04.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department of the applications received by the CCRC in 2002–03, how many referred to sexual offences; and how many separate sexual offences were raised. [128846]

Paul Goggins: During 2002–03, 932 applications were received consisting of 1,248 separate offences and 2,038 counts. Of these, indecent assault, rape, and other sexual offences represented 32 per cent. of the offences and 44 per cent. of the counts.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many process improvement projects were active in the CCRC during 2002–03; and what they were concerned with. [128851]

Paul Goggins: During 2002–03, one process improvement project was active. This was concerned with the development of a more integrated training programme for the Commission.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many case review managers *(a)* were in post, *(b)* arrived and *(c)* left the Criminal Cases Review Commission in each year from 31 March 1997 to 31 March 2003; [128852]

(2) what the turnover rate of case review managers in the Criminal Cases Review Commission was in each year since 1997. [128827]

Paul Goggins: The turnover of case review managers (CRMs) is represented in this table:

Date	*CRMs in post*	*Arrivals during the year*	*Departures during the year*
31 March 1997	9	15	0
31 March 1998	24	8	3
31 March 1999	29	12	5
31 March 2000	36	17	6
31 March 2001	47	9	6
31 March 2002	50	1	8
31 March 2003	43	—	—

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many applications the Criminal Cases Review Commission received between 31 March 1997 and 31 March 2003; and what the annual intakes to Stage 1 through that period were. [128825]

Paul Goggins: The number of applications was as follows:

	Transfers	*New cases to Stage 1*	*Cumulative*
31 March 1997	279	—	279
1997–98	—	1,103	1,382
1998–99	—	1,037	2,419
1999–2000	—	777	3,196
2000–01	—	800	3,996
2001–02	—	834	4,830
2002–03	—	932	5,762

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the percentage change was in the number of applications to the Criminal Cases Review Commission in 2002–03 from the previous year. [128826]

Paul Goggins: The number of applications to the Commission was 12 per cent. higher in 2002–03 than in the previous year.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many cases were *(a)* awaiting review at each stage and *(b)* under review at each stage at (i) 31 March, (ii) 31 March 2002, (iii) 31 March 2001 and (iv) 31 March 2000. [128828]

Paul Goggins: The requested information is as follows.

	Stage 1		Stage 2 Screen		Stage 2/3	
	In tray	Under review	In tray	Under review	In tray	Under review
31 March 2000	22	25	702	216	190	217
31 March 2001	23	47	281	286	249	178
31 March 2002	17	14	124	149	199	190
31 March 2003	17	35	104	128	161	194

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many referrals were made by the Criminal Cases Review Commission in the 2002–03 year to 31 March; and how many of those referrals have been determined. [128829]

Paul Goggins: The Commission referred 35 cases to the Court of Appeal in 2002–03. Nine of these referrals of convictions have been determined and all have been quashed. One referral against sentence has been abandoned.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many referrals by the CCRC have taken advantage of *(a)* forensic science techniques, *(b)* advances in psychiatry and *(c)* advances in linguistics that have been developed or enhanced since the original proceedings. [128847]

Paul Goggins: It would require disproportionate resources to determine exactly how many of the 196 referrals to March 2003 made any use of some form of advance in the fields of forensic science techniques, psychiatry, or linguistics. This is particularly the case given that such use may not have formed a key element of the referral. In some referrals the Commission has taken direct advantage of these techniques, including the use of DNA and ESDA techniques. For example, in one case in which the defence had advanced a seemingly implausible argument at trial, modern DNA techniques supported it and the conviction was quashed. In another referral, ESDA tests cast doubt on prosecution documents and the conviction was quashed. Advances in forensic psychiatry and linguistics have been applied in several referrals, particularly in relation to the reliability of confessions and other evidence.

Criminal Injuries Compensation

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the average turn-around for applications to the Criminal Injuries Compensation Authority was in the last 12 months; and what percentage were settled within a year. [128360]

Paul Goggins: The Criminal Injuries Compensation Authority advise that in the year ending 31 August 2003, the average time between the date an application was received and the date the applicant was notified of the decision on that application was, for the 72,531 cases so determined, 294 days. In 53,159 cases (73 per cent.) the decision letter was issued within 12 months of receipt of the application.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what percentage of complainants in criminal investigations claimed compensation under the Criminal Injuries Compensation scheme in the last 12 months; and what percentage pursued a civil action for damages. [128361]

Paul Goggins: Such information is not recorded centrally.

Mr. Denis Murphy: To ask the Secretary of State for the Home Department on how many occasions in each of the last five years criminal courts in England ordered offenders to pay compensation to their victims. [127252]

Paul Goggins: The number of offenders ordered to pay compensation for all offences at all courts, England 1997 to 2001 is as follows:

Year	Offenders ordered to pay compensation[1]
1997	95,410
1998	99,198
1999	99,337
2000	98,558
2001	100,910

[1] These data are on the principal offence basis

Statistics for 2002 will be published in December.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps are being taken to issue guidelines which prescribe the relationship between the police and personal injury solicitors. [128359]

Paul Goggins: The Government's publication "Complex Child Abuse Investigations: Inter-Agency Issues" refers directly to matters relevant to the disclosure of information by the police to solicitors in historical abuse cases. We feel that this provides sufficient guidance, as there should be no need for any further relationship between the two parties.

Criminal Justice Bill

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department under what circumstances the Court will waive the double jeopardy rule and allow retrial to take place under the Criminal Justice Bill. [128524]

Paul Goggins: Under the provisions of Part 10 of the Criminal Justice Bill, the Court of Appeal will be able to order a retrial in respect of certain serious offences for which there has previously been an acquittal, where the court is satisfied that there is new and compelling evidence which is relevant tot he guilt of the acquitted person, and that it is in the interests of justice for a retrial to proceed.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what the purpose is of altering the procedures and revising the Codes of Practice as set out in clause 7 of the Criminal Justice Bill; [127669]

(2) what the purposes are of altering the procedures and revising the Codes of Practice as set out in clause 7 of the Criminal Justice Bill. [128624]

Paul Goggins: The purpose of clause 9 (formerly clause 7) is to enable the Codes issued under the Police and Criminal Evidence Act 1984 to be updated and reviewed on a more frequent basis to maintain their relevance and accuracy. It provides for a targeted, quicker and less bureaucratic approach and allows the Secretary of State discretion in the process of updating and making changes by applying a level of scrutiny

proportionate to the amendment or change. The Home Affairs Select Committee would advise the Secretary of State on the level of Parliamentary scrutiny required in every case.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what the purpose is of the proposal in clause 23 of the Criminal Justice Bill to transfer responsibility for charging from the police to the Crown Prosecution Service; [127670]

(2) what the purposes are of the proposal to transfer responsibility for charging from the Police to the Crown Prosecution Service in Clause 23 and of Schedule 2 of the Criminal Justice Bill. [128626]

Paul Goggins: The purpose of the new arrangements is to enable the police and Crown Prosecution Service to develop a common approach to case preparation, increasing the likelihood that charges will be correct from the outset and facilitating a more efficient and effective court process. When similar arrangements were piloted last year, the results showed improvements in terms of substantially lower discontinuance, more guilty pleas at first hearing and significant falls in cracked and ineffective trials.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether HM Government will adopt the Home Affairs Committee's recommendation on including a time limit in the primary legislation on imposing conditions on bail before charge in the Criminal Justice Bill. [128522]

Paul Goggins: The Government have considered the Home Affairs Committee's recommendation that there should be a limit on the duration of pre-charge police bail in cases referred to the Crown Prosecution Service for a decision as to charge. The Government accept that bail granted to suspects in these circumstances (whether subject to conditions or not) should be for a reasonable period only, but it has decided that it would be appropriate to make this clear in guidance, rather than to include a time limit on the face of the Bill. No statutory restrictions on the duration of police bail exist at present, and the final evaluation report of the charging pilot recommended against imposing such a limit in these cases.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how the Criminal Justice Bill modifies the general exclusionary rule against hearsay evidence. [128617]

Paul Goggins: The main provisions remove the old common law rule against the admission of hearsay evidence, and provide a clear statutory scheme for the admission of such evidence. Under the Bill, statements made out of court will be admissible as evidence in the following circumstances:

the witness is unavailable for a specified reason;

documentary records have been compiled by business;

it is admissible under the common law rules which have been preserved or other statutory provision;

the parties agree that it can go in; or

the court gives leave to admit the statement.

In addition, witnesses' previous statements will be more widely admissible at trial as proof of the facts contained within them, including allowing certain witnesses in serious cases to use their video recorded statements in place of their main evidence. Further details are contained in the Explanatory Notes, which have been published to accompany the Bill.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will accept the recommendation of the Home Affairs Committee to delete Clause 5 pertaining to detention time limits in the Criminal Justice Bill. [128623]

Paul Goggins: I refer my hon. Friend to the Government Reply to the Second Report from the Home Affairs Committee (column 5787). Extending detention in the way proposed will help impact positively on dealing with serious offences such as street robbery.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will accept the recommendation of the Home Affairs Committee to amend Clause 7 of the Criminal Justice Bill in order to preserve the existing procedures in the circumstances of a Code being established for the first time and where revisions of substantial importance or significance are made to the Codes. [128625]

Paul Goggins: Government amendments tabled during debate in the Lords Committee provide for any entirely new PACE Code to be subject to affirmative procedure. We also accept that significant changes to existing Codes may be subject to the same process but that there should be scope to consider the most appropriate procedure to be followed in each case. That is why we have given an undertaking to consult the Home Affairs Select Committee in every case on which procedure should be followed and to be bound by the Committee's advice.

Criminal Justice Boards

Mr. Bercow: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the formation of the local criminal justice boards on the delivery of services. [130495]

Paul Goggins: Local Criminal Justice Boards were launched on 1 April 2003. They are subject to ongoing assessment against targets. Only the first quarter figures for performance are currently available to assess performance.

The Local Boards have been tasked with delivery of the Criminal Justice System Public Service Agreement targets. Their key priorities are to increase the number of crimes for which an offender is brought to justice and to improve the level of public confidence in the criminal justice system. Additionally they have targets to reduce the number of ineffective trials, ensure the Persistent Young Offender pledge is met and improve timeliness. Where applicable, Local Boards have targets to reduce street crime.

Each Local Board has set out in delivery plans what their precise targets are and how they intend to achieve them. Progress against these plans is monitored and appropriate feedback and support is given. Local Boards have recently completed and received feedback on their first quarter self assessment.

Additionally the National Criminal Justice Board, at its monthly meetings, monitors the overall performance of Local Boards. Members of the Board—Ministers and Senior Officials—visit Local Areas on a regular basis.

Criminal Proceedings

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what plans he has *(a)* to introduce a national protocol for the disclosure of third party material in criminal proceedings and *(b)* to implement Lord Justice Auld's recommendations on disclosure. [128355]

Paul Goggins: Work on a model national protocol between the Crown Prosecution Service (CPS), police and local authorities on the exchange of information in the investigation and prosecution of child abuse cases has been completed. I understand that the CPS Policy Directorate is hoping to issue the model protocol to local CPS areas, police and local authorities in the near future.

Sir Robin Auld's report of his Review of the Criminal Courts of England and Wales made a number of recommendations on the law on disclosure. The Government's response was published in the Annex to the White Paper, "Justice for All" (column 5563).

Sir Robin's recommendation that there should be a single disclosure test to replace the present two tests is included in the Criminal Justice Bill, currently being considered by the House of Lords. His other recommendations for improving prosecution disclosure were considered in the context of the joint CPS/Police disclosure project. Revised Joint Operational Instructions were issued to the police and CPS in December 2002 and became fully operational in June 2003. The Government is considering how best to take forward Sir Robin Auld's recommendation that consideration should be given to a new statutory scheme for third party disclosure, in the light of the work on the model protocol.

Custodial Sentences

Mr. Gibb: To ask the Secretary of State for the Home Department what assessment he has made of the deterrent effect of the length of a custodial sentence. [128547]

Paul Goggins: It is extremely difficult to measure the deterrent effect of sentencing separately from its other effects. Apart from serving as punishment, sentences can impact on crime in a number of ways, through incapacitation, reform and rehabilitation, as well as the deterrent effect. Reconviction rates, for example, are lower for those who serve longer terms of imprisonment than those who serve shorter terms, but this reflects a number of factors and the contribution of deterrence cannot be readily isolated.

In 1999, the Home Office's Research, Development and Statistics Directorate commissioned the University of Cambridge to review all the recent research looking at the impact of sentence severity on deterrence. That study[1] concluded that the limited available evidence in this area suggests that generally the connection between variations in sentence severity and deterrent effect is not direct or strong. Nevertheless the availability (and severity) of punishment does appear to have a general deterrent effect for some classes of potential offenders, whose choice of whether to offend is influenced by their perception of the risks of being apprehended and punished. This suggests that known penal threats can have a deterrent effect.

[1] Von Hirsch, A. Bottoms, A. Burney, E. and Wikstrom, P-O. (1999) Criminal deterrence and sentence severity; an analysis of recent research. Institute of Criminology, University of Cambridge. Hart Publishing, Oxford.

Custody Plus Scheme

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the proposed increase in magistrates' sentencing powers will be implemented before the Custody plus scheme is rolled out. [128618]

Paul Goggins: Final decisions on the timing of the reforms in the Criminal Justice Bill have not yet been made. It is likely that we will introduce elements of the sentencing reforms in phases, to ensure that they are introduced without too much disruption, and to enable the Prison Service and the National Probation Service to reach the capacity necessary to implement them successfully.

Custody plus in particular will create an additional caseload for the probation service, which will need to be well planned for.

Our decision on timing will also take into account the potential benefits of linking the increase in magistrates' sentencing powers with the new arrangements for allocation and transfer of cases between magistrates and the Crown court, in Part 6 of the Bill, which we may wish to implement in advance of custody plus.

Gangs

Mr. Wray: To ask the Secretary of State for the Home Department what measures have been taken since 1997 to address problems arising from gang culture; and what proposals he has to combat gang violence. [128095]

Paul Goggins: We are taking action to deal with gang-related offending where this is a problem. Initiatives such as the Manchester Multi-Agency Gang Strategy and similar community-based programmes in other areas use a multi-agency approach to deliver interventions targeted at gangs, gang culture and associated offending, while police operations, such as Operation Trident in London, are tackling the association between gang culture and gun crime.

We are also working to prevent young people's problematic involvement in gangs in the first place, in areas where this is an issue. For example, the Youth Inclusion Programme and Safer Schools Partnerships target those young people most at risk of offending to help them avoid problematic behaviours, including gang membership. And the new Positive Activities for Young People programme provides constructive diversionary activities during the school holidays for targeted at risk young people.

Jury Intimidation

Mr. Rosindell: To ask the Secretary of State for the Home Department what assessment he has made of the level of jury intimidation in the United Kingdom. [128681]

Paul Goggins: The Crown Prosecution Service and Court Service do not maintain records of the numbers of cases in which jury interference occurs. However, each year there are instances of actual or feared jury interference which necessitate both a range of jury protection measures and the termination of trials before the jury has been able to reach a verdict. In a small number of cases which present a very serious risk of intimidation, the court will order 24-hour police protection for the jury. In 2000, the cost to the Metropolitan Police of such protection was £4.3 million; in 2001, £5.1 million.

The Government have included proposals in the Criminal Justice Bill currently before Parliament for a trial on indictment in the Crown Court to be conducted without a jury where there is a danger of jury tampering, or continued without a jury where the jury has been discharged because of jury tampering. The Government believe that these measures will provide a strong and effective disincentive to jury tampering.

Police Custody

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department in (1) what circumstances it will be necessary to impose conditions before charge to ensure that a person accused of a crime *(a)* surrenders to custody, *(b)* does not commit an offence while on bail and *(c)* does not interfere with witnesses or otherwise obstruct the course of justice, whether in relation to himself or herself or another person; [127674]

(2) what guidance he intends to issue on the situations in which it is necessary to impose conditions before charge to secure that a person accused of a crime *(a)* surrenders to custody, *(b)* does not commit an offence while on bail and *(c)* does not interfere with witnesses or otherwise obstruct the course of justice whether in relation to himself or another person, under the proposals in the Criminal Justice Bill. [128630]

Paul Goggins: When a custody officer releases a suspect under the new section 37(7)*(a)* of the Police and Criminal Evidence Act 1984 for the purpose of enabling the Crown Prosecution Service to make a decision as to charge, it will be for to him or her to determine in the usual way whether to impose bail conditions in accordance with section 3 of the Bail Act 1976. No special guidance will be required as to the circumstances in which conditions would be appropriate.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how long a suspect can be detained before charge for *(a)* non-serious arrestable offences and *(b)* serious arrestable offences. [128651]

Paul Goggins: Section 41 of the Police and Criminal Evidence Act 1984 provides that an arrested person shall not be kept in detention for more than 24 hours before charge. Section 42 provides that if the person is under arrest for a serious arrestable offence, he may be detained up to a maximum of 36 hours on the authorisation of a superintendent or above. Section 43 provides that further detention up to a maximum period of 96 hours must be authorised on application to a magistrate.

Probation Service

Mr. Hancock: To ask the Secretary of State for the Home Department for what reason the pay negotiations for the National Probation Service were not concluded by 1 April; when the negotiations will begin; whether a similar timetable will be adopted in 2004; and if he will make a statement. [128346]

Paul Goggins: The pay negotiations for the National Probation Service (NPS) were not concluded by 1 April 2003 because of the need to obtain agreement to the pay remit by my right hon. Friend, the Chief Secretary to the Treasury (Paul Boateng). The remit was not agreed until 17 July. A pay offer was then made to the Trade Unions on 22 July and this is now subject to an acceptance ballot of Trade Union members. Union leaders have recommended the offer to their members.

It is not intended that a similar timetable will be adopted for 2004. This is because the National Probation Directorate, in conjunction with the Probation Boards' Association (the employers' organisation), is currently negotiating with the Trade Unions a new pay and grading system for the National Probation Service. If agreement can be reached, it is planned that there will be a two-year pay settlement covering the years 2004–05 and 2005–06.

Mr. Hancock: To ask the Secretary of State for the Home Department for what reasons the National Probation Service required a pay remit before their pay negotiations could begin this year; when the remit will be completed; why it could not be completed in time for the pay negotiations to be completed by 1 April; whether a pay remit will be an annual requirement; and if he will make a statement. [128347]

Paul Goggins: When the National Probation Service (NPS) was established in April 2001 the Probation Service moved from being part funded by the local authorities and the Home Office to being solely funded by the Home Office. This change in funding made it appropriate, as with other public services, that the NPS was required to submit its pay remit for approval by my right hon. Friend the Chief Secretary to the Treasury. This arrangement became fully operative for the first time for the 2003–04 pay settlement. Treasury rules require that employers cannot begin pay negotiations with the Trade Unions until the Treasury has approved the remit.

The Chief Secretary agreed the NPS remit on 17 July and a pay offer was made to the Trade Unions on 22 July.

The reason why the negotiations on the NPS pay settlement did not begin until July relates to the extended timetable for clearance of remits through Ministers and the Treasury. Coupled with this is a complex process of ensuring that the proposed settlement is affordable by the NPS and conforms to public sector pay policy. These factors meant that it was not possible for the NPS to meet the 1 April settlement date. It should be borne in mind that a settlement, once agreed, is backdated to the relevant settlement date.

It is not intended that a similar timetable will be adopted for 2004–05. This is because a new pay and grading system is currently planned for the NPS and a two-year remit will be sought well in advance from the Treasury to cover the years 2004–05 and 2005–06. There should therefore be no repetition of this year's delay.

Sexual Offences

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how long the maximum penalty is for those convicted of gross indecency. [128635]

Paul Goggins: The maximum sentence for the offence of Indecency between Men (section 13 of the Sexual Offences Act 1956) is, on indictment, dependent on the ages of those involved. If the offence is committed by a man over the age of 21 with a man under the age of 18, it carries a maximum penalty of five years imprisonment. Otherwise it carries a maximum penalty of two years imprisonment. On summary conviction the offence carries a penalty of six months imprisonment, or a fine, or both.

Indecency between men is the official name for the offence colloquially known as Gross Indecency.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the Government plans to *(a)* repeal gross indecency offences and *(b)* include provision regarding sexual activity in public toilets under the Sexual Offences Bill. [128633]

Paul Goggins: The Sexual Offences Bill provides for the repeal of section 13 of the Sexual Offences Act 1956 which is the offence of "indecency between men not in private", colloquially known as "gross indecency" (see schedule 5 of the Bill). The Bill also provides for an offence of "sexual activity in a public lavatory" (see clause 67).

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what legislation the police may use to tackle the problem of sexual activity in toilets. [128634]

Paul Goggins: Currently, sexual activity in toilets could be dealt with under section 13 of the Sexual Offences Act 1956 (indecency between men not in private), section 5 of the Public Order Act 1986 which deals with behaviour likely to cause harassment, alarm or distress and the common law offence of "outraging public decency". There is provision in the Sexual Offences Bill for the repeal of section 13 of the Sexual Offences Act 1956 but a new offence of "sexual activity in a public lavatory" is included at clause 67.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will adopt the proposal of the Home Affairs Committee to extend the statutory reporting restrictions, which preserve the anonymity of victims of sexual offences, to persons accused of those offences. [128620]

Paul Goggins: The Government have noted the findings of the Home Affairs Select Committee (HASC), but believe there should be no distinction drawn between those accused of sex offences and other, arguably more heinous crimes, such as murder. However, we acknowledge that some media reporting of suspects' details, prior to charge, can be severely distressing and damaging where charges are not then brought, and believe that informed and strengthened self-regulatory guidance issued by the police and the media, to prevent such reporting, is preferable to legislation. Discussions are already in hand to ensure the relevant guidance is strengthened.

Young Offenders

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on performance against the 71 day target for dealing with persistent young offenders. [128717]

Paul Goggins: The average time from arrest to sentence for persistent young offenders (PYOs) in England and Wales was 64 days for the second quarter of 2002—the eighth consecutive quarter at or below the 71 day target.

This is an excellent achievement by all the Criminal Justice Agencies. It is a vital part of the Government's reforms that people should have confidence in the Criminal Justice System, and the Government are very pleased that the target is being met so.

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on the funding given to the initiatives in the London Borough of Havering to discourage young offenders from re-offending. [128381]

Paul Goggins: The Havering Youth Offending Team (YOT) budget for 2003–04 which has been proposed to the Borough Council is £792,315. This covers a wide range of work with juvenile offenders including community supervision and interventions designed to prevent re-offending. The local Probation Service carries out similar work with some juveniles and with young adult offenders.

Child Abuse

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what guidelines govern the conduct of police investigations and subsequent prosecution proceedings in care home abuse cases. [128391]

Paul Goggins: The Government's publication "Complex Child Abuse Investigations: Inter-Agency Issues" and the Association of Chief Police Officers' Senior Investigating Officers Handbook both cover the conduct of police investigations into complex historical abuse cases. This is in addition to more general guidelines in the Criminal Procedure and Investigations Act 1996 and accompanying code and the Crown Prosecution Service code for Crown prosecutors.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will take steps to encourage early consultation on the conduct and direction of investigations between the Police and the Crown Prosecution Service in cases of abuse in children's homes. [128393]

Paul Goggins: These steps have already been taken. The Government issued inter-agency guidance on complex child abuse investigations in June 2002. The guidance stresses the need to ensure that the Crown Prosecution Service are involved at an early stage as

appropriate, while noting that they should not be involved in operational decisions about the conduct of an investigation.

This approach is further supported by the guidance in the Association of Chief Police Officers' Senior Investigating Officers Handbook.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department if he will estimate the Criminal Records Bureau's end of year deficit on the financial forecast set out in Annex A of the CRB Corporate Business Plan; how this compares to the original financial forecast; and when he expects the agency to break even. [131201]

Paul Goggins: It is currently estimated that the Criminal Records Bureau deficit for the year to 31 March 2004 will be £18.8 million. The original plan, which assumed a significantly higher volume of applications, was for the Criminal Records Bureau to make a surplus of £1.8 million in the year. The Criminal Records Bureau is currently projected to break even in the year to 31 March 2006.

Evidence Collection

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what measures he has taken to ensure that evidence presented in UK courts has not been obtained under duress. [131287]

Paul Goggins: It is for the trial judge to decide whether a particular piece of evidence should be admitted and in making that decision he must adhere to the requirements of the law. In England and Wales, criminal courts have a range of powers to prevent the admission of improperly obtained evidence. In particular:

Section 76(2) of the Police and Criminal Evidence Act 1984 (PACE) prevents the prosecution relying on confession evidence where it may have been obtained by oppression of the person who made it or in consequence of anything said or done which, in the circumstances, was likely to render a resulting confession unreliable. Where the defence contends that this may be the case it is up to the prosecution to show beyond reasonable doubt that this is not the case. Section 76(3) also permits the court to require the prosecution to prove beyond reasonable doubt that the confession was not so obtained.

The Criminal Justice Bill provides for similar statutory protection where the confession is sought to be adduced by a co-defendant.

Judges also have discretion under section 78 of PACE to exclude evidence on which the prosecution propose to rely if it appears to the court that the admission of the evidence would have such an adverse effect on the fairness of the proceedings that the court ought not to admit it. When considering this discretion the court is to have regard for all the circumstances of the case, including the circumstances in which the evidence was obtained.

National Probation Directorate

Simon Hughes: To ask the Secretary of State for the Home Department when the outcome of the research into the completion and re-offending rates arising from the Think First pilots commissioned by the National Probation Directorate, will be published. [131166]

Paul Goggins: The findings will be made public as soon as practicable after the research has been received and approved by my right hon. Friend the Home Secretary.

Parenting Orders

Mr. Bercow: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the use to date of parenting orders. [130503]

Paul Goggins: The Policy Research Bureau's evaluation of the parenting programme sponsored by the Youth Justice Board was published in September 2002. It found a very positive response from parents on Parenting Orders as well as voluntary participants, and improved parenting skills. In the year following counselling and guidance, offences by their children fell by 50 per cent.

Vulnerable Detainees

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how the terms *(a)* vulnerable and *(b)* difficult group are defined within his Department. [131350]

Paul Goggins: A mentally vulnerable detainee is defined for the purposes of the Codes of Practice under the Police and Criminal Evidence Act 1984 (PACE) as "any detainee who, because of their mental state or capacity may not understand the significance of what is said, of questions or of their replies". (Code C, Guidance Note 1G). The PACE Codes make specific provision for detainees who are mentally disordered or mentally vulnerable to receive the support of an appropriate adult during their time in police custody (Code C 1.7). Appropriate adults have an important role to play in the custody environment by ensuring that the detained person whom they are assisting understands what is happening to them and why.

Although the term vulnerable is not explicitly applied to juvenile detainees, they are nevertheless regarded as a vulnerable group and PACE Code C requires that they similarly receive the support of an appropriate adult (Code C 1.7).

Section 16 of the Youth Justice and Criminal Evidence Act 1999 defines a group of witnesses in criminal proceedings (other than the accused) who may be eligible for special measures assistance on grounds of age or incapacity. This group is often referred to as vulnerable witnesses.

I am not aware of a specific definition for the term difficult group.

Tagging

Simon Hughes: To ask the Secretary of State for the Home Department what the cost is of tagging an

offender *(a)* under and *(b)* over the age of 18, from the time the tag and equipment is installed up to the lawful removal of the tag. [131168]

Paul Goggins: In the financial year 2002–03, a total of 37,898 persons were made subject to electronic monitoring at a total cost of £63,448,638, resulting in an average cost of £1,674 each. Total and average cost figures are not available for those aged under or over the age of 18 separately. This is because the pricing regime for electronic monitoring is based on the type of scheme rather than the age of the person subject to electronic monitoring, and the different schemes have different age boundaries.

HEALTH

Seized Food Products

Mr. Gardiner: To ask the Secretary of State for Health what plans he has to provide environmental health officers with the power to issue destruction orders on seized food products. [128655]

Miss Melanie Johnson: Local authority authorised officers have existing general powers to seize food products and take them before a magistrate to have them destroyed. They also have specific powers to seize and destroy illegally imported food products of animal origin.

There are no plans to change these arrangements.

"Achieving the NHS Plan"

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the Audit Commission's report, "Achieving the NHS Plan". [130165]

Mr. Hutton: At the time the report was published we welcomed its positive overall assessment of progress. The National Health Service has moved forward since the report's publication with widespread good progress continuing to be made against the NHS Plan.

Alzheimer's Disease

Dr. Gibson: To ask the Secretary of State for Health what representations he has received from patients groups regarding drug therapies for Alzheimer's disease patients. [129521]

Dr. Ladyman: The Government have received a number of representations about the availability of the three drugs which the National Institute for Clinical Excellence(NICE) has recommended for use for people with mild to moderate Alzheimer's disease. These drugs should be available on the national health service to all people who meet NICE'S criteria. Where there are any problems with accessing the drugs, this should be brought to the attention of the relevant primary care trust.

There have also been a number of representations about memantine, a drug licensed for moderate to severe Alzheimer's disease, which is being appraised by NICE in the eighth wave of its work. When considering the funding of any treatment currently being appraised by NICE, or where no appraisal has been commissioned, funding authorities are expected to use their existing prescribing arrangements and consider the evidence available to them on the clinical effectiveness of the treatment.

Asbestos

Dr. Cable: To ask the Secretary of State for Health how much has been spent by his Department and its agencies on *(a)* asbestos surveys and *(b)* the management and removal of asbestos since 1 January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004. [130920]

Ms Rosie Winterton: Asbestos surveys and its management are generally included within normal routine maintenance and are not normally separately identifiable. However, using those charges that are identifiable, in the period from January 2001 to date, the Department, it's executive agencies and executive non-departmental public bodies have spent £119,000 on asbestos surveys and £794,000 on the management and removal of asbestos.

For the vast majority of departmental accommodation, the cost of future surveys and on-going management of asbestos is included within general building maintenance budgets and they are not separately identifiable. The information where costs are separately identifiable is:

Department of Health headquarters (London)—asbestos management budgets of £403,000 for 2003–04 and £600,000 for 2004–05 have been allocated.

National Institute for Biological Standards and Control—asbestos management budget of £110,000 for 2004–05.

Health Protection Agency—asbestos management budgets of £35,000 for 2003–04 and £70,000 for 2004–05.

Asthma

Mr. Ian Taylor: To ask the Secretary of State for Health how much funding he gave to the National Asthma Campaign for research into the causes of asthma in the last two years. [131160]

Miss Melanie Johnson: The Department does not allocate funds directly to charities for research. The Department funds research to support policy and the delivery of effective practice in the national health service. Research funds are provided to research contractors on the basis of individual proposals. The Department also provides support to NHS trusts to allow work funded by others such as the research councils, charities and other funders to be conducted within the NHS. The Department is funding research on air pollution and asthma and a project on the effect of a low allergen indoor environment on exacerbations of asthma.

Mr. Ian Taylor: To ask the Secretary of State for Health what steps he is taking to ensure that results of research commissioned by the Department into asthma are cross-referenced for scientific inquiry and international studies. [131161]

Miss Melanie Johnson: The Department encourages publication of scientifically robust results arising from its commissioned research relating to asthma. Publication is normally in peer reviewed journals indexed on standard bibliographic databases.

Breast Cancer

Mr. Burns: To ask the Secretary of State for Health if he will make a statement on the use of proteomics to improve the accuracy of breast cancer diagnosis. [127434]

Miss Melanie Johnson: The Government welcome any new technology that would improve the accuracy of breast cancer diagnosis. Before any new technology is introduced we must be sure that it is safe and effective and that quality standards can be maintained.

The use of proteomics for breast cancer diagnosis is a new technique and large-scale studies have not taken place. If these studies prove proteomics to be effective, then the technique may be referred to the National Institute for Clinical Excellence (NICE). The use of the technique in the national health service will be based on recommendations by NICE.

Cancelled Operations

Dr. Fox: To ask the Secretary of State for Health how many cancelled operations there were in each NHS trust in the first quarter of 2003–04; and what percentage of all operations this represented in each trust for that quarter. [131018]

Mr. Hutton: Data on the number of operations cancelled by the hospital for non-clinical reasons at the last minute (i.e. on the day patients are due to arrive, after arrival in hospital, or on the day of their operation) and the percentage of operations cancelled "at the last minute', as a proportion of all general and acute elective activity during the first quarter of 2003–04, have been placed in the Library.

Care Homes

Mr. Drew: To ask the Secretary of State for Health what discussions he has had with representatives of the care industry to overcome the funding problems behind the proposal of the Criminal Records Bureau to introduce full record checks for new staff of care homes prior to their employment. [131323]

Dr. Ladyman: I met with representatives from the National Care Homes Association on 24 September to discuss their concerns about difficulties care homes face when Criminal Records Bureau (CRB) checks are delayed. Further meetings with officials have also been arranged.

As the independent regulator, The National Care Standards Commission (NCSC) has the responsibility to ensure care homes meet all their statutory requirements. The NCSC has stated clearly that it will continue to exercise its powers wisely and where CRB clearances are not in place will apply its discretion on the use of its enforcement powers on a case-by-case basis.

The NCSC issued a press release on 22 September, setting out its approach to CRB checks for care home staff. A copy is available on its website at www.carestandards.org.uk.

Mr. Ruffley: To ask the Secretary of State for Health how many new regulations have been imposed on the care home sector, and at what cost, since 1997. [131841]

Dr. Ladyman: The care home sector has long been subject to regulation. The regulations introduced under the Care Standards Act 2000 are based on the regulations under the Registered Homes Act 1984 and establish a more consistent and coherent and regulatory framework which care home providers and others had been calling for.

The regulations introduced under the Care Standards Act which affect care homes are:

The Care Homes Regulations 2001.

The Children's Homes Regulations 2001.

The National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2001.

The National Care Standards Commission (Registration) Regulations 2001.

The estimated costs of implementing these regulations are set out in the relevant regulatory impact assessments (RIAs), which are available on the Department's website at www.doh.gov.uk/regulatoryimpact/index.htm.

It is difficult to give a precise figure for the cost of implementing these regulations, given the lack of reliable detailed information and the fact that not all care homes will be affected equally, but in the case of the Care Homes Regulations and the associated national minimum standards, the RIA estimated an overall cost of £150 million spread over five years. However, these costs will have been reduced for pre-existing care homes, following the decision in February 2003 to relax certain physical environment standards relating to them.

We anticipate that almost all of the cost of meeting the regulations will be passed on to the commissioners of care, in most cases the relevant local authority social services department. To ensure that local authorities have the resources they need to purchase services to meet the needs of their residents, we are providing substantial extra resources for social services.

Mr. Stephen O'Brien: To ask the Secretary of State for Health what assessment his Department has made of the effect on the care home sector of *(a)* the requirement within the Care Home Regulations that all new staff engaged by care homes must have been cleared by a Criminal Records Bureau check before starting work and *(b)* the change in practice between the operation of the regulation since its introduction on 1 April 2002 and the enforcement guidelines operative from 1 October. [131620]

Dr. Ladyman: From 1 April 2002, when the Care Homes Regulations came into force, care home providers have been required to undertake a number of pre-employment checks, including a disclosure from the Criminal Records Bureau (CRB), before they can employ a new member of staff. Meeting this requirement was made difficult because of long delays in the processing by CRB of applications for disclosures. The National Care Standards Commission (NCSC) issued interim guidance to care providers about how to address this difficulty.

Following significant improvements made at the CRB since last summer, it is now processing 90 per cent. of applications within four weeks. The NCSC rightly decided to look again at its guidance because there will now be fewer circumstances in which it will need to make allowance for delayed checks.

As the independent regulator, the NCSC has the responsibility to ensure care homes meet all their statutory requirements. It has stated clearly that it will continue to exercise its powers wisely and where CRB clearances are not in place will apply its discretion on the use of its enforcement powers on a case by case basis.

The NCSC issued a press release on 22 September 2003 setting out its approach to CRB checks for care home staff. A copy is available on the NCSC website at www.carestandards.org.uk.

Chauffeur Services

Chris Grayling: To ask the Secretary of State for Health how many officials of *(a)* Department of Health and *(b)* agencies funded by the Department of Health are entitled to chauffeur-driven vehicles. [127685]

Ms Rosie Winterton: The Prime Minister's guidance on travel by Ministers states that allocated cars and drivers will be provided for all Cabinet Ministers, Ministers of State and Parliamentary Under-Secretaries of State and that allocated cars and drivers will also be made available to permanent secretaries, other officials of equivalent rank and certain designated chief executives (normally at permanent secretary level).

The Department currently has one Secretary of State, two Ministers of State and three Parliamentary Under-Secretaries of State all of whom have been allocated an official car and driver. Additionally the permanent secretary and the chief medical officer also make use of an official car and driver each.

Coronary Care

Dr. Fox: To ask the Secretary of State for Health what percentage of heart attack patients received thrombolysis within one hour of calling for assistance in the last year for which figures are available. [130330]

Miss Melanie Johnson: The percentage of heart attack patients who were eligible (who had no contraindications) to receive thrombolysis within one hour of calling for help was 37 per cent. for the year 2002. The proportion is increasing in 2003, in line with the Government target. The figure for January to March 2003 was 44 per cent. and for April to June 2003 was 47 per cent.

Cross-border Health Care

Mr. Tynan: To ask the Secretary of State for Health how many persons normally resident in Scotland were given *(a)* emergency treatment in (i) English and (ii) Welsh hospitals and *(b)* non-emergency treatment in (A) English or (B) Welsh hospitals in each of the last five years. [130338]

Mr. Hutton: Table 1 shows Hospital Episode Statistics on the number of admissions for Scottish residents into National Health Service hospitals in England from 1997–98 to 2001–02. The admission method is broken down into emergency and non-emergency and the total numbers of admissions are also provided.

Table 1
Finished admissions

Year	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Emergency Admissions	2,219	3,143	3,050	3,205	3,089
Non Emergency	1,763	2,426	2,281	2,564	2,493
Total	3,984	5,570	5,343	5,772	5,594

Table 2 shows data from the Patient Episode Database for Wales on the number of admissions for Scottish residents into NHS hospitals in Wales from 1997–98 to 2001–02. The admission method is broken down into emergency and non-emergency and the total number of admissions is also provided.

Table 2
Finished admissions

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Emergency Admissions	150	146	137	148	125
Non Emergency	7	24	9	16	12
Total	157	170	146	164	137

Mr. Tynan: To ask the Secretary of State for Health what structures are in place to encourage cooperation between English and Scottish NHS trusts where they share *(a)* specialist teaching, research or treatment expertise and *(b)* contiguous geographical areas of responsibility. [130337]

Mr. Hutton: There are no formal structures in place centrally. Established clinical networks encourage the sharing of specialist teaching, research and treatment expertise.

Under arrangements for temporary registration, people who are normally resident in the United Kingdom and are entitled to National Health Service care free at the point of delivery may access emergency or primary care services in another area. Elective treatment across borders is a matter for local contractual arrangements.

Dental Services

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 1 September 2003, *Official Report*, column 947W, concerning dental practices, how many dental practices there are in each primary care trust. [129442]

Ms Rosie Winterton *[holding answer 16 September 2003]:* Information on the number of dental practices in each primary care trust in England, as reported at 9 September 2003 on the www.nhs.uk website, has been placed in the Library. These figures are on the same basis as those given in my response of 1 September, although for a later date; they may show some differences from dental practice numbers reported by the Dental Practice Board.

The information also shows revised figures for practices accepting patients exempt from dental charges for registration and also children for registration, as at 3 October 2003.

Mr. Alan Campbell: To ask the Secretary of State for Health what assessment his Department has made of dental care services within the North Tyneside Primary Care Trust area; and what steps he is taking to improve access. [131318]

Miss Melanie Johnson: In the recent performance ratings published by the Commission for Health Improvement, North Tyneside Primary Care Trust (PCT) scored significantly above average for their plans in place for access to National Health Service dentistry.

There are a number of initiatives already in place to enable PCTs to improve access to NHS dental services. This includes the general dental services incentives schemes, as well as a NHS team which will support PCTs where access is most challenging, providing advice and guidance on best practice in increasing access and modernising dentistry locally to tackle longstanding bottlenecks where it is hard to find a NHS dentist.

Dr. Fox: To ask the Secretary of State for Health how many *(a)* dental practices and *(b)* dentists there were in each primary care trust in England in each of the past three years. [129593]

Ms Rosie Winterton: The available information for the number of practices and dentists providing general dental services (CDS) in each health authority (HA) for 2001 and 2002 and in each primary care trust (PCT) in 2003 has been placed in the Library. PCTs took over responsibility from HAs in October 2003.

These figures exclude salaried dentists working in the general dental service, dentists working in other national health service dental services, for example, community and personal dental services, hospital dental services and dentists who do no NHS work.

Mr. Andrew Turner: To ask the Secretary of State for Health how many general dental practitioners were contracted to the national health service in each primary care trust area in England at the last date for which information is available *(a)* in total and *(b)* as full-time equivalents. [130663]

Ms Rosie Winterton *[holding answer 18 September 2003]:* Information on the number of general dental practitioners providing general dental services (GDS) on 30 June 2003, for each primary care trust area in England, has been placed in the Library.

Information on full-time equivalent numbers is not available. Dentists providing GDS are not required to work for a specified number of hours each week and they are free to decide how much national health service work they do.

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on his Department's policy on the level of NHS dentists' charges for missed appointments. [128606]

Ms Rosie Winterton: As part of the arrangements for dentists' remuneration, their terms of service provide in paragraphs 34 and 19 of Schedule 1 to the NHS (General Dental Services) Regulations 1992 that dentists may claim from a patient for loss of remuneration resulting from the failure of a patient to keep an appointment for general dental services.

A claim must reflect actual financial loss and be proportional to that loss.

Mr. Hepburn: To ask the Secretary of State for Health what measures are being taken to increase the number of NHS dental practices in *(a)* Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear, *(d)* the North East and *(e)* England. [128896]

Ms Rosie Winterton: Information on measures being taken to increase the number of national health service dental practices at local level is not held centrally. Subject to parliamentary approval, the Health and Social Care (Community Health and Standards) Bill will enable primary care trusts (PCTs) to provide assistance and support to dental practices with which they contract.

To enable PCTs to provide such assistance in advance of 2005, the General Dental Services Incentive Schemes Directions 2003 have been published, together with guidance to PCTs. These will be backed by funds of £3 million in 2003–04 and £6 million in 2004–05 which were announced in implementation plans published on 12 August. PCTs will also have access to further funds of £35 million over these two years, which were announced on 18 September for NHS dentistry access, choice and quality.

Mr. Andrew Turner: To ask the Secretary of State for Health how many and what percentage of people are registered with an NHS dentist in England and in each NHS region, strategic health authority area and primary care trust area thereof. [130662]

Ms Rosie Winterton *[holding answer 18 September 2003]:* At 30 June 2003, 23.4 million people, or 47.9 per cent. of the population, were registered with dentists providing general dental services. Information showing the percentage of population registered with a dentist in each strategic health authority area and primary care trust area by region, at 30 June 2003, has been placed in the Library.

Registrations are recorded in the primary care trust area of the dentist.

Registrations lapse if patients do not return to their dentist within 15 months and so the registration figures exclude patients who have not been to their dentist within the past 15 months. The figures also exclude patients who receive dental treatment from other national health service dental services, including dental access centres and those patients who choose not to register and who seek treatment on an occasional basis.

Diagnostic and Treatment Centres

Mr. Dobson: To ask the Secretary of State for Health what assumptions were made by his Department about the costs of operations in NHS diagnostic and treatment centres relative to the costs of the same operations carried out at existing NHS hospitals in the same part of the country. [130648]

Mr. Hutton *[holding answer 16 September 2003]:* When the new national tariff for the national health service is fully implemented, the price paid by a primary care trust for treatment at a NHS treatment centre will be the same as that paid in any other NHS trust facility, i.e. the national tariff, adjusted by the market forces

factor. We expect NHS treatment centres to deliver both high quality services and high standards of productivity and efficiency and therefore we have assumed that their operating costs will be within the national tariff.

Diet

Chris Grayling: To ask the Secretary of State for Health what research has been undertaken into the health effects on infants of pre-gelatinised starch in babyfood. [130119]

Miss Melanie Johnson: Neither the Department nor the Food Standards Agency has undertaken any such research. Pre-gelatinised starch is included in the list of permitted sources of carbohydrate under the Infant Formula and Follow-on Formula Regulations 1995.

Chris Grayling: To ask the Secretary of State for Health if he will press the Chancellor to introduce taxation on foods which are detrimental to healthy living. [130160]

John Healey: I have been asked to reply.

Tax is a matter for the Budget. Most food is zero-rated for VAT, and we remain committed to our manifesto to pledge not to extend VAT to food. Some foods which might be considered detrimental to healthy living are already liable to VAT at the standard rate of 17.5 per cent. These include ice cream, most confectionary, chocolate biscuits, crisps, soft drinks and all hot foods sold by take-away outlets.

Drug and Alcohol Training Programmes

Mrs. Curtis-Thomas: To ask the Secretary of State for Health which wards and programmes within Sefton have benefited from drug and alcohol training programmes administered by the Government Office of the North West. [124385]

Miss Melanie Johnson: The Government office for the North West (GONW) provides an advisory role with regards to drug and alcohol training programmes. As such, the Department is unable to provide details of any wards or programmes within Sefton that have benefited from drug and alcohol training programmes administered by the GONW.

I have asked that an official from the GONW write to my hon. Friend, setting out its position in more detail regarding the provision of drug and alcohol training programmes.

Food Standards

Mr. Lidington: To ask the Secretary of State for Health whether his policy on NHS food procurement seeks to encourage the purchase of food produced in the United Kingdom; what guidance on food procurement he has issued to health authorities and trusts; and if he will make a statement. [129362]

Mr. Hutton: The Department has recently compiled an action plan in response to the recommendations included in the Public Sector Food Procurement Initiative, which is being taken forward by the Department for Environment, Food and Rural Affairs.

Guidance has already been issued to national health service trusts on how to promote local sourcing, which, together with supporting local communities, is among the key principles of the Department's sustainable development policy.

Chris Grayling: To ask the Secretary of State for Health what the cost is of setting up *(a)* Combase and *(b)* Growth Predictor; and what sources of funding are being used. [130090]

Miss Melanie Johnson: Both Combase and Growth Predictor have been designed to provide those involved in food safety, such as researchers, the food industry and those involved in public health, with easily accessible information to assist with risk assessment and risk management.

Combase has been developed as a joint venture by the Food Standards Agency (FSA), the Institute of Food Research and United States Department of Agriculture. Costs have been shared and the United Kingdom Government has contributed data and software to the value of £8 million over the last 15 years.

Growth Predictor has been funded by the FSA. It cost approximately £200,000 to develop.

Chris Grayling: To ask the Secretary of State for Health how many people are employed by the Government in investigating the fraudulent trade in unfit food. [130086]

Miss Melanie Johnson: Local authority environmental health and trading standards services, in partnership with officers from the Meat Hygiene Service and the State Veterinary Service, are responsible for investigating fraudulent trade in unfit food. The Food Standards Agency (FSA) provides help and advice to local authorities and has appointed 26 local authority enforcement officers to provide regional advice on investigating unfit food. Each advisor will contribute 10 working days per year to this work on behalf of the FSA. In addition, there is a team of five investigators based at the FSA to assist with this work and two further investigators are being recruited.

Chris Grayling: To ask the Secretary of State for Health what plans the Food Standards Agency has to conduct audits of local councils in England and Wales. [130089]

Miss Melanie Johnson: The Food Standards Agency launched its United Kingdom-wide local authority food law enforcement audit scheme in April 2001. Audits are carried out against the requirements of the framework agreement on local authority food law enforcement, which sets out minimum standards of performance. Since the launch of the scheme, 149 local authorities across the UK, including 99 in England and 10 in Wales, have been subject to an audit.

Mr. Kidney: To ask the Secretary of State for Health what the budget of the Food Standards Agency for food sampling for each year since the Food Standards Agency was established. [130960]

Miss Melanie Johnson: Food sampling as part of the enforcement of food law is the responsibility of local authorities (LAs). LAs carried out 178,000 and 165,000 samples in 2000 and 2001 respectively. Figures are not yet available for 2002.

Mr. Kidney: To ask the Secretary of State for Health what the Food Standards Agency's strategy is to ensure the adequacy of future arrangements for the testing of food samples. [130962]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave on 16 July 2003, *Official Report*, columns 413–14W, relating to the work that the Food Standards Agency (FSA) is taking forward in close liaison with local authorities (LAs) and the Association of Public Analysts to ensure that food standards sampling effectively contributes to consumer protection.

I am also aware that the FSA is working closely with the Health Protection Agency on the procedures for microbiological sampling of food to ensure an adequate system is in place for LAs.

Mr. Kidney: To ask the Secretary of State for Health what proportion of testing of food samples was carried out by *(a)* local authority public analysts, *(b)* private sector public analysts and *(c)* the Food Standards Agency's laboratory in York in each year since the Food Standards Agency was established. [130964]

Miss Melanie Johnson: Information on numbers of food samples tested by individual public analyst laboratories is not held centrally. It is therefore not possible to break down the information on total samples between types of laboratory in the manner requested.

According to the Association of Public Analysts' statistics, approximately 82,000 food samples were tested by public analysts in 2001, but the figures are not split between local authority and private sector public analysts.

The Food Standards Agency does not have its own laboratory. The laboratory in York referred to by the hon. Member is the central science laboratory, an executive agency of the Department for Environment, Food and Rural Affairs.

Chris Grayling: To ask the Secretary of State for Health whether there are plans to train further local authority enforcement officers in illegal meat imports. [130088]

Miss Melanie Johnson: Since April 2003, the Food Standards Agency has run 20 training courses for United Kingdom local authority enforcement officers on imported food issues, which includes the control of illegal meat imports. Further courses are planned, so that enforcement representatives from all UK local authority environmental health Departments, trading standards services and UK ports of entry will have received training by the end of March 2004.

Food Supplements Directive

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will meet representatives of Consumers for Health Choice to discuss the European Food Supplements Regulations. [128354]

Miss Melanie Johnson: I met with a representative of Consumers for Health Choice on Tuesday 7 October to discuss the Food Supplements Regulations.

Mr. Best: To ask the Secretary of State for Health (1) if he will make a statement on the EU Food Supplements Directive; [132229]

(2) if he will make a statement about the EU Food Supplements Directive. [132280]

Miss Melanie Johnson: Directive 2002/46/EC on Food Supplements came into force on 12 July 2002 and had to be implemented into member states' national legislation by 31 July 2003. The Food Supplements (England) Regulations 2003 were laid before Parliament on 2 June 2003 and the provisions will come into force on 1 August 2005. Parallel legislation has been made in Scotland, Wales and Northern Ireland.

G10 Medicines

Dr. Starkey: To ask the Secretary of State for Health what representations his Department has made to the European Commission in response to the G10 Medicines (High Level Group on Innovation and the Provision of Medicines) report. [128737]

Ms Rosie Winterton: The G10 Report, presented to President Prodi in May 2002, was produced by a group of European Ministers and leading figures from the pharmaceutical industry, patients' representatives, and European social insurance institutions. The United Kingdom played a key role, being represented by my noble Friend the Lord Hunt of Kings Heath, the then Parliamentary Under-Secretary of State for Health. The European Commission has now produced a Communication to the Council, the European Parliament, and other Institutions (COM 2003/383) This document is available in the Library with an Explanatory Memorandum from the Department of Health.

These matters are being discussed in both the Health and Competitiveness Councils. My noble Friend Lord Warner, is a member of the G10, working towards the achievement of our policy objectives in relation to the pharmaceutical sector.

Health Care (Buckinghamshire)

Mrs. Gillan: To ask the Secretary of State for Health how many *(a)* private and *(b)* NHS dental practices there were in (i) Chesham and Amersham and (ii) Buckinghamshire in each year since 1 January 1996. [130598]

Ms Rosie Winterton: No information is available on the number of wholly private dental practices. The Office of Fair Trading report, 'The private dentistry market in the UK', states that about 210 practices in the United Kingdom are totally private.

The table gives the available information for the number of general dental service (GDS) practices and dentists there were in the old Buckinghamshire Health Authority (HA) area for the years 1996 to 2002 and in the relevant primary care trusts (PCTs) in 2002 and 2003. PCTs took over responsibility from HAs in October 2003.

These figures exclude dentists working in other national health service dental services, ie., community and personal dental services, hospital dental services and also salaried general dental practitioners and dentists doing no NHS work.

Number of dental practices

	Buckinghamshire HA	Chiltern and South Buckinghamshire PCT	Milton Keynes PCT	Vale of Aylesbury PCT	Wycombe PCT
At 31 August					
1996	118	—	—	—	—
1997	118	—	—	—	—
1998	122	—	—	—	—
1999	121	—	—	—	—
2000	121	—	—	—	—
2001	125	—	—	—	—
2002	125	—	—	—	—
At 30 October					
2002	—	38	35	29	29
At 31 August					
2003	—	38	36	30	29

Source:
Dental Practice Board

Mrs. Gillan: To ask the Secretary of State for Health what plans he has to reduce waiting lists in *(a)* Chesham and Amersham and *(b)* Buckinghamshire. [130603]

Ms Rosie Winterton: The national health service is working to reduce waiting times so that, by the end of March 2004, the maximum waiting time for inpatient treatment will be cut to nine months and the maximum waiting time for an outpatient appointment will be cut to 17 weeks.

Buckinghamshire Hospitals NHS Trust has recently initiated a series of agreed actions to reduce waiting times, including telephone validation of waiting lists, private patient initiatives and active re-organisation of waiting lists.

Future initiatives to further reduce waiting times include schemes to:

Increase the number of patients who have their operative procedure carried out as a daycase.

Explore the role of specialist nurses and allied health professionals as alternatives to traditional consultant-led outpatients appointments.

Introduce measures to improve health and avoid complications, for example, investment in wound care management.

Health Care (Buckinghamshire)

Mrs. Gillan: To ask the Secretary of State for Health how many dentists have moved to private practice from the NHS in *(a)* Chesham and Amersham and *(b)* Buckinghamshire in each year since 1 January 1996; and if he will make a statement. [130596]

Ms Rosie Winterton: The information is not collected centrally although the number of dentists engaged solely in private practice is small. The Department's figures indicate that only around 2 per cent. of dentists do only private practice.

Health Protection Agency

Patrick Mercer: To ask the Secretary of State for Health what new appropriations have been authorised to fund the Health Protection Agency. [128667]

Miss Melanie Johnson: As stated in the consultation document in summer 2002, the creation of the Health Protection Agency (HPA) was cost neutral in terms of public expenditure. Departmental funds allocated to the HPA were drawn largely from those sums previously allocated to its predecessor bodies and organisations.

Hospital Admissions

Mrs. Iris Robinson: To ask the Secretary of State for Health what the average cost of hospital admissions was in *(a)* 1982, *(b)* 1992 and *(c)* 2002. [130000]

Mr. Hutton: The average cost of admissions is shown in the table.

Year	Average cost of a hospital admission (£)
2001–2002	1,544
1991–1992	1,278
1981–1982	[1]

[1] Not available

Hospital Bed Costs

Dr. Evan Harris: To ask the Secretary of State for Health what the capital cost is to the NHS of a new hospital bed. [128929]

Dr. Ladyman: An indicative cost of creating a new-build hospital bed is approximately £380,000, excluding value added tax, which reflects the current business case approval level. The cost includes the capital construction cost, equipment costs and professional fees incurred, as well as a proportion of the costs of the supporting services within the new hospital, such as operating theatres, out-patient departments, accident and emergency services, catering, office accommodation, public areas, pharmacy, pathology and radiology. It does not include the running costs to make the bed operational, such as staffing, linen or cleaning.

Figures for providing a new bed in an existing hospital or under a private finance initiative scheme are not available, as there are many factors that can influence the outcome for each of these schemes.

Hospital Ward Housekeeping Services

Dr. Evan Harris: To ask the Secretary of State for Health what percentage of hospitals have implemented a ward housekeeping service; when the target was set for

50 per cent. of all hospitals to have implemented such a service; when it is due to be met; and what the baseline was for the target. [128905]

Mr. Hutton: Housekeepers support an improved patient experience by ensuring that wards are clean, enjoyable food is available and that equipment works.

In June 2000, the NHS Plan set a target for 50 per cent. of hospitals to have a housekeeping service by 2004. At January 2003, 32 per cent. of all hospitals had begun to introduce housekeeping services, rising to 47 per cent. for hospitals with over 100 beds. These larger hospitals account for 86 per cent. of all beds.

The new style ward housekeeper role was developed with the support of 72 trusts that had already begun to develop services in this area. These trusts had a variety of models, including purely cleaning, or purely catering. The new model is a multi-skilled role, covering both areas.

Prior to the NHS Plan, housekeeping data were not collected centrally.

Infection Control

Dr. Evan Harris: To ask the Secretary of State for Health (1) what plans his Department has to monitor and improve levels of healthcare-associated infections in community healthcare settings; and if he will make a statement; [128923]

(2) what plans his Department has to commission qualitative and quantitative studies to investigate infection control practice among community healthcare personnel; [128925]

(3) what central monitoring and recording is undertaken by his Department on compliance with infection control guidelines in community healthcare settings. [128926]

Miss Melanie Johnson: Central monitoring of compliance with infection control in community settings is not undertaken.

New National Institute of Clinical Excellence guidelines, "Infection Control: Prevention of Healthcare-associated Infection in Primary and Community Care" were published this summer. These evidence-based guidelines include the standard principles for controlling infection, for example, hand hygiene and the prevention of infections associated with certain invasive devices. They also contain information on the education of healthcare workers, guidance on implementation and audit criteria to assess compliance. Implementation of these guidelines and other initiatives will encourage good practice and help prevent avoidable infections.

The National health service research and development methodology programme has recently asked for bids for research into surveillance of healthcare associated infection in the community after discharge from hospital treatment.

Involve

Dr. Fox: To ask the Secretary of State for Health what the contribution in 2002–03 by the Department of Health to the budget of Involve is. [129589]

Miss Melanie Johnson: Good research governance requires that service users are involved in research design and commissioning to ensure value for money. "Involve", formerly "Consumers in NHS Research", offers support both to research commissioners seeking to fulfil their responsibilities in this respect and to members of the public wishing to contribute to the research process.

In 2002–03, "Involve's", allocation from the Department's research and development budget was £410,000.

Khat

Jeremy Corbyn: To ask the Secretary of State for Health what assessment he has made of the effects of khat on the Somali population in the UK; and what advice his Department gives to local health authorities in developing policies to deal with the issue. [127514]

Miss Melanie Johnson: The Home Office commissioned and published a report on khat use in Somalis living in London in 1998, which identified only limited concerns about its use and availability. In addition, the Home Office's drugs and alcohol research unit is shortly to start a detailed study to assess the level of harm caused by khat. The interim findings of this report will be available in spring 2004 and will be considered by the advisory council on the misuse of drugs. It is expected that a final report will be completed in autumn 2004.

There is currently no specific guidance for local health authorities on this issue, though mental health services and drug services have a range of treatment options for dealing with the effects of stimulant misuse.

Listed NHS Buildings

Dr. Fox: To ask the Secretary of State for Health if he will list the buildings belonging to the NHS which are *(a)* Grade I and *(b)* Grade II listed. [130318]

Mr. Hutton: The latest estimate available shows that at June 2002 there were 627 listings (8 Grade I; 34 Grade II* and 585 Grade II) on 468 NHS sites. Information on this matter is no longer the subject of routine collection.

Mental Health

Dr. Fox: To ask the Secretary of State for Health what the level of readmissions of mental health patients within 90 days of discharge was as a proportion of total discharges in each primary care trust *(a)* for the quarter ending (i) April 1998, (ii) March 2001 and *(b)* for the most recent quarter available. [131025]

Ms Rosie Winterton: Information on readmission rates of mental health patients within 90 days of discharge in each health authority for quarters ending March 1998, March 2001 and March 2002 has been placed in the Library.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Secretary of State for Health how much was paid to Microsoft in licensing fees by his Department and its agencies in each of the last

three years; how much has been budgeted for in *(a)* 2003–04 and *(b)* 2004–05; and how much the NHS has budgeted to pay Microsoft in licensing fees in (i) 2003–04 and (ii) 2004–05. [130687]

Mr. Hutton: The total amounts spent on Microsoft products by the Department, its executive agencies and the National Health Service between 2000–01 and 2002–03 are shown in the table.

£

Year	*Expenditure by the Department and executive agencies*[1]	*Expenditure by the NHS*[1]
2000–01	413,000	32,800,000
2001–02	854,000	34,300,000
2002–03	781,000	66,800,000

[1] All sums are inclusive of VAT.

For 2003–04, the Department and its executive agencies have budgeted approximately £197,000 including VAT. The NHS has budgeted approximately £59,300,000, including VAT, before the expiry of the NHS enterprise agreement in October 2004.

For 2004–05, the indicative budgets for purchase of Microsoft products for the Department and its executive agencies have not yet been established. Information on the NHS budget beyond the expiry of the NHS enterprise agreement is not available. Negotiations are being undertaken with Microsoft about the possible renewal of the agreement.

MMR

Mr. Laurence Robertson: To ask the Secretary of State for Health what research he has commissioned into the side effects following *(a)* the single vaccination for mumps, measles and rubella and *(b)* the MMR vaccination; and if he will make a statement. [129029]

Miss Melanie Johnson *[holding answer 11 September 2003]:* The Medicines and Healthcare products Regulatory Agency (MHRA), with expert advice from the independent advisory committee the Committee on Safety of Medicines (CSM) is responsible for ensuring that medicines and vaccines on the United Kingdom market meet appropriate standards of safety, quality and efficacy.

MMR (combined measles, mumps and rubella) vaccine and some single component measles, mumps and rubella vaccines are licensed in the UK. Licensed vaccines are assessed for safety prior to the licence being granted. Information on side-effects known to be associated with these vaccines is included in the relevant product information. As with all vaccines and medicines, after licensing, the MHRA and CSM keep the safety of MMR vaccine and single measles, mumps and rubella vaccines under continual review. The MHRA uses a number of data sources to monitor the safety of medicines and vaccines. These include reports of suspected adverse drug reactions spontaneously provided by health professionals through the 'Yellow Card' scheme. This voluntary scheme has been in existence since 1964 and has a proven track record in identifying important new safety concerns with medicines. Other data sources include periodic reviews of safety information submitted by the licence holders, medical literature and the results of any new clinical trials or epidemiological studies.

Many studies, including one commissioned by the MHRA (then the Medicines Control Agency) in 1998, have specifically investigated the alleged association between MMR vaccines and the development of autism and have found no evidence of a causal link. The CSM has considered these studies and the general safety of MMR vaccines on several occasions in recent years and its advice remains that MMR vaccine is the safest way to protect children from three potentially serious infections. This advice is consistent with the advice of expert bodies around the world. No studies are available that have examined the effects of giving single vaccines separately on a population.

Multiple Sclerosis

Phil Sawford: To ask the Secretary of State for Health how many patients have received treatment for multiple sclerosis through the Risk Sharing scheme; and whether the target of 9,000 patients by November will be reached. [131178]

Ms Rosie Winterton: We estimate that at the end of August, some 6,300 patients were receiving treatment with a disease modifying treatment for their multiple sclerosis. Around 300 patients each month are being initiated on treatment.

The figure of 9,000 patients mentioned in Health Service Circular 2002/004 is not a target, but represents an estimate of the total number of patients who might be eligible for treatment under the guidelines prepared by the Association of British Neurologists.

NHS Administration

Dr. Fox: To ask the Secretary of State for Health how many new *(a)* units, *(b)* departments and *(c)* organisations have been created in the NHS by legislation and regulation since 1997. [131015]

Ms Rosie Winterton: Since 1997, the Department has established:

Two health authorities (HAs) in 1999, four in 2001, and 28 on 1 April 2002. On that date, the 95 HAs then existing, including those set up in 1999 and 2001, were abolished and 28 new HAs were established. These new HAs were renamed strategic health authorities from October 2002.

11 special health authorities.

481 primary care groups (PCGs) on 1 April 1999 as sub-committees of existing HAs. All PCGs have now moved to primary care trust (PCT) status, either individually or by the merger of one or more PCGs and previously existing national health service community health care trusts. There are now 303 PCTs, two of which are designated as care trusts (CTs). There are a further five NHS trusts designated as CTs.

129 NHS trusts.

No units or departments have been created by NHS legislation since 1997.

Mr. Steen: To ask the Secretary of State for Health how many administrative staff were employed by the NHS, broken down by *(a)* category and *(b)* salary scale, in each of the last five years. [128705]

Mr. Hutton *[holding answer 15 September 2003]:* Information on the number of administrative staff employed in the national health service by salary scale is not collected centrally. Information on the number of administrative staff by area of work is shown in the table.

NHS administrative staff in England by area of work as at 30 September each specified year

Headcount

	1998	*1999*	*2000*	*2001*	*2002*
Total clerical and administrative staff[1]	185,214	191,738	199,603	211,653	227,303
All clerical and administrative staff	162,521	167,451	174,347	184,229	195,009
Central functions[1]	71,079	73,996	77,628	81,439	85,706
Hotel, property and estates[2]	10,025	9,630	8,341	8,516	8,392
St&t support[3]	12,703	12,726	12,986	13,374	14,666
Clinical support[3]	66,145	68,425	72,406	77,861	83,312
Ambulance support[3]	2,569	2,674	2,986	3,039	2,933
All administrative managers[4]	22,693	24,287	25,256	27,424	32,294
Central functions	16,981	18,265	19,244	20,909	24,775
Hotel, property and estates	2,305	2,287	1,960	1,978	2,032
St&t support	420	437	486	506	666
Clinical support	2,672	2,980	3,271	3,635	4,426
Ambulance support	315	318	295	396	395
GP Practice Administrative staff	—	—	—	—	—

[1] Includes staff working in such areas as personnel, finance, IT, legal services, library services and general management support services.
[2] Staff working in clerical and administrative support of areas such as laundry, catering, domestic services and gardens.
[3] Clerical and administrative staff in support of clinical areas such as medical secretaries and medical records officers.
[4] Staff with overall responsibility for budgets, manpower or assets, or accountable for a significant area of work. This excludes nursing, ST&T and ambulance managers in posts requiring specific clinical qualifications.

Dr. Fox: To ask the Secretary of State for Health what the administrative cost of the NHS was as a percentage of its total budget in each year since 1997. [127337]

Mr. Hutton: The administrative cost of the national health service as a percentage of its budget in each year since 1997 is shown in the table.

	Total health authority and primary care trust administration and NHS trust management costs (£ million)	*NHS total expenditure: England (£ million)*	*Administration costs as percentage of NHS budget*
1997–98	1,962,983	34,664	5.7
1998–99	1,935,116	36,608	5.3
1999–2000	2,095,224	40,215	5.2
2000–01	2,166,011	43,951	4.9
2001–02	2,565,092	49,279	5.2

Note:
Administration expenditure includes the cost of the board, commissioning administration, community health council expenditure, primary care trust preparation costs, some public health staff costs, capital charges, etc.—ie all expenditure which is not related to the provision of patient and social care and staff training.

Dr. Fox: To ask the Secretary of State for Health what the cost of *(a)* medical and dental staff and *(b)* administration and estates staff was in each year since 1997 (i) in cash terms and (ii) as a proportion of total NHS expenditure. [131037]

Mr. Hutton: Expenditure on medical and dental staff and administration and estates staff, in the Hospital and Community Health Services in England, between 1997–98 and 2001–02, is shown in table 1.

Table 1

£

	Medical and dental staff	*Administrative and clerical staff and maintenance and works staff*
1997–98	3,021,917,492	2,057,163,826
1998–99	3,300,976,457	2,169,826,239
1999–2000	3,664,710,847	2,313,931,257
2000–01	4,138,320,465	2,519,278,346
2001–02	4,790,866,706	2,843,734,268

Source:
Annual Financial returns of Health Authorities, NHS Trusts and Primary Care Trusts.

Expenditure on these staff, expressed as a proportion of total net national health service expenditure in England during the same period, is shown in table 2.

Table 2

Percentage

	Medical and dental staff	*Administrative and clerical staff and maintenance and works staff*
1997–98	0.087	0.059
1998–99	0.090	0.059
1999–2000	0.092	0.058
2000–01	0.094	0.057
2001–02	0.097	0.058

Source:
Annual Financial returns of Health Authorities, NHS Trusts and Primary Care Trusts and the Departmental Reports 2001CM5103 and 2003 CM5904.

In April 2001, NHS accounting and budgeting changed to a resource based system. Figures for 2001–02 are not comparable with previous years.

Expenditure on NHS staff in Scotland and Wales is a matter for the devolved administrations. While the institutions in Northern Ireland are dissolved, responsibility rests with Ministers in the Northern Ireland Office.

NHS Expenditure

Mr. Hepburn: To ask the Secretary of State for Health how much per capita has been spent by the NHS in *(a)* the North East and *(b)* the UK in (i) 1996, (ii) 2000 and (iii) (projected for) 2003. [130739]

Mr. Hutton: Information on the average level of National Health Service spending per weighted head of population in the north east and in England is shown in the table. Information is not yet available for 2002–03.

£ per head

	1996–97	*2000–01*
The North East	615.31	796.11
England	625.56	825.38

Notes:
1. Health authority annual accounts 1996–97
Health authority summarisation forms 2000–01
Primary care trust summarisation forms 2000–01
Weighted population figures for 1996–1997 and 2000–01
2. In many health authorities there are factors which distort the expenditure per head. These include:
The health authority acting in a lead capacity to commission healthcare or fund, training on behalf of other health bodies.
Asset revaluations in NHS Trusts being funded through health authorities.
For these reasons expenditure per head cannot be compared reliably between health authorities.
3. Allocations per weighted head of population provide a much more reliable measure to identify differences between funding of health authorities.
4. Expenditure is taken from audited health authority and primary care trust summarisation forms which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total expenditure by the health authority and by the primary care trusts within the health authority and region area. The majority of General Dental Services expenditure is not included in the health authority or primary care trust summarisation forms and is separately accounted for by the Dental Practice Board. An element of pharmaceutical services expenditure is accounted for by the Prescription Pricing Authority and not by health authorities.
5. Health authorities and primary care trusts should account for their expenditure on a gross basis. This results in an element of double counting in 2000–01 where one body acts as the main commissioner and is then reimbursed by other bodies. This element cannot be identified in 2000–01.
6. The North East has been taken to include the geographical areas covered by the following Health Authorities:
County Durham and Darlington Health Authority.
Gateshead and South Tyneside Health Authority.
Newcastle and North Tyneside Health Authority.
Northumberland Health Authority.
Sunderland Health Authority.
Tees Health Authority.

NHS Direct

Dr. Fox: To ask the Secretary of State for Health if he will make a statement on how the NHS Direct service has developed since March 2000. [130321]

Ms Rosie Winterton: NHS Direct has developed since March 2000 to become the world's largest e-health service, supporting over a million patients every month through its telephone advice and information service and associated website. In this time, NHS Direct has symbolised the changing relationship between the national health service and patients, supporting patients to become more empowered, better informed and more able to exercise choices over their own health and health care.

NHS Direct has been available to callers throughout England since the end of October 2000. Call volumes have grown by 49 per cent. since March 2000. Independent evaluation highlights a service that is safe, popular and increases access to advice and information without increasing demands on other parts of the NHS. Caller satisfaction rates have continued at over 95 per cent. and 45 per cent. of calls to the service are completed without referral to another service. The roll-out of NHS Direct was commended in a report by the National Audit Office, published in January 2002, which estimated that the service covered 50 per cent. of its running costs by reducing demands on other services in the NHS.

In November 2001, NHS Direct Online was re-launched to include an interactive inquiry service, which is able to provide patients with detailed information about topics not covered on the website. NHS Direct Online receives half a million on-line transactions every month. NHS Direct Online has been awarded one of the first ever eEurope awards for eHealth by the European Commission. 200 applications were received from 22 countries. At a conference and award ceremony in Brussels in May this year, attended by European Commissioners and 33 Ministers from across the member states, Bob Gann, Director of NHS Direct Online, received the award for "Empowering Citizens in Management of Health and Wellbeing". The panel judged entries against criteria including economic benefit, accessibility, quality assurance, technical standards and European applicability.

NHS Direct achieved the Prime Minister's pledge that, by the end of September 2001, patients who wished to would be able to obtain advice on dental issues and details of NHS dentists simply by phoning NHS Direct.

NHS Direct introduced a dedicated textphone service in November 2001. The service connects callers to NHS Direct nurses, who have had specialist training to help them meet the needs of textphone users.

Since March 2002, access to out-of-hours care through NHS Direct has been available to 10 million patients. By December 2004, technical and operational links will be in place to allow NHS Direct to transfer calls to any out-of-hours provider in the country. Full clinical integration of services will follow as soon as possible thereafter.

The first version of the NHS Direct performance framework was launched in March 2002. The framework is based on the principle of continuous quality improvement and outlines responsibilities and tools for service delivery and the monitoring of performance and improvement at all levels of the organisation—from the individual to the national service. The framework also outlines a set of key performance targets for NHS Direct, areas for the development of clinical indicators and areas for the

development of internal management measures. NHS Direct has embarked on a major programme for improving its productivity. This delivered a 15 per cent. increase in call volumes in 2002–03, without any increase in staff numbers.

NHS Direct aims to support the NHS in many areas, including contributing to a responsible and coherent response to public health. NHS Direct has worked with the Department and other stakeholders to provide a public helpline in the event of health alerts. These have ranged from local incidents, for example, chemical spills, to handling calls during a multi-regional hepatitis C look-back exercise, as well as the Alder Hey independent inquiry. Since March 2000, it has handled a total of 631 health alerts.

Since April 2002, NHS Direct has been able to directly refer patients to pharmacists, where appropriate, for advice about medication or minor ailments or injuries. This has helped many patients receive a quicker and more appropriate response to their problems. It also makes better use of the skills of pharmacists and helps relieve some pressure on general practitioners.

The strategy document for developing NHS Direct, published in April 2003, sets out the continued commitment to this popular and innovative service. The impact of new financial investment will further support plans to use technology and new ways of working to boost productivity and increase capacity. In total, NHS Direct will aim to expand its call taking capacity three fold in the next three years, while at the same time, developing the various channels through which patients can access the service.

NHS Estate (Health and Safety)

Dr. Evan Harris: To ask the Secretary of State for Health (1) whether his Department met their target in the NHS plan of ensuring that 90 per cent. of the NHS estate was health and safety compliant by March 2002; what percentage of the estate did not comply with health and safety regulations in March 2002; and what new deadlines have been set on health and safety in the NHS estate; [123928]

(2) whether his Department met their target in the NHS Plan to eliminate the fire safety backlog in the NHS Estate by March 2003. [124004]

Mr. Hutton: Trusts that did not report full compliance will cover a wide variety of conditions, including that which is only just below standard. At 31 March 2002, 10.55 per cent, of patient-occupied floor area was below health and safety compliance and 8.57 per cent. below statutory fire safety standards.

Trusts generally manage high-risk deficiencies as a priority in order to ensure that premises are intrinsically safe and not of concern to local enforcement bodies.

Further improvements to health and safety and fire safety will result from the current priorities and planning framework targets for reducing the backlog of maintenance by 25 per cent. by 2004.

Nurses and Care Workers (Gender)

Ms Walley: To ask the Secretary of State for Health what his Department's policy is on patients being *(a)* offered a choice and *(b)* consulted on the gender of the nurses and careworkers who treat them; and if he will make a statement. [126687]

Mr. Hutton: The Department is committed to increasing patient choice in the national health service to ensure that its services are more responsive to the needs of individual patients. The first step in increasing patient choice is to provide patients waiting for elective surgery with choice over the hospital in which they are treated. By the summer of 2004, all patients waiting six months for surgery will be offered the choice to move to another hospital. From December 2005, patients who may require elective surgery will be offered a choice of four or five hospitals or providers when their general practitioner refers them. We have also launched a national consultation exercise—'Choice, Responsiveness and Equity in the NHS and social care'—to get the views of patients and NHS staff on extending patient choice within the NHS beyond elective surgery. Fundamental to increasing the responsiveness of services is ensuring that patients are afforded privacy and dignity, including taking into account their views as to the gender of their nurses and care workers.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Health when he expects to answer outstanding ordinary written questions tabled by the hon. Member for Sutton and Cheam for answer before 7 July. 2003. [126505]

Ms Rosie Winterton *[holding answer 17 July 2003]*: All ordinary written questions tabled by the hon. Member before 7 July have now been answered.

Chris Grayling: To ask the Secretary of State for Health if he will list the questions tabled by the hon. Member for Epsom and Ewell which have been due for answer for over five sitting days; and when he expects to answer them. [127701]

Mr. Hutton: At 17 July, there were two questions outstanding to the hon. Member. I replied to one on 8 September 2003, *Official Report*, column 157W, and to the other on 18 September 2003, *Official Report*, column 977W.

Mrs. Curtis-Thomas: To ask the Secretary of State for Health how many questions directed to him remain unanswered. [130754]

Ms Rosie Winterton: At 6 October 2003, 215 parliamentary questions remained unanswered, of which, 63 were not yet due for answer.

Pneumococcal Vaccination

Mr. Burstow: To ask the Secretary of State for Health what plans he has to provide pneumococcal vaccination to people over 65. [130802]

Miss Melanie Johnson: A new pneumococcal immunisation programme for adults aged 65 years and over was announced on 20 August 2003 and will be introduced over the next three years.

Post-operative Care

Mr. Hoban: To ask the Secretary of State for Health what research has been carried out into the impact of greater consultant involvement in post-operative care; and if he will make a statement. [129599]

Mr. Hutton: The Department has not conducted any research on the impact of greater consultant involvement in post-operative care.

The Policy Research Programme ((PRP) has recently been asked to commission research on early warning scoring systems and outreach services for adult critical care; both of which can help improve experience and outcomes for patients with potential or actual need of critical care services. The PRP is liaising with the NHS Service Delivery and Organisation National R&D Programme, which has commissioned an evaluation of outreach services in critical care.

PAF PI E50

Mr. Burstow: To ask the Secretary of State for Health how many and what percentage of people in each of the last five years, broken down by client group, were assessed and *(a)* received and *(b)* did not receive a service as recorded in PAF PI E50. [130846]

Miss Melanie Johnson: The latest information available on the number and percentage of clients aged 18 and over that were assessed and received and did not receive a service is shown in tables 1 and 2 for 2000–01 and 2001–02. Data for previous years is not available.

Table 1: Number of clients that (a) received and (b) did not receive a service, broken down by client group

Rounded numbers

	2000–01[1]			*2001–02*[2]		
Client groups	*Total clients assessed*	*Received a service*[3]	*Did not receive a service*[4]	*Total clients assessed*	*Received a service*[3]	*Did not receive a service*[4]
All primary client types	1,008,000	683,000	326,000	1,020,000	683,000	317,000
Physical & sensory Disability/Frailty	773,000	538,000	235,000	780,000	536,000	231,000
of which:						
Physical disability	396,000	283,000	113,000	351,000	241,000	104,000
hearing	23,000	17,000	6,000	22,000	16,000	5,300
visual	45,000	30,000	14,000	33,000	23,000	9,400
dual	5,500	4,300	1,400	5,000	3,500	1,400
frailty	257,000	179,000	78,000	278,000	192,000	80,000
Learning Disability	28,000	17,000	11,000	28,000	18,000	10,000
Mental Health	131,000	83,000	49,000	129,000	77,000	51,000
of which:						
dementia	31,000	24,000	7,300	31,000	23,000	8,000
Substance Abuse	10,000	7,400	2,900	12,000	7,300	4,200
Other vulnerable people	65,000	38,000	27,000	70,000	45,000	21,000
of which:						
asylum seekers	3,000	2,300	1,000	1,200	800	300
welfare benefits	2,400	2,000	600	4,700	4,200	400

[1] National estimates based on 147 councils for form A1 and 137 councils for form A5.
[2] National estimates based on 149 councils for form A1 and 147 councils for form A5.
[3] Clients receiving a service include, 'some or all (new) services started,' 'some (new) services intended but none started' and '(new) service(s) offered but declined.'
[4] Clients not receiving a service include 'no (new) services offered or intended' and 'other sequel to assessment.'
[5] Figures may not add due to rounding and differences between forms A1 and A5.
Source:
RAP Forms A5 and A1

Table 2: Percentage of clients that (a) received and (b) did not receive a service, broken down by client group

Rounded numbers and percentage

	2000–01[1]			*2001–02*[2]		
Client groups	*Total clients assessed*	*Percentage of clients receiving a service*[3]	*Percentage of clients not receiving a service*[4]	*Total clients assessed*	*Percentage of clients receiving a service*[3]	*Percentage of clients not receiving a service*[4]
All primary client types	1,008,000	68	32	1,020,000	68	32
Physical & sensory Disability/Frailty	773,000	70	30	780,000	70	30
of which:						
Physical disability	396,000	71	29	351,000	70	30
hearing	23,000	74	26	22,000	75	25
visual	45,000	68	32	33,000	71	29
dual	5,500	75	25	5,000	71	29
frailty	257,000	70	30	278,000	71	29
Learning Disability	28,000	61	39	28,000	64	36
Mental Health	131,000	63	37	129,000	60	40
of which:						
dementia	31,000	77	23	31,000	74	26
Substance Abuse	10,000	72	28	12,000	63	37

Table 2: Percentage of clients that (a) received and (b) did not receive a service, broken down by client group

Rounded numbers and percentage

	2000–01[1]			2001–02[2]		
Client groups	*Total clients assessed*	*Percentage of clients receiving a service*[3]	*Percentage of clients not receiving a service*[4]	*Total clients assessed*	*Percentage of clients receiving a service*[3]	*Percentage of clients not receiving a service*[4]
Other vulnerable people	65,000	58	42	70,000	68	32
of which:						
asylum seekers	3,000	70	30	1,200	73	27
welfare benefits	2,400	77	23	4,700	91	9

[1] National estimates based on 147 councils for form A1 and 137 councils for form A5.
[2] National estimates based on 149 councils for form A1 and 147 councils for form A5.
[3] Clients receiving a service include, 'some or all (new) services started,' 'some (new) services intended but none started' and '(new) service(s) offered but declined.'
[4] Clients not receiving a service include 'no (new) services offered or intended' and 'other sequel to assessment.'
[5] Figures may not add due to rounding and differences between forms A1 and A5.
Source:
RAP Forms A5 and A

Pre-booked Hospital Treatment

Dr. Evan Harris: To ask the Secretary of State for Health what proportion of out-patient appointments and in-patient elective admissions are pre-booked; and what proportion were pre-booked at the start of 2000–01. [128907]

Mr. Hutton: Information on day case booking rates from March 2003 can be found at: http://www.doh.gov.uk/nhsplanbookingsystems/booking.htm

Information on out-patient and in-patient combined (day case plus ordinary in-patient admission) booking rates will be made available on the website in due course.

Spectacles

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of the efficacy of providing tinted spectacle lenses to assist children with reading difficulties; and what plans he has to make them more widely available. [130284]

Dr. Ladyman *[holding answer 16 September 2003]:* There are indications that some children in their teens may benefit from precision-tinted lenses.

However, unless precision-tinted lenses are provided as part of a proper scheme of assessment and treatment, many children may receive them unnecessarily. There is a risk that more appropriate responses to their needs will be delayed while time is taken up investigating tinted lenses. Without proper evaluation of the therapy for each individual, which is less likely if provided outside the education network, there is no proper indication of its effectiveness.

Tim Loughton: To ask the Secretary of State for Health how many children with a refractive error in their vision receive financial support for the cost of coloured glass spectacles. [130285]

Dr. Ladyman *[holding answer 16 September 2003]:* For 2002–03 in England, 8,850 pairs of spectacles with tints for 0 to 15-year-olds were reimbursed by primary care trusts.

Student Nurses (Fees)

Mr. Boswell: To ask the Secretary of State for Health whether he plans to extend the present remission for student nurses from higher education tuition fees to top-up fees incurred after 2006. [129701]

Mr. Hutton: While the proposals contained in the Department for Education and Skills' White Paper include allowing universities to increase tuition fees, there is as yet no clear indication from the higher education sector of the scope or scale of any increased charges. The Department will take measures to ensure that any increase in the cost of university courses will not have an adverse impact on the supply, retention, diversity or quality of students undertaking nurse training.

Thalidomide Trust

Mr. Rooney: To ask the Secretary of State for Health what meetings he has had with the Thalidomide Trust in the last 12 months; and what advice and assistance he has offered to the Trust. [131301]

Miss Melanie Johnson: The Department has not had any meetings with the Thalidomide Trust over the past 12 months. The Government paid £5 million to the Trust in 1974 and £0.8 million in 1978, following misunderstandings about the tax treatment of the fund. In 1996, we made a further payment to the Trust of £7 million in recognition of the unique and tragic circumstances which surround the thalidomide disaster. The Department would always be happy to meet with the Trust if it so wishes.

Urology/Gastrointestinal Surgery (Children)

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on the current situation whereby a child discharged from hospital following urology and gastrointestinal surgery receives no community paediatric support. [129293]

Dr. Ladyman: The level of support each individual child receives upon discharge from hospital is a matter for local decision. This will be based upon the child's degree of dependency and will involve the hospital concerned working in close liaison with local primary health care staff and the community nursing team.

The forthcoming national service framework for children will set standards aimed at raising the quality of the health and social care services that children receive and will include consideration of the best means to support children post-discharge from hospital.

Waiting Times

Dr. Fox: To ask the Secretary of State for Health (1) what the *(a)* mean and *(b)* median waiting times were for (i) initial and (ii) follow-up appointments for physiotherapy care for each primary care trust for the most recent three quarters available; [131031]

(2) what the *(a)* mean and *(b)* median waiting times were for (i) initial and (ii) follow-up appointments for (A) chiropody, (B) podiatry and (C) foot clinics for each primary care trust for the most recent three quarters available. [131036]

Mr. Hutton: This information is not collected centrally.

Peter Bottomley: To ask the Secretary of State for Health if he will make it policy that no patient referred to an NHS hospital for a hearing test should wait longer than two months. [131668]

Ms Rosie Winterton: While there are no targets for waiting times for audiology services, we are taking action to tackle the causes of longer waits as part of our programme to modernise hearing aid services in England. These are increased demand arising from public awareness of digital hearing aids and a recognised national shortage of audiologists.

The modernisation project team at the Royal National Institute for the Deaf and the action on team from the modernisation agency are working with sites to help them reduce waiting times. We are introducing a new, more streamlined patient process in modernised sites. We are looking at ways to increase the number of trained audiologists in the longer term and are encouraging partnerships between national health service trusts and high street registered hearing aid dispensers to increase capacity and make NHS hearing aids available, free of charge, from an increasing number of convenient locations.

Peter Bottomley: To ask the Secretary of State for Health how many patients have waited more than *(a)* three, *(b)* six and *(c)* 12 months for an elective finished in-year admission in (i) 1997–98 and (ii) the latest year for which figures are available. [131669]

Mr. Hutton: The number of patients who waited for more than three, six and 12 months are shown in the table.

Total patients waited	*1997–98*	*2001–02*
More than 3 months	1,149,122	1,169,469
More than 6 months	608,276	609,684
More than 12 months	185,956	190,158

Notes:
1. Count of finished in-year admission episodes.
2. Elective finished in-year admissions from waiting list and booked cases by time waited, NHS hospitals, England 1997–98 and 2001–02.
3. Admissions are defined as the first period of in-patient care under one consultant within one health care provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
4. A finished consultant episode (FCE) is defined as a period of admitted patient care under one consultant within one health care provider. Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.
5. Grossing—figures have not (yet) been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:
Hospital Episode Statistics (HES), Department of Health.

Walk-in Centres

Dr. Evan Harris: To ask the Secretary of State for Health what safeguards are in place to prevent patients using walk-in centres to gain access to prescription drugs without visiting or informing their GP. [128912]

Mr. Hutton: All prescribing or supply of medicines at national health service walk-in centres is undertaken by qualified independent prescribers, or within clinical protocols set by patient group directions. In addition, clinical information is normally shared with the patient's general practitioner.

Dr. Evan Harris: To ask the Secretary of State for Health what reviews he has commissioned into NHS walk-in centres and their impact on demand on other health services; and if he will place copies of the reviews in the Library. [128914]

Mr. Hutton: An independent evaluation of national health service walk-in centres was published by Bristol University in July 2002. Copies of the report have been placed in the Library.

Dr. Evan Harris: To ask the Secretary of State for Health how many nurses have been employed in walk-in centres in *(a)* England, *(b)* each region and *(c)* each strategic health authority in each year since walk-in centres were first established. [128915]

Mr. Hutton: National health service walk-in centres are managed locally by their host primary care trust or NHS trust. Information on staff numbers is not held centrally.

Xenotransplantation

Norman Baker: To ask the Secretary of State for Health (1) what factors underlay the decision of UK Xenotransplantation Interim Regulatory Authority not to publish the legal and ethics review of xenotransplantation produced by Professor McLean and Dr. Williamson; [129269]

(2) if he will publish the useful discussion points identified by the UK Xenotransplantation Interim Regulatory Authority in their consideration of the ethics review of xenotransplantation produced by Professor McLean and Dr. Williamson; [129271]

(3) what advice his Department gave to the UK Xenotransplantation Interim Regulatory Authority regarding the legal review by Professor McLean and Dr. Williamson, with particular reference to the question of its publication. [129272]

Ms Rosie Winterton: While there are no plans to publish Professor McLean's legal and ethics review as a United Kingdom Xenotransplantation Interim

Regulatory Authority (UKXIRA) document, UKXIRA and the Department have no objections to the review being published by the author. The Department encourages researchers to publish their findings in peer review journals and Professor McLean is contractually free to make the review and the discussions within it available to the public. As is customary, the summary of the review will be placed on the Department's research findings register (which is available on the Department's website) and the summary of the research papers will be placed on the UKXIRA website. Due to the interest shown in the review, a copy will be placed in the Library for information shortly.

Abortion

Jim Dobbin: To ask the Secretary of State for Health (1) what plans he has to seek an amendment to the law on abortion to allow women undergoing medical abortion to self administer the prostaglandin at home; [131849]

(2) how many abortions have been performed in the United Kingdom on the grounds of foetal handicap under the provisions of the Abortion Act 1967 (as amended); and what percentage of the total number of abortions performed under the Abortion Act 1967 (as amended) this constitutes; [131850]

(3) how many abortions have been performed in the United Kingdom in order to save the life of the mother under the provisions of the Abortion Act 1967 (as amended); and what percentage of the total number of abortions performed under the Abortion Act 1967 (as amended) this constitutes; [131851]

(4) when the Government last commissioned research on the safety of the abortion pill mifepristone. [131852]

Miss Melanie Johnson: The Government have no plans to seek an amendment to the law on abortion. All abortions in England are currently carried out under Section 1(3) of the Abortion Act which states that any treatment for the termination of pregnancy must be carried out in an NHS hospital or an approved independent sector place. There is provision under Section 1(3a) for medical abortion to be carried out in an approved class of place but we have not yet determined what a "class of place" should be. No "class of place" will be approved unless we are content that a woman's safety is not at risk.

The safety of mifepristone was fully evaluated on behalf of the Government at the time of granting a marketing authorisation in 1991 by the Medicines Control Agency (MCA). The use of mifepristone is continually monitored by the Medicines and Healthcare Products Regulatory Agency (formerly the MCA) using spontaneous adverse drug reaction reports, periodic safety reviews and all other available safety data to ensure its continued safe use. Also, there have been a number of studies and reviews of the safety of mifepristone published in the scientific literatures since 1991.

In the years 1968 to 2001 inclusive, there were 4.56 million reported abortions performed on residents of England and Wales. Of these, 63,897, or 1.4 per cent., were performed under section 1*(1)(d)* of the Abortion Act 1967 as amended. These are cases where there was a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. 39,464, or 0.9 per cent., of the total were performed under section 1(1)(c) of the Abortion Act 1967 as amended. These are cases where the continuance of the pregnancy would involve risk to the life of the pregnant woman; greater than if the pregnancy were terminated.

The Abortion Act 1967 applies to England, Wales and Scotland only. Abortions performed in Scotland are a matter for the Scottish Executive.

Peter Bottomley: To ask the Secretary of State for Health how many abortions there have been, and what the annual percentage change has been, since 1996. [131666]

Miss Melanie Johnson: The total numbers of abortions performed on residents of England and Wales under the Abortion Act 1967 (as amended) for each year since 1996 and the annual percentage change are shown in the table.

	Total number of abortions	*Year on year percentage change*
1996	167,916	—
1997	170,145	+1.3
1998	177,871	+4.5
1999	173,701	−2.3
2000	175,542	+1.1
2001	176,364	+0.5

Information on abortions in Scotland are a matter for the Scottish Executive. The Abortion Act 1967 does not apply to Northern Ireland.

Ashford (Middlesex) Hospital

Mr. Wilshire: To ask the Secretary of State for Health how many treatments are planned to be provided at the new treatment centre at Ashford (Middlesex) hospital during the five year contract; and what proportion of these will be in addition to the number that would be provided during the same period in the facilities that will be used by Mercury Health Ltd. [130936]

Mr. Hutton *[holding answer 18 September 2003]:* The treatment centre at Ashford plans to provide treatment for 1,711 patients annually, a total of 8,555 patients over the five years of the contract.

The treatment centre is a refurbishment of a facility that is currently out of commission. The development allows this capacity to be made available for national health service care.

Cancer Nursing

Dr. Gibson: To ask the Secretary of State for Health what recent meetings Ministers *(a)* have had and *(b)* are planning with (i) nursing, (ii) clinical, (iii) voluntary sector and (iv) service user organisations about the development of cancer nursing to meet (A) current and (B) projected demand for cancer nursing within the NHS. [123249]

Miss Melanie Johnson: I will be meeting my hon. Friend on 29 October 2003, to discuss cancer nursing.

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will make a statement on progress towards meeting targets on cancer care. [129486]

Miss Melanie Johnson: Thanks to major additional investment and the hard work of those working in the national health service we are making real progress in implementing the NHS Cancer Plan. Patients are benefiting from improvements across all aspects of cancer care.

For example there are an extra 1,000 cancer consultants compared with 1997; nearly 99 per cent. of people with suspected cancer are now seen by a specialist within two weeks of being referred by their general practitioner; we have improved the quality of breast screening by the introduction of two view mammography and have extended the breast screening service to include women aged 65 to 70 resulting in nearly 200,000 extra women being invited since April 2001. The introduction of the National Institute for Clinical Excellence has meant that over 31,000 extra patients can benefit from new cancer drugs. We have increased the NHS funding of specialist palliative care by £50 million a year, an increase of nearly 40 per cent. and latest figures show a reduction of 9 per cent. in the death rate from cancer.

Community Health Councils

Chris Grayling: To ask the Secretary of State for Health what representations he has had from community health councils in England about the operational difficulties they face from extending their activities beyond September 2003. [127683]

Ms Rosie Winterton: Since the announcement of 4 June 2003 to postpone the abolition of community health councils (CHSs) until 1 December 2003, representations have been made by a number of CHCs highlighting potential difficulties. The exact number of cases could be provided only at disproportionate cost. Discussions have taken place with various stakeholder groups, including the relevant trades unions and the Association of Community Health Councils for England and Wales, to gain a better understanding of the operational issues involved. Guidance and advice has been made available to local managers.

Consultant Numbers

Dr. Evan Harris: To ask the Secretary of State for Health how many extra consultants between 1999 and 2004 were already planned for when the target of 7,500 extra consultants was published in July 2000; and whether these consultants were included in the figure of 7,500. [128916]

Mr. Hutton: The Department was already planning for a substantial expansion in consultant numbers. The NHS Plan target of 7,500 consultants was based on identified need for additional growth to meet the service targets.

Delayed Discharges

Mr. Ruffley: To ask the Secretary of State for Health if he will list the targets that his Department has set *(a)* Suffolk county council and *(b)* primary care trusts for delayed discharges in Suffolk. [131846]

Dr. Ladyman: The Department does not set individual councils or primary care trusts targets for reductions in delayed discharges. The Community Care (Delayed Discharges etc.) Act 2003 has established a system of reimbursement, fully operational from January 2004, that provides an incentive for councils and health bodies to work closer together to reduce delays. Continued reductions in the levels of delayed discharges are therefore expected.

Mr. Burns: To ask the Secretary of State for Health if he will publish the national delayed discharges figures for each quarter in 2002–03. [129845]

Dr. Ladyman *[holding answer 15 September 2003]:* Delayed discharge figures for each quarter of 2002–03 have been published and are available in the Library.

E.coli

Dr. Evan Harris: To ask the Secretary of State for Health what guidance he has issued to the public on the risk of contracting E.coli while camping. [128927]

Miss Melanie Johnson: The Chief Medical Officer, Professor Sir Liam Donaldson in his Annual Report for 2001 alerted the public to the risks of contracting Escherichia coli 0157 infection and provided advice as to how to avoid infection.

The Department of Health works in close collaboration with other Government Departments, particularly the Health and Safety Executive (HSE), the Food Standards Agency (FSA), the Department for the Environment, Food and Rural Affairs and with the Scottish Executive in providing to the public, to farmers and others responsible for farmland that might be used for recreational purposes, information on the risks of E.coli 0157 and how to avoid infection.

Following the recommendations of the joint FSA/Scottish Executive Task Force on E.coli 0157 relating to access to and use of rural land, advice was issued nationally in 2001 by the Scottish Executive to relevant organisations, including the National Farmers Union, the National Scout Association and the Guide Association on how to avoid ill health during recreation on farmland. This advice was re-issued in 2003.

The key points of this advice are that where possible, fields used for grazing or stockholding of animals should not be used for camping, picnicking, or play areas.

If fields that have been used for grazing or stockholding animals are to be used for recreational purposes, the following precautions should be taken:

keep farm animals off the fields for the three weeks prior to and during the event/use;

remove any visible dung/faeces—preferably at the beginning of the three week period;

mow the grass—keep it short and remove the clippings before fields are used for recreation;

inform leaders of recreational/leisure groups (for example scouts, guides etc.) of the need for good hygiene practice (such as hand washing) and to treat drinking or personal washing water taken from streams.

The HSE produced specific guidance to farmers on how to avoid the risks from E.coli 0157 infection associated with recreational use of farmland and issued press notices to remind farmers and others responsible

for farmland of this guidance in 2001. This guidance supplemented existing guidance, revised in 2001, for farmers contained in the HSE's Agricultural Information Sheet 23 "Avoiding ill health at open farms". The HSE has also produced a video which highlights the risk of contamination from farm animals, buildings and equipment and advises on the need for good hygiene and the importance of hand washing before eating and drinking in preventing infection with E.coli 0157. The advice and the video are available on the HSE's website.

The Department of Health disseminated this advice through the website www. wiredforhealth.gov.uk.

Advice for the public on the importance of handwashing prior to eating or drinking in preventing E.coli 0157 infection is reinforced through the FSA's five year Food Hygiene Campaign which reiterates seasonal food safety messages at regular intervals.

Ehlers-Danlos Syndrome

Mr. Pickthall: To ask the Secretary of State for Health what *(a)* research effort and *(b)* clinical specialism is provided by the NHS to help sufferers from Ehlers-Danlos Syndrome; and if he will make a statement. [131441]

Dr. Ladyman: The Department keeps its priorities for research under review. Priorities for departmental research and development support for the development of policy are determined through discussion with policy colleagues and Ministers. In the national health service, priorities are identified through widespread consultation with those using, delivering and managing services. They take account of the burden of disease, potential benefits and departmental objectives, as well as the responsibilities and work of other funders—including the charities.

The Medical Research Council (MRC) is not currently funding any research into Ehlers-Danlos syndrome, though it does fund a number of research projects into connective tissue and also into collagen physiology. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding. Awards are made according to their scientific quality and importance to human health.

The provision of treatment for Ehlers-Danlos syndrome patients is part of the responsibility of health authorities. They must make arrangements for the health of their populations, as they are closest to the people they serve and so best placed to respond sensitively to their needs. People with Ehlers-Danlos syndrome have access to a range of specialists depending on the individual diagnosis. These include orthopaedic surgeons, rheumatologists, cardiologists, vascular surgeons, neurosurgeons, dermatologists and clinical geneticists.

Epsom and St. Helier Hospitals

Chris Grayling: To ask the Secretary of State for Health how many staff, broken down by grade, work in the accident and emergency departments at *(a)* Epsom and *(b)* St Helier hospitals. [131633]

Mr. Hutton: Data are only collected at national health service trust level. The following table shows hospital medical staff within the accident and emergency speciality by grade in Epsom and St Helier NHS Trust.

Hospital medical staff within the accident and emergency specialty by grade in Epsom and St Helier NHS Trust

As at 30 September 2002	*Numbers (headcount)*
All staff	30
Consultant	[1]
Staff Grade	10
Associate Specialist	[1]
Registrar Group	[1]
Senior House Officer	10
House Officer	[1]
Hospital Practitioner	[2]
Clinical Assistant	[1]
Other	[2]

[1] Five or fewer than five.
[2] Zero.
Notes:
Figures have been rounded to the nearest 10.
Source:
Department of Health medical and dental workforce census.

Chris Grayling: To ask the Secretary of State for Health what assumptions were made in reaching the figure of £340 million capital spend in Option 4 of the Strategic Outline Case for the Epsom and St Helier Clinical Services Strategy. [131634]

Mr. Hutton: This is a matter for south west London strategic health authority (SHA) and Surrey and Sussex SHA. I understand the latest position is that a strategic outline case for an Epsom and St Helier clinical services strategy is still to be finalised.

All the assumptions will be tested carefully before a decision is taken on how best to take the scheme forward.

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the number of patients treated in the accident and emergency departments of Epsom and St Helier hospitals in each of the past 24 months. [131635]

Mr. Hutton: Information on the number of patients treated in the accident and emergency (A&E) department of Epsom and St Helier Hospitals is not collected centrally.

Attendances at A&E departments, minor injury units and walk in centres, Epsom and St Helier national health service Trust for the period second quarter, 2001–02, to first quarter, 2003–04, is shown in the table as the closest available data. This information is collected on a quarterly rather than monthly basis.

	Quarter	*Attendances*
2003–04	1	32,934
2002–03	4	29,895
2002–03	3	26,871
2002–03	2	27,839
2002–03	1	28,379
2001–02	4	29,297
2001–02	3	29,931
2001–02	2	30,557
Total past 24 months		235,703

Eye Tests

David Davis: To ask the Secretary of State for Health if he will take steps to encourage more regular and thorough eye tests for children to check for cancers, with particular reference to retinoblastoma. [131224]

Ms Rosie Winterton: Doctors and opticians who test sight have a duty to undertake an examination of the eye and perform whatever tests they feel are necessary at the time. The examination undertaken has the purpose of detecting signs of injury, disease or abnormality in the eye and the doctors or opticians carrying them out will be aware of retinoblastoma and the signs to look for on the retina.

Free sight tests are available under the National Health Service to large parts of the population, including all children and those aged 16–18 in full-time education. Sight tests are the ideal opportunity to review all aspects of eye health, including investigations for signs of disease. In 2001–02, 9.8 million NHS sight tests were paid for by health authorities. 2.4 million of those were for children.

We have promoted a system of child health and development checks. The programme of home visiting and community development makes an important contribution to many areas of health education and fosters the early detection of problems, including those associated with eye sight in young pre-school children. The programme also provides the opportunity to develop closer relationships between the family and the primary care team. Work on developing the children's national service framework continues and the healthy child module will take into account the views expressed by the National Screening Committee (Children's Sub-Group) on the need for child eye screening.

Fluoride

Mr. Alan Williams: To ask the Secretary of State for Health what estimate he has made of the cost of *(a)* providing fluoride to children through milk and *(b)* disbursing fluoride via the water supply. [131472]

Miss Melanie Johnson: The cost of implementing the seven trial milk fluoridation schemes under way in the United Kingdom has been relatively modest, due to the fact that existing school milk programmes have been utilised. The actual cost of fluoridating milk is minimal and in most schemes has been absorbed by the dairy. About one half day a week of an oral health promotion officer's time is required to administer each scheme. Information is not yet available to make any reliable estimates of the costs and cost effectiveness of any national scheme using fluoridated milk to tackle oral health inequalities.

The cost of fluoridating water varies depending on the scale of schemes. Experience from current schemes indicates running costs, which are borne by health authorities, of about 40 pence per head of population per year.

Food Poisoning

Chris Grayling: To ask the Secretary of State for Health what work his Department is undertaking to develop a vaccine against campylobacter. [130082]

Miss Melanie Johnson: The Department of Health is not commissioning studies at present on vaccines against campylobacter. However, we know that the Biotechnology and Biological Sciences Research Council (BBSRC) is funding some research on campylobacter to understand more about this organism.

Free Fruit Scheme

Joyce Quin: To ask the Secretary of State for Health (1) if he will make a statement about the operation of the free fruit scheme in schools; [131876]

(2) what plans he has to extend the free fruit scheme for schools in the North East of England. [131880]

Miss Melanie Johnson: Following successful small-scale pilots in 2000 and 2001, the national school fruit scheme has been introduced over the last 18 months in four whole regions in England: the West Midlands, London, the North West and the East Midlands. The next region due to join will be the North East, starting in spring 2004. These region-wide pilots, which have been supported by £42 million from the lottery-funded New Opportunities Fund, will be evaluated to establish the impact on children's diets and the practicalities of the scheme, before rolling out nationally later in 2004.

General Social Care Council

Mr. Steen: To ask the Secretary of State for Health how much central Government funding is given to the General Social Care Council; and how many staff it employs. [131543]

Dr. Ladyman: The General Social Care Council (GSCC) will receive £15,195,000 in operating grant for the financial year 2003–04. The GSCC currently employs 119 members of staff: 113 full-time and six part-time.

The total grant is £55,482,000, which also includes training support of £10,697,000 and student bursaries of £27,826,000. The last two amounts are Department monies, which are administered by the GSCC, ring-fenced for their specified use and do not form any part of their operational costs.

GP Referrals

Mr. Hammond: To ask the Secretary of State for Health what estimate he has made of the number of GP referrals which were lost in the NHS system in the last year for which figures are available. [131508]

Mr. Hutton: The information requested is not collected centrally.

Grants

Dr. Fox: To ask the Secretary of State for Health if he will list the grants made to outside bodies under the Section 64 general grants scheme; and the value of each grant. [129594]

Dr. Ladyman: The information about the grants approved for award in April 2003 for the year 2003–04 under the Section 64 General Scheme has been placed in the Library.

The total amount was £21,451,211.

Core grants are awarded as a contribution to an organisation's central administrative costs. "New" core grants are awards to organisations that have not had core funding previously, or after a break of not less than one year. "Renewal" core grants are awards to those organisations that have previously received core funding.

Voluntary and community sector organisations have a range of expertise and knowledge of issues in their particular fields, which enables them to make a unique contribution to the development and delivery of services to NHS patients and their carers.

Group B Streptococcus

Bob Spink: To ask the Secretary of State for Health (1) what research his Department has conducted into group B streptococcus testing during pregnancy; [131562]

(2) what advice his Department has given to health care professionals on Group B streptococcus testing during pregnancy; [131563]

(3) if he will make it his policy to provide Group B streptococcus testing on the NHS near the end of pregnancy; and if he will make a statement. [131564]

Dr. Ladyman: The UK National Screening Committee (NSC) makes recommendations to Ministers on all aspects of screening programmes. There is insufficient evidence to demonstrate that routine screening of all pregnant women in the United Kingdom and the treating of those carrying group B streptococcus with intravenous antibiotics during labour would be beneficial. The NSC has commissioned a further assessment of the existing evidence on screening against the criteria used to assess potential screening programmes. At the adjournment debate on this issue on 9 July 2003, Ministers asked the NSC to review the position thoroughly as quickly as possible and to consider recommendations at its meeting in December 2003.

The health technology assessment (HTA) programme considers research into screening for group B streptococcus to be a high priority for further research, add it will consider commissioning further research in more detail at its December meeting. The HTA programme is also currently considering detailed proposals for research into the effectiveness of a rapid test for group B streptococcus carriage that could be used during labour.

The Royal College of Obstetricians (RCOG) is producing clinical guidelines on prevention and treatment of early onset neonatal group B streptococcal disease. The Department has commissioned the National Institute for Clinical Excellence to produce guidelines, due in October 2003, on routine ante-natal care. These will both make an important contribution to ensuring that healthcare professionals are better informed about this condition.

Harefield Hospital

Mr. Randall: To ask the Secretary of State for Health when the last survey was conducted on staff attitudes at Harefield Hospital to the proposed move to Paddington Heath Campus; and if he will publish the results. [131864]

Mr. Hutton: Staff retention and recruitment is a major priority in the planning process for the Paddington Health Campus. The most recent Harefield staff survey was conducted by the Royal Brompton and Harefield National Health Service Trust in February 2003. This is a trust document and a copy is available from them on request.

Hospital Financing

Lynne Jones: To ask the Secretary of State for Health pursuant to his Answer of 10 June 2003, *Official Report*, column 835W, on hospital financing, what additional powers foundation trusts will have to enter into joint venture arrangements compared to *(a)* other NHS organisations and *(b)* local authorities' social services departments; and if he will make a statement on the reasons for differences. [120150]

Mr. Hutton: Subject to legislation, a national health service foundation trust will be able to enter into joint arrangements with local authorities social services departments where such arrangements are consistent with its primary purpose and terms of authorisation. This will allow for the organisation concerned to determine locally what the arrangements should be and is consistent with the Government's policy of decentralisation.

Under current arrangements, NHS trusts can only enter into joint arrangements with private bodies in circumstances specified in directions given by the Secretary of State, and with his consent. While NHS foundation trusts are not subject to directions given by the Secretary of State, and do not require his consent before entering into joint ventures (including the setting up of companies), they have no greater powers to do so than current NHS trusts.

Inpatients (Length of Stay)

Mr. Burstow: To ask the Secretary of State for Health what the average length of stay of in-patients admitted as *(a)* emergencies and *(b)* elective was in each of the last five years broken down by age. [131632]

Mr. Hutton: The information requested is shown in the table.

Admissions

	1997–98		*1998–99*		*1999–2000*		*2000–01*		*2001–02*	
Age group	*Elective*	*Emergency*	*Elective*	*Emergency*	*Elective*	*Emergency*	*Elective*	*Emergency*	*Elective*	*Emergency*
0–4	5.8	2.2	7.9	2.1	5.5	2.1	5.8	2.0	7.9	1.9
5–14	13.5	2.6	12.7	2.4	7.8	2.3	5.6	2.4	11.0	2.1
15–44	8.5	6.3	7.2	6.5	6.4	6.1	6.4	6.6	6.2	6.0
45–64	7.1	10.6	6.4	9.7	5.5	8.8	5.6	10.3	5.7	9.4
65–74	8.4	12.9	7.2	12.3	7.2	11.4	7.4	12.2	7.1	11.9
75–84	10.9	15.7	10.1	15.5	9.7	14.8	10.1	15.1	9.7	15.6

Admissions

Age group	1997–98		1998–99		1999–2000		2000–01		2001–02	
	Elective	Emergency	Elective	Emergency	Elective	Emergency	Elective	Emergency	Elective	Emergency
85+	12.4	17.2	13.1	17.9	12.3	17.6	13.3	18.2	13.3	18.6
Not known	17.4	28.4	18.5	11.6	16.8	4.9	3.7	8.2	6.8	7.2
All ages	8.9	9.9	8.0	9.7	7.1	9.2	7.1	9.9	7.3	9.6

Notes:
Grossing—figures have not (yet) been adjusted for shortfalls in data (i.e. the date are ungrossed).
Source:
Hospital Episode Statistics (HES), Department of Health.

Lung Disease

Harry Cohen: To ask the Secretary of State for Health what plans there are for a national service framework on lung disease; and if he will make a statement. [131775]

Miss Melanie Johnson: There are no plans for a national service framework (NSF). We are, however, taking steps to improve services for people with lung disease. The children's NSF will include childhood asthma as an exemplar condition. The NSF for chronic heart disease already has a reduction in cigarette smoking as one of its major targets. We have also banned tobacco advertising and made smoking reduction aids available on national health service prescription.

Additionally we have asked the National Institute for Clinical Excellence to prepare guidelines for the management and diagnosis of chronic obstructive pulmonary disease (COPD). We expect this guidance to be produced in 2004. Also, phase three of the national primary care collaborative (NPCC) focuses on chronic disease management, in particular COPD and diabetic care. The programme, which will be rolled out to every primary care trust (PCT) in the country by April 2004, will support frontline NHS staff and primary care trust managers and will involve 20 PCTs and more than 100 general practitioner practices. It will help them to develop skills and techniques to deliver improvements in care and work with patients to maximise their self-care and help improve outcomes.

Medicine and Management

Chris Grayling: To ask the Secretary of State for Health what actions he is taking following the report of the joint clinician/manager working group entitled Medicine and Management. [127733]

Mr. Hutton: The Chief Medical Officer is taking forward this important area of work, working closely with patients' organisations and those responsible for standards in the medical profession.

It is expected this work will be completed in early 2004.

Methotrexate

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on the *(a)* availability and *(b)* side effects of methotrexate. [127554]

Miss Melanie Johnson: Methotrexate is a prescription only medicine widely available throughout the United Kingdom. The use of this disease-modifying anti-rheumatic drug (DMARD) has increased in recent years. The National Institute for Clinical Excellence (NICE) has recommended the use of methotrexate and other DMARDs as first line therapy prior to the use of the newer tumour necrosis factor (TNF-a) blockers for the treatment of rheumatoid arthritis (RA).

As with all medicines the Medicines and Healthcare products Regulatory Agency (MHRA) and the Committee on Safety of Medicines (CSM) have continued to closely monitor the safe use of methotrexate. Reports of suspected adverse drug reactions (ADRs) to medicines are collected by the MHRA and the CSM through the spontaneous reporting scheme, the Yellow Card Scheme. To date the MHRA/CSM have received 876 UK ADR reports associated with methotrexate. The most common side effects of methotrexate include nausea, abdominal pain, a reduced number of white blood cells and soreness of the mouth and lips. Other rare but more serious side effects include fibrosis and cirrhosis of the liver, bone marrow suppression and pneumonitis.

In 1997 the product information was amended to advise that patients who receive methotrexate therapy are required to have a full blood count and renal and liver function tests measured on a regular basis. An article was also published in the MHRA/CSM drug safety bulletin "Current Problems in Pharmacovigilance (Vol. 23, September 1997).

In September 2000 health professionals were advised, via another article in "Current Problems in Pharmacovigilance" (Vol. 26 September 2000), to exercise caution when prescribing and dispensing methotrexate. In 2001 the CSM established a working group to review medicines labelling in order to reduce the likelihood of medication error occurring and within the review advised that all oral dose preparations should prominently display a warning to check the dose and frequency of methotrexate on the front face of the carton.

In September 2002 the CSM reviewed the increasing number of UK reports of pneumonitis which had been received by the MHRA in association with methotrexate. The CSM recommended updating the product information to provide clearer guidance to prescribers and patients, recognising that the increase was probably a direct consequence of the recent dramatic increase in methotrexate use in patients with early RA. The MHRA is continuing to work closely with the National Patient Safety Agency to reduce the risk of medication errors associated with methotrexate.

Midwifery (Essex)

Bob Russell: To ask the Secretary of State for Health what action is he taking to fill vacancies for midwives in the area of the Essex Rivers Healthcare Trust; and if he will make a statement. [131613]

Dr. Ladyman: Essex Rivers Healthcare National Health Service Trust has embarked on a recruitment campaign to obtain more midwives and expects to appoint five whole time equivalent midwives in the near future.

A range of recruitment, retention and returner initiatives are in place to facilitate the NHS meeting the increase of 2,000 midwives by 2006. The NHS is striving to be an employer of choice and is in the process of developing and implementing modern recruitment practices. We are committed to increasing the numbers of midwives working in the NHS in order to expand service provision.

Bob Russell: To ask the Secretary of State for Health how many vacancies there are for midwives in the *(a)* Essex strategic health authority area and *(b)* Essex Rivers healthcare trust. [131612]

Dr. Ladyman: The total number of vacancies for midwives is not recorded centrally. However, the number of three month vacancies for registered midwives in the Essex strategic health authority area, as at 31 March 2003, is 16. Of these, three were within Essex Rivers healthcare national health service trust.

MRI Scans

Dr. Fox: To ask the Secretary of State for Health how many people are eligible through the Berkshire Choice pilot for MRI scans. [131029]

Mr. Hutton: The Berkshire Choice Pilot in its first phase focused on patients waiting longer than six months including access to mirror resonance imaging (MRI) scans at the Royal Berkshire and Battle Hospital. Last year an additional 40 orthopaedic patients received MRI scans.

This year, the average waiting time for MRI scans is no more than four to six weeks with no patients waiting more than six months. Due to the reduction in waiting times, no patients are currently eligible through the Berkshire Choice Pilot for MRI scans.

NHS Appointments Commission

Mr. Norman: To ask the Secretary of State for Health what the current appointment criteria used by the NHS Appointments Commission are for appointment to the positions of NHS trust *(a)* chairman, *(b)* chief executive and *(c)* board member; and whether these criteria have changed in the last two years. [131700]

Ms Rosie Winterton: The criteria for the appointment of chairs and non-executive directors to national health service boards have been placed in the Library. The only change made to the criteria over the last two years has been to reduce the time commitment expected of non-executives to 2.5 days per month. The reduction is in line with recommendations made in 'Governing the NHS—A guide for NHS Boards', which was jointly published by the Department and the NHS Appointments Commission in June 2003. A copy of the guide has also been placed in the Library.

Chief executives are appointed by the chair and non-executives of NHS boards, not by the NHS Appointments Commission.

NHS Land (Colchester)

Bob Russell: To ask the Secretary of State for Health when he last discussed with the Secretary of State for Transport the proposed junction of the Colchester Northern Approach Road and the A12 and the sale of surplus NHS land in the area; and if he will make a statement. [131820]

Mr. Hutton: My right hon. Friend has had no discussions with the Secretary of State for Transport on these specific issues.

NHSnet

Mr. Todd: To ask the Secretary of State for Health when he proposes to link pharmacies to NHSnet. [131426]

Ms Rosie Winterton: The current contract for NHSnet is due to expire next year. It would be inappropriate to negotiate any amendment to this at the present time to enable community pharmacies to gain connectivity. The model of connectivity needs to take into account future requirements that may arise out of our wish to see community pharmacists as a more integrated part of the national health service, services that they may provide under the new community pharmacy contract currently under discussion and delivery of the national prescription service target outlined in "Delivering 21st Century IT Support for the NHS". The N3 networking project, which is responsible for procuring a successor network to NHSnet, is currently considering which N3 services could help meet these community pharmacy connectivity requirements.

Paddington Health Campus

Mr. Randall: To ask the Secretary of State for Health what stage of the statutory planning process the Paddington Health Campus is at. [131865]

Mr. Hutton: The North West London Strategic Health Authority (SHA) has been working closely with Westminster Council on the scheme. The council gave approval to earlier planning proposals, but more detailed work showed that these would need adapting to meet the new and larger requirements. The SHA has been working on a revised scheme with the Westminster planners and anticipates making a new outline application in the next few weeks.

Prescription Receipts

Dr. Cable: To ask the Secretary of State for Health what estimate he has made of receipts from prescriptions paid for by recipients of incapacity benefit in each of the last five years. [131967]

Ms Rosie Winterton: No information is collected on the financial circumstances of people paying prescription charges. Therefore, no such estimate can be made.

Prisoners' Health

Mrs. Helen Clark: To ask the Secretary of State for Health (1) what information is collected centrally on the health of prisoners; [131894]

(2) if he will set targets to achieve improvements in the health of prisoners; [131895]

(3) if he will make it his policy to collate centrally information regarding prisoner health sufficient to establish baselines from which improvements in performance can be measured. [131896]

Dr. Ladyman: Information is routinely collected centrally on self-harm incidents, suicides and undetermined deaths and information on communicable diseases, such as hepatitis B, in the prison population. Survey work periodically captures further information on specific aspects of prisoner health, such as the prevalence of psychiatric morbidity.

Prisoners are included within the scope of the Government's overall targets for improving the health of the population.

Private Health Care (NHS Referrals)

Mr. Jon Owen Jones: To ask the Secretary of State for Health (1) how many patients have been referred by the NHS in England to private healthcare providers *(a)* in Wales, *(b)* in Scotland, *(c)* in Northern Ireland, *(d)* in England and *(e)* abroad in each of the last five years; [131741]

(2) how much money has been spent by the NHS in England to obtain healthcare from private healthcare providers *(a)* in England, *(b)* in Wales, *(c)* in Scotland, *(d)* in Northern Ireland and *(e)* abroad in each of the last five years for which figures are available. [131743]

Mr. Hutton: This information is not held centrally, but we are embarking on a major capacity expansion programme including development of treatment centres run by the independent sector.

Mr. Jon Owen Jones: To ask the Secretary of State for Health what criteria is used by the NHS in England to decide when to refer a patient to a private healthcare provider for treatment. [131742]

Mr. Hutton: The Department has not set any criteria centrally to be used when referring national health service patients for treatment to private healthcare providers. Such decisions are taken locally by primary care trusts (PCTs). In such circumstances, the criteria applied by PCTs and under centrally funded choice pilots would usually include the length of time patients have waited, their clinical appropriateness and fitness for referral to an independent provider and value for money (taking into account the availability of alternative capacity). These criteria would also apply to referrals to the new independent sector treatment centres which we are procuring currently but in addition, these will be supplemented by clear clinical pathways, building on those developed as part of the London patient choice project.

Royal Shrewsbury Hospital (Finances)

Mr. Paul Marsden: To ask the Secretary of State for Health what the forecast overspend for the Royal Shrewsbury Hospital is for financial year 2003–04. [132293]

Dr. Ladyman: The Royal Shrewsbury Hospitals National Health Service Trust merged with the Princess Royal Hospital NHS Trust on 1 October 2003. The newly formed Shrewsbury and Telford Hospital NHS Trust is expected to fulfil its financial obligations.

All NHS trusts have been asked to plan for and achieve financial balance in 2003–04. Audited information for all NHS trusts will be published in their individual annual accounts and will be available centrally in autumn 2004.

Silverlands (Chertsey)

Mr. Hammond: To ask the Secretary of State for Health what estimate he has made of the cost of converting Silverlands in Chertsey for use as a nurses' home. [131507]

Mr. Hutton: Discussions are taking place with housing associations for the conversion of Silverlands in Chertsey for use as residential accommodation for nurses and other national health service key-workers employed in the area. It is not anticipated that there will be any cost to the NHS for this conversion, as this will be borne by the housing association.

Single Sex Accommodation

Mr. Spring: To ask the Secretary of State for Health what plans he has to publish the names of NHS trusts which have not met government standards for *(a)* single sex accommodation and *(b)* separate lavatory and washing facilities; and whether West Suffolk Hospital NHS Trust has reached these standards. [131625]

Mr. Hutton: The elimination of mixed sex accommodation is one of a number of indicators that determined the performance rating for national health service trusts in 2002–03. Details of the performance ratings, including figures for each NHS trust, are published by the Commission for Health Improvement.

West Suffolk Hospitals NHS Trust is fully compliant with single-sex accommodation objectives. A small number of hospitals have yet to achieve these objectives on every ward. This is because a number of new hospitals and healthcare facilities are currently in construction, which will on completion bring all wards to the required standards.

Smoking

Peter Bottomley: To ask the Secretary of State for Health how many new smokers there were *(a)* under and *(b)* over 21 in each year since 1997. [131667]

Miss Melanie Johnson: The information is not available in the form requested.

In 2001, the General Household Survey's analysis of regular smokers found that 85 per cent. of men and 79 per cent. of women began smoking regularly when aged 19 or less. 15 per cent. of men and 21 per cent. of women began regular smoking aged 20 or more.

Chris Grayling: To ask the Secretary of State for Health what steps the Government are taking to increase smoking cessation services to Asian men. [130061]

Miss Melanie Johnson: As announced in the NHS Cancer Plan the Department is funding a network of local alliances for action on smoking. These alliances form the bridge between treatment services and local authorities, community groups, businesses, schools, churches etc. and will work with the most deprived sections of their communities to make a difference.

Some local alliances, with Asian communities in their areas, are working to raise the awareness of the risk of smoking for example producing materials in ethnic languages, holding events in community centres and encouraging people to use their local cessation services.

NHS stop smoking services are now well established across England, and are achieving good results. At a local level the services target their local ethnic minority populations. The services are available to help all smokers who want to stop. The services provide counselling and support to smokers in a variety of settings in primary or secondary care, and in the community, to complement the provision of smoking cessation aids such as nicotine replacement therapy (NRT) and bupropion (Zyban).

Chris Grayling: To ask the Secretary of State for Health what plans his Department has to introduce legislation to ban smoking in sporting venues. [130170]

Miss Melanie Johnson: We will continue to encourage the voluntary establishment of smoke-free public places, including sporting venues.

Social Services (Elderly People)

Miss McIntosh: To ask the Secretary of State for Health if he will make a statement on provision of social services to the elderly. [131482]

Dr. Ladyman: The Government are committed to improving access to health and social care services for older people. Examples include: enhanced cataract services; free national health service sight tests; free influenza immunisation; immediate access to information and advice through NHS Direct; the national service framework (NSF) for older people; and guidance on eligibility for adult social care—"Fair Access to Care Services". The then Secretary of State for Health, my right hon. Friend the Member for Darlington (Mr. Milburn) confirmed the Government's commitment to improving health and social care for older people in a statement to the House on 23 July 2002. He announced an overall figure of £1 billion for older people by 2006. Two thirds of the £1 billion will be ring-fenced for specific older people's services.

The Government are committed to local health and social care services planning and working more closely together in respect of older people's services. It is important for agencies to be clear in their respective responsibilities. Regulations that permit health and social care services to pool resources or otherwise jointly commission or provide services, will help localities deliver integrated care.

The Government are committed to ensuring that standards of health and social services are as high as possible, and variations in levels and quality of service throughout the country are minimised. The NSF for older people and the introduction of national minimum standards for specific services are key policy developments in this regard.

The Government have introduced an independent and more consistent system for the inspection and regulation of residential care and nursing homes, and for the regulation of domiciliary care agencies. The National Care Standards Commission became fully operational on 1 April 2002.

The Government emphasise that health and social care services should be shaped around an individual's needs and not the other way round. Guidance on the single assessment process, published in January 2002, will place older people at the heart of the assessment of their needs and subsequent service planning and delivery.

Unfair age discrimination in health and social care is not to be tolerated and will be addressed by the age-related policy audits introduced in the NSF for older people and "Fair Access to Care Services".

The Government want health and social care services to be more responsive to the needs of older people from minority ethnic backgrounds. In social care, the project, "Developing services for minority ethnic older people", is demonstrating how services can be improved.

The Government recognise that health and social care needs are often best understood and addressed in the context of other needs such as those for housing, lifelong learning and adequate income. For example, the Office of the Deputy Prime Minister and the Department of Health published a strategic framework, "Quality and Choice for Older People's Housing", in 2001.

The Government are committed to preventing and tackling abuse of older people in any form. Multi-agency codes of practice are now required from health and social care services. Additionally the Department of Health will establish a Protection of Vulnerable Adults list, which will comprise of a list of people judged unsuitable to work with vulnerable adults in the care sector.

Specialist Stroke Units

Mr. Baron: To ask the Secretary of State for Health what percentage he estimates of the specialist stroke units in operation by April 2004 will be fully operational and staffed. [131213]

Dr. Ladyman: We monitor progress against the key milestones in the national service framework (NSF) for older people. From the information gathered so far, we know that 83 per cent. of the hospitals which have replied now have plans to have a specialist stroke service in place by April 2004.

Our document, "Improvement, Expansion and Reform", which sets for the national health service a priorities and planning framework for 2003–06, makes clear that implementation of the NSF is a top priority and that the 2004 milestone around specialist stroke services is a key target.

Tuesday 14 October 2003

PRIME MINISTER

International Treaties

Mr. Shepherd: To ask the Prime Minister pursuant to the statement of 16 September by the Foreign Secretary, *Official Report*, column 794, when it became Government policy that international treaties take primacy over national laws; and if he will make a statement. [131483]

The Prime Minister: It is an established principle of international law that a State may not plead its national law to escape its international law obligations, including its treaty obligations. As a matter of UK constitutional law, international treaties have effect in UK national law to the extent that they have been implemented in national law. The UK has given effect to the principle of the primacy of Community law through the European Communities Act 1972.

Iraq

Mr. Gordon Prentice: To ask the Prime Minister if he will make it his practice to circulate to all Cabinet members papers relating to Iraq. [131682]

The Prime Minister: It has been the practice of successive Governments not to disclose details of the circulation of Cabinet papers in line with exemption 2 of Part 2 of the Code of Practice on Access to Government Information.

IT Contracts

Mr. Flight: To ask the Prime Minister how many outsourced IT contracts have been signed by his Department in each year since 1997; how much each of these contracts is worth; with whom they are signed; how many have been renegotiated; how many are still in place; and if he will make a statement. [126202]

The Prime Minister: I refer the hon. Member to the answer my hon. Friend the Minister for the Cabinet Office gave him on 6 October 2003, *Official Report*, column 998–99W.

CABINET OFFICE

Executive Agencies

Mr. Steen: To ask the Minister for the Cabinet Office how many executive agencies have been established since 1997. [131542]

Mr. Alexander: Thirty-nine executive agencies have been established since 1997.

Further information on existing agencies and former agencies can be found on the website http://www.cabinet-office.gov.uk/agencies-publicbodies under 'Executive Agencies and Non Ministerial Departments'.

FOREIGN AND COMMONWEALTH AFFAIRS

India-United Kingdom

15. **Mr. Pound:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on bilateral diplomatic relations between the United Kingdom and India. [132012]

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the bilateral India-United Kingdom relationship. [132002]

Mr. Mike O'Brien: Our relations with the Indian Government are now closer than they have been for a long time across a broad range of policy areas. UK development assistance will increase over the next two years (to £300 million). And there has been a marked increase in bilateral trade (£5 billion in 2001).

Libya

16. **Sir Teddy Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Libya. [132013]

17. **Dr. Naysmith:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on future UK-Libya relations. [132014]

Mr. Rammell: The United Kingdom has had full diplomatic relations with Libya since July 1999 and we continue to engage with the Libyans on areas of mutual interest and concern.

Burma

18. **Vera Baird:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further measures he will take against the military Government in Burma to seek to compel them to release the NLD leadership and to take steps towards democracy. [132015]

Mr. Mike O'Brien: We are working closely with our EU and Asian partners and in the UN to bring pressure to bear on the regime for political change in Burma. We are considering carefully with our EU partners what further targeted measures could be taken if the Burmese regime does not fully release the NLD leadership and take genuine steps towards democracy.

Iraq

19. **Dr. Cable:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the search for weapons of mass destruction in Iraq. [132016]

Mr. MacShane: David Kay, the senior CIA officer in the Iraq Survey Group presented an interim report on the activities of the group to a number of Congressional committees on 2 October. According to his report the ISG has produced further conclusive and incontrovertible evidence that the Saddam regime was indeed in breach of UNSCR 1441.

The ISG has discovered "dozens of WMD-related programme activities and significant amounts of equipment that Iraq concealed from the United Nations during the inspections that began in late 2002".

23. **Tony Baldry:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress with reconstruction in Iraq. [132020]

Mr. Rammell: Good progress is being made with meeting immediate reconstruction needs in Iraq. Electricity generation has returned to pre-war levels, and oil production has recovered to 2 million barrels per day. The key economic institutions are being rebuilt, including the Central bank of Iraq which now has independence over key decisions. A budget has been agreed for 2003, Iraqi Ministries are planning their budgets for 2004, new bank notes are being distributed to replace the discredited Saddam Dinar, and a legal framework for commercial activity is being created. Iraq's longer-term reconstruction needs, arising from decades of misrule under Saddam, will be addressed at the international donors' conference in Madrid on 23–24 October.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to his Department over possible Turkish military deployment in Iraq; who raised these concerns; and if he will make a statement. [131442]

Mr. Rammell: My right hon. Friend the Foreign Secretary and FCO and MOD officials have discussed a possible Turkish military deployment to Iraq with representatives of the Turkish Government and with the Iraqi Governing Council (IGC).

We welcome the generous offer of Turkish troops, and the vote in the Turkish Parliament to approve this in principle. The practicalities of the potential deployment are a matter for the US and the Turkish Governments, taking into full consideration local sensitivities, including those raised by the IGC.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had concerning the possibility of Turkish military deployment in Iraq; where these discussions took place; who initiated these discussions; and if he will make a statement. [131443]

Mr. Rammell: The UK has a regular dialogue with the Turkish Government on matters relating to Iraq, including a possible military deployment. On 25 September, Turkish Foreign Minister, Abdullah Gul

gave my right hon. Friend the Foreign Secretary an update on the situation. The Chief of Defence Staff and my right hon. Friend the Minister for the armed forces also discussed this issue, among others, during their recent visits to Turkey.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs how many women have been appointed to the preparatory committee working on the drafting of the new Iraqi constitution. [132149]

Mr. Rammell: We were disappointed that no women were appointed to the preparatory constitutional committee. In our discussions with the Governing Council and other Iraqi institutions we continue to stress the importance of women's issues being fully addressed in constitutional discussions to ensure that women are able to play a full role in public life. We are in regular contact with Songul Omar and Dr. Raja Habib Khurzai on the Governing Council and Nesreen Mustafa Sidiq Berwari, the Minister for Public Works.

My noble Friend the Baroness Symons of Vernham Dean met one of the women on the Governing Council, and the one woman Minister, during her recent visit to Baghdad.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs how many senior advisers from western countries have been appointed to work with Iraqi Ministers; and how many are women. [132151]

Mr. Rammell: At present there are 21 senior advisers from western countries that provide help to all 25 Iraqi Ministries. Three are women who work with the Ministries of Foreign Affairs and Displaced Persons, Trade, and Human Rights.

European Constitution

20. **Mr. Cameron:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* EU member states and *(b)* applicant states plan to hold a referendum on the proposed European constitution; and if he will make a statement. [132017]

Mr. MacShane: A new EU treaty would need to be ratified according to the individual political and constitutional traditions of each of the member states. Current and future member states would be in exactly the same position: all 25 would have to ratify before a new treaty could come into effect. Four member states have formally declared that they will hold a referendum on the outcome of the Intergovernmental Conference (IGC): Denmark, Ireland, Luxembourg and Spain. Most countries have yet to make a decision. In the UK, EU treaties are only ratified after scrutiny and approval by Parliament, as has been the case with all previous treaties modifying the founding treaties of the EU.

Israel

21. **Mr. Simon Thomas:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Israeli Government concerning military action outside their borders. [132018]

Mr. Rammell: The Prime Minister's foreign policy adviser expressed the Government's concern to the Government of Israel about military actions, including in Syria, during his recent visit to the region. We recognise Israel's justified anger at suicide bombings, the latest one killing 19 in Haifa on 4 October. We urge all sides to exercise restraint. It is imperative that they recognise the implications for regional stability of the continuing use of force, and that only a political solution can deliver a comprehensive, lasting peace in the Middle East.

Zimbabwe

22. **Mr. Bellingham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Zimbabwe. [132019]

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Zimbabwe. [132022]

Mr. Mullin: I refer the hon. Members to the answer I gave earlier today to the hon. Member for Macclesfield (Sir Nicholas Winterton), *Official Report*, column 20.

Afghanistan

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to help ensure that the Afghanistan elections in June 2004 are free and fair. [127130]

Mr. Mike O'Brien: We welcome the establishment on 26 July of the Afghan Interim Management Body. We are encouraging the Transitional Administration to ensure the necessary preparations are made for free and fair elections, including a law on political parties to encourage the formation of national political groupings which renounce violence and espouse democratic principles.

£1 million of DFID funds and a further £2 million of joint FCO/DFID/MOD funding has been allocated so far to support the United Nations programme for voter registration in Afghanistan. We are also working with the European Commission to secure further support for Afghanistan's electoral process.

British Aerospace

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs whether British Aerospace sought or obtained clearance from his Department for payment of agency commission in connection with the sale of defence equipment to Qatar. [132366]

Mr. Rammell: I am not aware that British Aerospace has ever sought or obtained clearance from the FCO for payment of agency commission in connection with the sale of defence equipment to Qatar.

Indian High Commission Visa Service

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the Indian High Commission's visa services in the UK. [131750]

Mr. Mike O'Brien: I am advised that officials have no record of representations concerning the Indian High Commission visa service in the UK.

International Covenant on Economic, Social and Cultural Rights

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* members of his Department have had with representatives of the US Administration concerning the International Covenant on Economic, Social and Cultural Rights. [131531]

Mr. Mike O'Brien: Neither my right hon. Friend the Foreign Secretary, nor officials have had recent discussions with the US Administration specifically about the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Foreign and Commonwealth Office does, however, have regular contact with the US Administration on human rights issues, including economic and social rights. Our discussions at official level in the margins of the UN General Assembly Third Committee and the annual Commission on Human Rights in Geneva include a range of discussions on economic and social rights.

Pitcairn Island

Mr. Beith: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements there are for hearing Pitcairn Island criminal cases in New Zealand. [131403]

Mr. Rammell: On the advice of the Pitcairn Chief Justice, the Governor of Pitcairn signed an order on 28 March granting authority for criminal legal proceedings to take place in New Zealand. Necessary legislation has been passed by the New Zealand Parliament to enable such trials to be held in New Zealand under Pitcairn law. A final decision on the venue for trials in individual cases is however a matter for the Pitcairn Supreme courts.

INTERNATIONAL DEVELOPMENT

Bosnia

Angus Robertson: To ask the Secretary of State for International Development how many *(a)* casualties and *(b)* injuries in Bosnia were directly attributable to (i) mines, (ii) de-mining activities and (iii) cluster bomb submunition in each year since 1997; and if he will make a statement. [131793]

Mr. Gareth Thomas: According to "Landmine Monitor" the casualties recorded in the following table were landmine/UXO casualties in Bosnia and Herzegovina. DFID does not have figures for victims of cluster munitions nor can we disaggregate mine victims from victims of demining accidents.

	Number of casualties
1997	290
1998	149
1999	95
2000	100
2001	87
1 January 2002 to 30 June 2003	72

Source:
International Committee of the Red Cross

Cancun Conference

Mrs. Spelman: To ask the Secretary of State for International Development which Ministers attended the World Trade Organisation meetings in Cancun; how many *(a)* advisers and *(b)* staff accompanied them; at which hotel Ministers and their advisers stayed in Cancun; what the total cost of (i) hotel rooms and (ii) expenses was; in which aeroplane class advisers attending the World Trade Organisation meetings in Cancun travelled; and what the total cost of their flights was. [129728]

Mr. Mike O'Brien: I have been asked to reply.

In addition to myself, my right hon. Friends, the Secretaries of State for Trade and Industry, Environment, Food and Rural Affairs and my noble Friend, the Secretary of State for the International Development attended the 5th WTO Ministerial Conference held in Cancun in September 2003. The length of stays varied.

We were accompanied by 32 civil servants from the five Government Departments involved and by five advisers from the CBI, the TUC, NGO's and Parliament. Other Members of Parliament attended and assisted with advice.

Ministers and part of the delegation stayed in the Fiesta Americana Coral Beach Hotel, where the EU delegation and others were based. The remainder stayed at the Hotel Riu.

The majority of civil servants travelled via a European Commission charter flight, for which special discount fares were negotiated. Ministers were accompanied on their flights by a small team of support staff, some of whom travelled in the same class as Ministers.

Final accounts for the WTO ministerial are not currently available, and could be produced only at disproportionate cost at this stage. Once the costs have been finalised, we will inform the House.

Darfur

Angus Robertson: To ask the Secretary of State for International Development what assessment the Department has made of human rights abuses in Darfur; what recent assessment has been made of their effect on the human rights situation in Sudan; and if he will make a statement. [131799]

Hilary Benn: We are concerned about the human rights of the people of Sudan, including in Darfur. We continue to raise specific human rights cases in Darfur

relating to the rights of minors and women and the application of the death penalty with the Government of Sudan as part of the EU/Sudan dialogue. In July, a member of the British embassy in Khartoum visited Nyala, South Darfur, and held meetings with the Wali, the South Darfur Security Committee, the Chief Judge, the Commissioner of Nyala, and Fur Tribal leaders. He also toured the prison. We are also supporting human rights monitoring and human rights awareness projects in Darfur through the Human Rights Project Fund.

The Secretary of State welcomed the signing on 3 September of a 45-day ceasefire between the Government of Sudan and the Sudan Liberation Army and the launch of the UN Greater Darfur Initiative (UNDGI) which we hope will enable the provision of basic services and help to address basic human rights. The UK has pledged £1 million to UNDGI.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for International Development how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131596]

Hilary Benn: Approximately £55,000 will have been spent this year on consultancy costs. These are the only separately identifiable costs incurred since 1999. Other costs comprise modest internal staff time and ensuring that IT system developments are euro compatible; these cannot be separately identified but are likely to have been modest. The costs of conversion in the event of a positive decision on UK entry are estimated at around £500,000.

Foreign Aid

Hugh Bayley: To ask the Secretary of State for International Development how the Government intends to use the funds allocated for trade-related capacity building and technical assistance; over what period it will be spent; what support the Government will give to the G21 nations; and if he will make a statement. [131489]

Hilary Benn: The UK trade related capacity building programme works closely with developing countries, including those in the emerging G21 grouping, to build the skills and knowledge they require to deal with trade issues as they relate to their country's specific needs. The programme will continue to be responsive to emerging developing country concerns. These include the effects of trade-distorting subsidies on West African cotton producers and technical assistance to poorer developing countries on a range of trade-related issues.

The UK programme is delivered through a mixture of bilateral programmes with national governments; contributions to multilateral organisations working on Trade-Related Capacity Building; support to governments and to the private sector. The programme is a rolling one with new initiatives agreed as earlier programmes end. Most of the £160 million allocated to Trade-Related Capacity Building since 1998 will be spent over the next five years, although one programme will not finish until 2010.

The UK TRCB programme includes:

training government officials to analyse trade issues, develop trade policy and negotiate internationally. This can also involve improving systems linked to trade, such as customs and excise;

helping governments and the private sector respond to opportunities arising from the multilateral trading system as well as cope with possible negative knock on effects;

making sure that trade policy takes into account the impact of trade on the lives of poor people;

support to regional trade groups as they work to increase regional trade opportunities;

funding to organisations in Geneva offering legal, analytical and networking support, particularly to those developing countries without representation in Geneva.

Angus Robertson: To ask the Secretary of State for International Development how much aid the Department is contributing *(a)* directly, *(b)* through the EU, *(c)* through the UN and *(d)* through other organisations to the Chiapas region of Mexico. [131642]

Mr. Gareth Thomas: The Department has no bilateral programme to Mexico, nor are we contributing anything currently to the Chiapas region through the UN or other organisations. The EC are planning future support to the Chiapas region with a €15 million poverty reduction programme, the UK share being 19.7 per cent.

HIV/AIDS Programme

Angus Robertson: To ask the Secretary of State, Department for International Development what the aims of the Regional HIV/AIDS Programme of the Southern African Development Co-ordinating Committee are; how much funding has been provided to it by the Department in 2003; what assessment has been made of the Programme since 2002; and if he will make a statement. [131644]

Hilary Benn: In 2000, DFID committed £7.65 million to support the Southern African Development Community's work on HIV/AIDS particularly in Botswana, Namibia, Lesotho and Swaziland. DFID provided about £1.5 million from this commitment before March 2003, and expects to contribute a further £1.25 million during 2003–04. The programme was reviewed in late 2002, and is now focused on promoting management of sexually transmitted infections especially at cross-border sites; strengthening programmes for social marketing of condoms; promoting behaviour change; and increasing capacity of national AIDS programmes.

International Housing Rights

Angus Robertson: To ask the Secretary of State for International Development what discussions he has had since January with representatives of the US Administration concerning international housing rights law; and if he will make a statement. [131627]

Hilary Benn: I have not had any discussions with representatives of the US Administration, concerning international housing rights law, since I rejoined the Department for International Development as Minister of State in May 2003, nor do I currently have any plans to do so. DFID also has no record of contacts, with representatives of the US Administration, concerning international housing rights law.

Liberian Refugees

Angus Robertson: To ask the Secretary of State for International Development what assistance the Department *(a)* has pledged and *(b)* is providing to Liberian refugees in Guinea; what programmes this assistance is going to; and if he will make a statement. [131643]

Hilary Benn: We contribute £14 million per year to UNHCR although we are not directly supporting refugees from Liberia in Guinea.

Angus Robertson: To ask the Secretary of State for International Development what assessment the Department has made of *(a)* the number, and *(b)* the impact of refugees from Liberia entering Guinea since April 2003; and if he will make a statement. [131800]

Hilary Benn: Refugees from Liberia have been entering Guinea for many years, fleeing hostilities and hardship. UNHCR report a new influx since 13 September of 4,500 arrivals into south-east Guinea. This brings the total number of Liberian refugees in Guinea to 116,000 refugees. The most recent refugees are temporarily housed in clinics and public buildings at the border, but UNHCR is transferring them away from the border to established refugee camps where they receive all basic services. So far, 1,500 have been transferred.

The total number of refugees in Guinea is significantly reduced from 390,000 at the end of 2000 to 180,000 at the end of 2002 as a result of the improved security situation in Sierra Leone. UNHCR are managing to respond to the needs of the new Liberian refugees although the situation will be closely monitored.

Reproductive Health

Angus Robertson: To ask the Secretary of State for International Development what the aims of the sexual and maternal health programme in Malawi are; how much funding has been provided to it by the Department in 2003; what assessment has been made of the programme since 2002; and if he will make a statement. [131640]

Hilary Benn: The aim of reproductive health programmes in Malawi is to improve sexual and reproductive health for all men, women and children especially among the poor and vulnerable groups; and to reduce death and chronic ill health of women as a result of childbirth. DFID's total financial commitment to reproductive health in Malawi is £59.7 million for programmes that are currently being implemented. Of this, £6.7 million was spent in fiscal year 2002–03 and another £5.3 million in the first five months of the current fiscal year.

The Malawi Ministry of Health and Population conducted a joint review in November 2002 with DFID and other development partners of the programmes that they support. The review reported some progress in all activities, but also noted that there were factors beyond the control of the programmes that inhibited progress. These included critical shortage of health personnel, under-resourced working environment, and the rising impact of HIV/AIDS. The international financial institutions and donors including DFID are working with the Malawi Government to address the underlying issues, such as wage policy and macro economic management, that cause the problems affecting the health sector.

Angus Robertson: To ask the Secretary of State for International Development how much money the Department gave in support of the Russian Family Planning Association in 2003; what percentage that represents of the total expenditure for population reproductive health programmes; if he will list the activities of the Russian Family Planning Association in 2003; and if he will make a statement. [131639]

Mr. Gareth Thomas: DFID has given no money in support of the Russian Family Planning Association (RFPA) in 2003; its last project with the RFPA finished in June 2002 and no further assistance is planned. This therefore represents 0 per cent. of total expenditure for population reproductive health services. The RFPA supports a range of activities on advocacy for reproductive health and rights, including training for health personnel, social workers and teachers and the provision of information and education, particularly for young people, through the development of its network of regional branches.

Angus Robertson: To ask the Secretary of State for International Development what population reproductive health programmes are directly run by the Department in *(a)* Africa, *(b)* South and Central America, *(c)* the Middle East, *(d)* Central and Eastern Europe, *(e)* Asia and *(f)* Oceania; what changes have taken place since 2002; and if he will make a statement. [131641]

Mr. Gareth Thomas: A list of projects and programmes over £1 million with a policy marker for reproductive health services or HIV/Aids run by DFID's country or regional programmes is at Annex A. Those started after 2002 are shown in italic.

DFID spent over £270 million on reproductive health and HIV/Aids programmes in financial year 2002–03. We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take

full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a key priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

Annex A

Project title	*Recipient*
Social Marketing of contraceptives	Ethiopia
Ghana HIV/AIDS programme	Ghana
Reproductive Health, Freetown and Newly Accessible Areas	Sierra Leone
Life Planning Education	Nigeria
Strengthening Nigeria's Response to HIV/AIDs	Nigeria
Promoting Sexual and Reproductive Health for HIV/AIDs Reduction	Nigeria
Partnership for Transforming Health Systems	Nigeria
Safe Motherhood Partnership Fund	Kenya
HIV/AIDS Prevention and Care Project I and II	Kenya
Social Marketing of Condoms	Kenya
HIV/AIDS Umbrella Programme	Uganda
Health Sector Programme	Tanzania
Family Planning Services and Supply Phase 2	Tanzania
HIV/AIDS MSF Bridging	South Africa, Republic of
Provincial reproductive Health	South Africa, Republic of
HIV/Aids Framework Support	South Africa, Republic of
Soul City	South Africa, Republic of
National Sexual and Reproductive Health	South Africa, Republic of
HIV/AIDS and Maternal Health Programme	Mozambique
Social Marketing of Condoms (PSI)	Mozambique
Zambia HIV/AIDS Programme	Zambia
Reproductive Health Support	Zambia
Sexual and Reproductive Health—Phase 2 (FA)	Zimbabwe
Social Marketing Project	Zimbabwe
Sexual and Reproductive Health Programme (SERPS)	Malawi
Banja La Mtsogolo—Sexual Health Programme	Malawi
Soul City Regional Programme	Southern Africa
Regional HIV/AIDS	Southern Africa
Regional AIDS Programme	Southern Africa
Contraceptives Supply and Logistics	Bolivia
Improving Sexual and Reproductive Health Services	Central America
Support to the Caribbean Epidemiology Centre (CAREC) for the Prevention and Control of HIV/Aids	Caribbean
Comprehensive partnership strategies for HIV/STI Prevention among Young People in the Russian Federation	Russian Federation
Knowledge for Action in HIV	Russian Federation
Open Health Institute: Harm Reduction Bridging Project	Russian Federation
Development of a Public Health-Based Approach to Sexually Transmitted Diseases in Samara, including HIV Prevention in Togliatti	Russian Federation
HIV Prevention among Vulnerable Populations in Serbia and Montenegro	Serbia and Montenegro and Western Balkan Region
UPMRC Women's Health Project	West Bank and Gaza
Contraceptive Social Marketing	Pakistan
Marie Stopes International: Sindh Reproductive Health Services Project	Pakistan
National AIDS Control Programme Phase II: DFID Support	India
Reproductive Health Project, Orissa	India
Reproductive Health Programme	Nepal
West Bengal Reproductive and Child Health Project	India
Rights-based response to HIV/AIDS	Nepal
Marie Stopes CS Reproductive Health Care	Bangladesh
Strategic Investment in HIV/AIDS Prevention	Bangladesh
HIV/ AIDS Programme CARE Bangladesh	Bangladesh
Preventing HIV/AIDS: Social Marketing of Condoms	Vietnam
Strengthening Response to HIV/AIDS	Cambodia
Health Sector Support	Cambodia
HIV/AIDS Project	China
Programme for HIV/AIDS: Myanmar	Burma
Social Marketing of Condoms II	Cambodia
PSI—HIV and Reproductive Health	Burma
Innovations for HIV/AIDS	Asia Regional
HIV/AIDS Prevention in Asia	Asia Regional

Angus Robertson: To ask the Secretary of State for International Development how much money the Department is giving to the Central American regional programme for improving sexual and reproductive health services; what percentage of the Department's 2003 expenditure for population reproductive health programmes that represents; and if he will make a statement. [131645]

Mr. Gareth Thomas: DFID spent £800,000 from its Central America country and regional programmes in UK financial year 2002–03 on improving reproductive health. In addition DFID provides support for reproductive health through contributions to multilateral organisations and to non-governmental organisations, which cannot be broken down in this way.

DFID spent over £270 million on reproductive health and HIV/AIDS programmes in financial year 2002–03. We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a key priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

DFID support for reproductive health is wide ranging. It covers HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. Reproductive health also encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity and to preventing unplanned or unwanted pregnancy. Family planning services also provide an important opportunity to improve sexual health and in particular to increase women's access to methods that help prevent HIV infection. DFID's total expenditure for 2002–03 cannot therefore be apportioned between HIV/AIDS and Family Planning, as many reproductive health programmes and projects contribute to both objectives (for example through the provision of information on family planning and HIV/AIDS prevention or the provision of condoms).

Angus Robertson: To ask the Secretary of State for International Development how much the Department has given to the sexually transmitted disease programme in the Russian Federation in 2003; what percentage of the Department's total expenditure for population reproductive health programmes that represents; and if he will make a statement. [131796]

Mr. Gareth Thomas: DFID has supported four projects related to the control of sexually transmitted diseases in the Russian Federation in financial year 2002–03. A particular priority is the prevention of HIV transmission among vulnerable groups, including injecting drug users and commercial sex workers.

£

Projects	*Purpose*	*Project allocation*	*Actual spend in financial year 2002–03*
1. Development of a public health-based approach to sexually transmitted diseases and treatment in Samara including Togliatti	To develop sustainable, high-quality STD services in Samara and disseminate successful approaches at federal level; and to reduce HIV transmission and associated risk behaviour among injecting drug users in Togliatti City	1,000,000	115,750
2. Open Health Institute: harm reduction bridging project	To reduce the transmission of HIV among injecting drug users and commercial sex workers in the 43 Open Health Institute-supported harm reduction sites in the Russian Federation	4,200,000	1,396,258
3. Knowledge for Action for HIV/AIDS in the Russian Federation.	To contribute to the knowledge needed to guide effective policy and intervention on HIV prevention in the Russian Federation	1,500,000	228,495
4. Comprehensive partnership strategies for HIV/STI prevention among young people in the Russian Federation	To reduce the incidence of HIV/STIs among young people, especially girls and young women, by ensuring the availability of and access to information, education, health services, counselling for HIV testing and commodities required for young people to develop and exercise effective life skills	1,125,000	38,536

The European Commission, through the TACIS programme, is supporting two large-scale projects on HIV/AIDS prevention:

a) HIV/AIDS Prevention and Combating: the project allocation is Euro 2,500,000;

b) Preventive Health and Education: the project allocation is Euro 3,000,000.

DFID contributes approximately 20 per cent. of these project budgets through its funding to the European Commission.

DFID spent over £270 million on reproductive health and HIV/AIDS programmes in financial year 2002–03. Spending on projects related to these issues in the Russian Federation in the same financial year accounted for less than 1 per cent. of the total.

I refer the hon. Member to my reply to his question ref. 131645 for a general statement of DFID's policies on sexual and reproductive health issues.

Angus Robertson: To ask the Secretary of State for International Development what the aims are of the HIV/AIDS and reproductive health programme in

Zambia; how much funding has been provided to it by his Department in 2003; what assessment has been made of the programme since 2002; and if he will make a statement. [131797]

Hilary Benn: DFID is committed to the fight against HIV/AIDS and to giving people a choice in the number of children they have. Our support for HIV/AIDS and Reproductive Health is wide ranging, covering HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. Reproductive health also encompasses family planning and contraception services that make an important contribution to increasing women's choice and opportunity, and to preventing unplanned or unwanted pregnancies. DFID has a number of programmes in Zambia, which address these issues.

The DFID Reproductive Health Support Project aims to increase access to, and use of, condoms and contraceptives, and to secure improvements in the availability of family planning services provided at health centres and hospitals. The Project was approved in 2001 and will provide £2.9 million over three years. We expect to spend £1.579 million in financial year 2003–04. Annual DFID internal assessments of the Reproductive Health Support Project have been made and these, and other external reports and surveys, reveal an encouraging increase in accessing reproductive health facilities and commodities.

A new DFID/Zambia HIV/AIDS Programme has just been approved (June 2003). It aims to provide an effective national multi-sectoral response to HIV/AIDS by reducing HIV/STD transmission and the socio-economic impact of the disease. The Programme is supported by many donors. The DFID component of the Programme will provide £20 million over five years. We expect to spend £0.675 million in financial year 2003–04 and £4.265 million in financial year 2004–05.

In addition to the above, DFID provides general support to the health sector in Zambia under a Sector Wide Approach Project (SWAP), which was approved in 2000, and will provide £20 million over six years. We expect to spend £6.068 million in financial year 2003–04.

Angus Robertson: To ask the Secretary of State for International Development what sums were donated to the United Nations Family Planning Agency's Contraceptive Commodity Support programme in 2003; and if he will make a statement. [131801]

Hilary Benn: The UK is providing £18 million core funding to UNFPA (United Nations Population Fund) in 2003. This helps to support UNFPA's work to assist developing countries meet reproductive health commodity needs. No new contribution was made by DFID to the UNFPA's Contraceptive Commodity support programme in 2003. Various activities at country level continue to be funded until the end of 2003, utilising the balance from a £25 million one-off contribution to the programme made in January 2001.

Angus Robertson: To ask the Secretary of State for International Development how much the Department has given to *(a)* the health and sexual education programme in Bolivia, *(b)* the Orissa Reproductive Health Project in India and *(c)* the reproductive health programme in Peru in 2003; what percentage each represents of the Department's expenditure for population reproductive health programmes; and if he will make a statement. [131802]

Mr. Gareth Thomas: The following are the figures for bilateral expenditure by DFID on these programmes in UK financial year 2002–03, the latest year for which figures are available:

Programme	*£ million*
(a) Bolivia Health and Sexual Education Programme	[1]0
(b) Orissa Reproductive Health Project, India	0.6
(c) Peru Reproductive Health Programme	0.1

[1] The programme has been completed.

In addition, the Department spent £0.69 million on Contraceptives Supply and Logistics in Bolivia, £0.13 million on the Andean Reproductive Health Initiative in Bolivia and Peru in 2002–03, £0.11 million on the Strategic Pilot Project in Sexual and Reproductive Health and £0.21 million on the Bolivia Post Abortion Care Project. These figures do not include any support provided through contributions to multilateral or non-governmental organisations, which are not broken clown on a sectoral basis.

DFID spent over £270 million on reproductive health and HIV/AIDS programmes in financial year 2002–03. We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a key priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

DFID support for reproductive health is wide ranging. It covers HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. Reproductive health also encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity and to preventing unplanned or unwanted pregnancy. Family planning services also provide an important opportunity to improve sexual health, and in particular, to increase women's access to methods that help prevent HIV infection. DFID's total expenditure for 2003–03 cannot therefore be apportioned between HIV/AIDS and family planning, as many reproductive health programmes and projects contribute to both objectives (for example, through the provision of information on family planning and HIV/AIDS prevention or the provision of condoms).

Sri Lanka

Angus Robertson: To ask the Secretary of State for International Development (1) how many *(a)* casualties and *(b)* injuries were recorded in Sri Lanka due to (i) mines and (ii) de-mining operations in each month since 1997; and if he will make a statement; [131790]

(2) what assistance the Department has provided in each year since 1997 to de-mining operations in Sri Lanka; what de-mining projects in Sri Lanka are directly run by the Department; what assistance the Department has sought from the Ministry of Defence for de-mining operations in Sri Lanka; and if he will make a statement. [131791]

Mr. Gareth Thomas: The recorded number of fatalities and injuries caused by land mines in Sri Lanka since 1997 are as follows:

	Fatalities	*Injuries*
1997	12	105
1998	3	70
1999	7	77
2000	18	148
2001	22	179
2002	27	116
2003	11	40
Total	100	735

Since 1997 there has been one recorded casualty resulting from de-mining activities. The significant decrease in injuries and deaths from mines in 2003 is extremely welcome.

DFID has provided support for de-mining operations since the ceasefire between the LTTE and the Government of Sri Lanka came into effect last year. DFID has a two-year agreement with UNDP until the end of 2004 for support to de-mining operations. Under this, £697,000 from the allocated £2.6 million for quick impact activities in the North and East of Sri Lanka will be used to fund the early part of UNDP's 2003–06 mine action programme. This funding was approved in 2002. Further needs assessments are under way and we stand ready to make further commitments if necessary. DFID does not directly run any de-mining projects in Sri Lanka and has therefore not sought technical advice from the Ministry of Defence. However, DFID liaises closely with the Ministry of Defence and the Foreign and Commonwealth Office on our development programme to Sri Lanka.

Tanzania

Mr. Streeter: To ask the Secretary of State for International Development if he will monitor aid given to Tanzania to ensure that the Singida region receives assistance in alleviating famine in that area. [131414]

Hilary Benn: DFID has made £60 million available as direct budget support (DBS) to the Government of Tanzania (GoT) in 2003–04 to support its Poverty Reduction Strategy, which includes action on food security. The first tranche of DBS has been released. We have received reports that the GoT has released food from its strategic grain reserve and is starting distribution to drought affected areas on the basis of its vulnerability assessment.

Mr. Streeter: To ask the Secretary of State for International Development whether a representative of the Department attended a meeting called by the Prime Minister of Tanzania on 14 August to request assistance to alleviate food shortages; and what response the Department has made to his request. [131417]

Hilary Benn: The Head of DFID Tanzania and one of her staff attended the meeting called by the Prime Minister of Tanzania on 14 August. The Prime Minister asked the World Food Programme and the Food and Agriculture Organisation to co-ordinate the detailed appeal to donors. WFP is currently finalising the formal appeal for food assistance, which we will consider when we receive it. FAO issued an appeal for assistance for seed and fertilisers on 17 September which we are currently considering.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

EU Chemicals Policy

Mr. Ruffley: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the costs of the European Commission's REACH policy to small and medium-sized enterprises. [131844]

Alun Michael: In May 2001, the Government prepared a preliminary partial regulatory impact assessment of the proposals in the European Commission's White Paper. A revised partial Assessment will be required when proposals for the European Commission's legislation are available and my Department is working closely with other interested Departments, the Devolved Administrations and concerned stakeholders to develop its scope and content. As set out in the guidance on conducting such an Assessment, consideration of the impacts on small to medium sized businesses will form a key part of this.

As well as considering the benefits and costs of the proposals, the Assessment will include an analysis of the implications of the proposed legislation for the international competitiveness of the UK chemicals industry and other manufacturing sectors that use chemicals in their processes and products. In addition the Government will consider what further analysis may be needed, particularly for small to medium sized businesses to meet the demands of any new legislation. We have noted the results of other work undertaken for instance by the Commission and the Federation of German Industry (BDI) and this will be taken into account when carrying out our assessment. Getting these aspects right is a key element to achieve the Government's first objective for the new EU chemicals strategy of a fast, efficient and workable process.

Urban Commons

Janet Anderson: To ask the Secretary of State for Environment, Food and Rural Affairs what powers are available to local authorities compulsorily to purchase land designated as an urban common under the Law of Property Act 1925 to ensure continued access to and use of the land by the general public for leisure and recreation and the protection of wildlife. [131671]

Alun Michael: Powers are available under various enactments that may enable public authorities compulsorily to purchase common land to secure continued public access. Such powers are contained in, for example, section 76 of the National Parks and Access to the Countryside Act 1949, section 164 of the Public Health Act 1875 and section 19 of the Local

Government (Miscellaneous Provisions) Act 1976. It is for the local authority concerned to determine which powers might apply in the particular circumstances and, if so, whether it would be appropriate to use them.

Under the provisions of section 193 of the Law of Property Act 1925, the public already has a statutory right of access for air and exercise to any common which was wholly or partly in a borough or urban district prior to 1 April 1974. Section 194 of this Act enables a county or district council, or any other person with a legal interest in the land, to make an application to the county court for the removal of works unlawfully carried out on common land that prevent or impede access, and the restoration of the land to its previous condition. This might be an alternative to compulsory purchase.

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department has taken to encourage local councils to fulfil their obligation to clear rights of way. [131449]

Alun Michael: Section 63 of the Countryside and Rights of Way Act 2000 introduced new powers that will enable members of the public to oblige local highway authorities to secure the removal of certain types of obstruction, unless it can show that there are good reasons for not doing so. Defra aims to make regulations implementing these powers later this year. In addition, the introduction of 'Best Value' from 1 April 2000, requires local authorities to seek continuous improvement in the way they carry out their functions. The Best Value performance indicator for rights of way includes a specific measure for ease of use of rights of way.

Air/Light Pollution

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to reduce light pollution; and if she will include light pollution in the proposed indicators of countryside quality. [131509]

Mr. Bradshaw: Defra considered the control of nuisance caused by lighting in its recent consultation "Living Places: Powers, Rights, Responsibilities". The paper sought opinions as to whether the Government should introduce new regulations for the positioning of external lighting (excluding street lights); and whether the remit of the statutory nuisance regime should be extended to include such lighting. The consultation period closed on 14 February. Copies of the summary report of the responses received have been placed in both Houses, and it is also available at: www.defra.gov.uk/environment/consult/pubspace/index.htm

The House of Commons' Select Committee on Science and Technology recently held an inquiry into light pollution and astronomy. This focused on the effectiveness of measures taken to reduce the impact of light pollution on astronomy and considered what further steps, if any, are required. The outcome of the inquiry will be published in due course and will be made available on the House of Commons' website.

The Government will consider their future course of action taking into account any recommendations and conclusions emerging from the Select Committee's inquiry and from Defra's recent consultation exercise. We are currently appraising, in conjunction with the Countryside Agency, the selection of indicators to be monitored as measures of 'countryside quality'. Light pollution is under consideration, but no decision has yet been taken. It is expected that the agreed list of indicators will be published next year.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs which chemicals are included in the measurement of air pollution. [131570]

Mr. Bradshaw: Defra measures approximately 180 air pollutants in the national networks, including benzene, 1,3-butadiene, carbon monoxide, nitrogen dioxide, nitric oxide, nitrogen oxides, ozone, PMio particulate matter, PIVb.s particulate matter, sulphur dioxide, black smoke, 26 volatile organic compounds, 17 metals and trace elements (for example, lead, arsenic and chromium), 52 transboundary pollutants (for example, ammonium nitrate and sulphate), 42 polycyclic aromatic hydrocarbons (for example, benzo[a]pyrene), 17 of the most toxic dioxins including tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD) and 7 polychlorobiphenyls. The number of sites measuring each pollutant and their sampling frequency varies from just a few sites sampling on a weekly or monthly basis (for example, dioxins) to dozens of sites monitoring continuously (for example, nitrogen dioxide) depending on the characteristics of each pollutant. Monitoring data for each air pollutant can be found on the National Air Quality Information Archive (www.airqualitv.co.uk).

Beef Ban

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs what actions the British Government is taking to secure compensation by the French Government for those directly affected by the ban on the import of British beef. [131294]

Mr. Bradshaw: The UK Government cannot claim compensation as it has no direct commercial interest. Compensation for losses must be sought by those directly affected.

However, the Government will provide information and practical assistance (although not financial support or detailed legal advice) to those who wish to pursue claims for compensation against the French .

Bovine TB

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of arrangements for valuing animals for the purposes of compensating farmers who have bovine TB reactors. [131874]

Mr. Bradshaw: We intend to consult on proposals to rationalise existing compensation arrangements for all notifiable animal diseases later this year. Our consultation will include proposals to address valuations of animals, particularly higher value pedigree animals.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the financial impact of bovine

tuberculosis on *(a)* farmers and *(b)* her Department in each of the last five years for which records are available. [131897]

Mr. Bradshaw: The information is as follows:

(a) Defra has commissioned the University of Reading to carry out research into the economic impact of bovine tuberculosis. This work covers the cost to industry of TB breakdowns. The final report on the project is expected later this year.

(b) Expenditure by the Government on the bovine TB programme from 1998–99 to 2002–03 is given in the following table:

Expenditure on TB in Great Britain 1998–99 to 2002–03

GB expenditure on TB in £000

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Compensation	3,491	5,303	6,632	9,243	31,146
TB testing	7,247	8,329	8,675	3,571	12,398
Badger culling trial	2,988	4,392	6,630	6,001	6,479
Other research	2,541	4,114	5,266	6,112	6,824
Contracts with Veterinary Laboratories Agency	1,926	2,367	3,467	3,674	4,101
Staff costs	6,691	13,566	5,529	1,883	12,954
Total expenditure	24,883	38,072	36,199	30,485	73,931

Administrative Costs

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the conclusions were of her Department's review of the indicative level of total administrative costs for 2003–04 and beyond. [129357]

Margaret Beckett: We have not carried out a specific review of 'total administrative costs'. However my Department reviews its administrative costs on an annual basis as part of its Resource Allocation and Business Planning process. The results of this are reflected in the annual Departmental Report (Cmd 5919).

Committee Meetings

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of the *(a)* Implementation Committee for Spirit Drinks, *(b)* Committee on Agricultural Structures and Rural Development, *(c)* Standing Forestry Committee, *(d)* Committee on the Conservation, Characterisation, Collection and Utilisation of Genetic Resources in Agriculture and *(e)* European Agricultural Guidance and Guarantee Fund Committee and Working Party on Irregularities during the (i) Danish and (ii) Greek presidency; what issues were discussed; when the Scottish Executive was informed of each meeting; for what meetings requests for Scottish representation were made; and if she will make a statement. [131650]

Alun Michael: The information is as follows:

(a) *Spirit Drinks Implementation Committee*

During the Danish presidency the Spirit Drinks Implementation Committee (SDIC) met on 8 and 22 October, and during the Greek presidency they met on 11 March and 28 May. They discussed the proposed amendments to the base Council Regulation 1576/89, mutual recognition of Tequila, enlargement negotiations, bilateral agreements with Switzerland, South Africa and Canada, the definition of 'bierbrand', prescribed quantities, and rum and cachaca. UK representation at SDIC is determined by the agenda and can include members of the Scottish Executive. However, following consultation with devolved administrations during the above presidencies, it was agreed that Defra would represent UK interests.

(b) *Committee on Agricultural Structures and Rural Development (STAR)*

The dates of the STAR Committee meetings for the Danish and Greek presidencies are listed as follows. A brief outline of the issues discussed and the number of Scottish Executive officials who attended each meeting is also given.

Date of Meeting	*Issues Discussed*	*Number of Scottish Executive officials attending*
24 July	Discussions on the rural development simplification exercise, and link with CAP MTR, Information Society and rural development, and SAPARD	1
4 September	Modifications to regional rural development programmes (RDPs) for Germany, Portugal and Finland.	—
25 September	Discussions on amendments to Italian and Swedish RDPs, SAPARD annual report, simplification, LFA data and EAGGF expenditure.	2
23 October	Discussion and approval of modifications of German and Belgian RDP's. Discussions on SAPARD and LEADER +	1
18 November	Modifications of RDPs from 5 accession countries and 2 member states (including Scotland) were presented and approved. General information on SAPARD funds was given by the commission.	1
18 December	Modifications to several member state rural development programmes (RDPs), including the England RDP. Discussion on simplification of Regulation 445/2002 (Commission Regulation laying down detailed implementation rules for the rural development regulation), and LEADER +	1
29 January	Modifications to Latvian and Polish SAPARD programmes, and Italian and Austrian rural development plans. Timetable set for simplification of Regulation 445/2002.	1
19 February	Discussion on the proposed text to amend Regulation 445/2002.	—

Date of Meeting	Issues Discussed	Number of Scottish Executive officials attending
19 March	RDR simplification discussions concluded. Consultation on the proposal to evaluate systems established by MS for the management and control of rural development programmes funded by the EAGGF Guidance section.	1
9 April	Approval of SAPARD programmes of Bulgaria, Romania and Latvia. Discussion on information of uptake of SAPARD, computer records, closure of 94–99 programmes, access to information and CAP-IDIM.	
25 June	Approval to amendments to the SAPARD programmes of several accession countries the rural development programmes (RDP) of a number of member states. General uptake of SAPARD also discussed.	1 (am session)

STAR meeting dates are known a year in advance and Scottish Executive officials are welcome to attend any meeting should they wish to do so. They and other interested parties are notified of each meeting as soon as the agenda is published on the commission's website which is usually between 7–10 days in advance of the meeting.

(c) Standing Forestry Committee

The Standing Forestry Committee met on 27 November and 4 December last year and 10 February, 7 April and 5 June this year. The committee covered a wide range of issues at these meetings, including forest fire protection plans, preparation of a community action plan on Forest Law Enforcement, Governance and Trade, monitoring forest health, and a proposal for a European Forest Information and Communication network. The Forestry Commission has full responsibility for representing Scotland, England and Wales, on the committee. The commission is the Government Department for forestry in Britain, and it reports direct to the Scottish, English and Welsh forestry ministers.

(d) Committee on the Conservation, Characterisation, Collections and Utilisation of Genetic Resources in Agriculture

The Committee on the conservation, characterisation, collection and utilisation of genetic resources in agriculture met on 24 February 2003, during the Greek presidency. There were no meetings during the Danish presidency. The issues discussed were a report on the state of projects funded under Council Regulation EC 1467/94 and an exchange of views on a commission working document on a revised proposal for a new council regulation on the conservation, characterisation, collection and utilisation of genetic resources in agriculture. Officials from Defra are in regular contact with officials in the Scottish Executive. UK representation varies according to the agenda for each meeting and may include members of the Scottish Executive and other devolved administrations where they consider that there are items of sufficient interest. No requests were made by the Scottish Executive for representation at this committee meeting.

(e) European Agriculture Guidance and Guarantee Fund Committee and Working Party on Irregularities

The European Agricultural Guidance and Guarantee Fund Committee met in the Danish presidency on 18 July, 20 September, 7 October, 22 October, 8 November, 19 November and 17 December. In the Greek presidency it met on 22 January, 20 February, 20 March, 22 April, 16 May, 21 March and 18 June. Issues discussed at the committee included the payment of monthly advances from the fund, decisions on the clearance of CAP accounts, the exclusion from community financing of certain expenditure as a result of disallowance decisions, and other matters relating to the control of CAP expenditure. Details of the agenda are available to the Scottish Executive before each meeting, the date of which is usually set many months in advance, and representatives are entitled to attend.

The European Agricultural Guidance and Guarantee Fund, Irregularities and Mutual Assistance—Agricultural Products Working Group did not meet during the Danish presidency and met only once during the Greek presidency, on 11 March 2003. The main agenda items were: formation of a temporary task force to audit all member states' outstanding cases of financial irregularity and attempts at recovery; difficulties experienced in the operation of the so-called 'black list' legislation; presentations on a variety of technical items, including electronic reporting systems; oral presentation, by commission experts, on visits to and co-operation with a number of third countries. Irregularity reporting and mutual assistance are the responsibilities that the Rural Payments Agency undertakes on behalf of the UK. As usual, Scottish representation was not sought for this meeting, but the Scottish Executive was briefed on the outcome.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of the committees on *(a)* Geographical Indications and Protected Designations of Origin for agricultural products and foodstuffs, *(b)* certificates of specific character for agricultural products and foodstuffs, *(c)* the farm accountancy data network, *(d)* organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and *(e)* agricultural research during the (i) Danish and (ii) Greek presidency; what issues were discussed; when the Scottish Executive was informed of each meeting; for what meetings requests for Scottish representation were received; and if she will make a statement. [131769]

Mr. Bradshaw: The information is as follows:

(a) Committee on Geographical Indications and Protected Designations of Origin for agricultural products and foodstuffs

The Regulatory Committee on Protected Designation of Origin and Protected Geographical Indications of Agricultural Products and Foodstuffs met three times during the Danish and Greek presidencies: 22 July 2002; 5 February 2003 and 4 June 2003. The main issues discussed were: whether 'feta' cheese should be registered as a Protected Designation of Origin; the implications of WTO agreement on Trade Related Aspects of

Intellectual Property Rights; the EU/Swiss bilateral agreement on protected food names and the implications of the European Court of Justice Judgment relating to Parma ham. The Scottish Executive were provided with the agenda prior to each meeting and given the opportunity to comment or request attendance.

(b) Committee on the Certificates of Specific Character for Agricultural Products and Foodstuffs

The Regulatory Committee on Certificates of Specific Character for Agricultural Products and Foodstuffs met once during the Danish and Greek presidencies: 22 July 2002. The committee discussed amendments to the Commission Regulation setting out the detailed rules for the administration of the scheme. The Scottish Executive were provided with the agenda prior each meeting and given the opportunity to comment or request attendance.

(c) The Management Committee on the Farm Accountancy Data Network

Within the periods of the Danish and Greek presidency, the Management Committee of the Farm Accountancy Data Network met on 30 June 2003, 7 April 2003, 20 November 2002. The Community Committee for the Farm Accountancy Data Network was set up to support the information needs of the Common Agricultural Policy, specifically for determining farm incomes, for analysing the state of farm businesses and to contribute to the annual report on the situation of agriculture in the community. Issues discussed include selection plans for the survey; results for the 2000, 2001 and 2002 data; typology regulations; comparison of FADN results with other sources; the FADN database projects; and the situation in accession countries. The Scottish Executive is informed of all FADN meetings and papers in advance by the European Commission directly and by the Defra representative. A representative of the Scottish Executive attended the meetings of 30 June 2003 and 7 April 2003.

(d) The Standing Committee on Organic Farming

The Standing Committee on Organic Farming and its associated working groups met during the Danish presidency on 8–10 July; 5 and 30 September; 1, 7 to 9 and 15 October; 13 November and 4 to 6 and 12 December 2002; and during the Greek presidency on 21, 22, 27 and 28 January; 4 to 6 and 27 February; 14 and 26 March; 1, 2 to 3 and 29 April; 14 and 21 to 23 May and 12 and 13 June 2003.

A wide variety of issues was discussed, in particular inspection arrangements for feed for organic livestock, seeds for use in organic farming, additives permitted in organic food, imports to the EU from third countries, the use of conventional ingredients in feed for organic livestock, conversion of livestock for organic production and the proposed EU Organic Action Plan. Arrangements are in place for consulting the Scottish Executive. No requests for Scottish representation were made.

(e) The Standing Committee on Agricultural Research

The Standing Committee on Agricultural Research did not meet during the Danish or Greek presidencies. DEFRA officials keep their counterparts in the Scottish Executive informed about meetings of SCAR. There is no bar to their attending as part of the UK delegation as their needs and interests arise.

Common Agricultural Policy

Hugh Bayley: To ask the Secretary of State for Environment, Food and Rural Affairs what proposals she will make to the European Union for further reductions in agricultural *(a)* export and *(b)* trade distorting subsidies; whether the Government will press the European Union substantially to reduce expenditure on the Common Agricultural Policy; and if she will make a statement on the Common Agricultural Policy and the World Trade Organisation trade round. [131491]

Mr. Bradshaw: The agreement on CAP reform which was reached by the Agriculture Council in June enabled the European Union to take a credible and constructive position on agriculture in the WTO negotiations at Cancun. Unfortunately the negotiations broke down before detailed discussion of agriculture was begun. However, in the forthcoming EU reviews of sugar, cotton, tobacco, olive oil and hops we shall be seeking decisions which further assist in reaching a satisfactory outcome to the Doha Development Agenda.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of Common Agricultural Policy reform proposals on *(a)* smaller and more economically marginal full-time farm holdings and *(b)* tenant farms in the UK. [131888]

Mr. Bradshaw: No specific assessment has been undertaken of the impact of the CAP reform proposals on smaller, economically marginal or tenant farmers. However, we have assessed the impacts of the proposals on farming and other businesses generally, including an analysis by farm activity, and a summary of these is included in the Regulatory Impact Assessments which have been lodged in the House Libraries.

For the first time, the bulk of farm subsidy will not be dependent on what or how much farmers produce. They will instead be free to produce what they judge the market wants and so be better able to cut costs and increase profits. Our analysis suggests that those farmers who are economically marginal at present are likely to be more disposed to take advantage of this freedom to alter their activity and thereby increase their income. Farmers will also be freed from some of the bureaucracy associated with the subsidy schemes which are being replaced by this new decoupled subsidy. The historic recipient, whether owner or tenant, will continue to hold the subsidy entitlement.

Farmers whose subsidy is less than €5,000, which is likely to include many of the smallest holdings, will be exempt from the reduction in subsidies to fund rural development and environmental measures. This exemption applies to tenants as well as farmers who own the land.

The UK also has the option to retain 10 per cent. of payments to establish a national envelope to address potential negative impacts of decoupling for specific types of farming. The detailed rules of how this will apply have yet to be developed by the European Commission.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of the joint meetings of management and regulatory committees in the field of agriculture on *(a)* promotion of

agricultural products, *(b)* agrimonetary questions and *(c)* trade mechanisms, during the (i) Danish and (ii) Greek presidency; what issues were discussed; when the Scottish Executive was informed of each meeting; for what meetings requests for Scottish representation were made; and if she will make a statement. [131649]

Mr. Bradshaw: Agenda details of management and regulatory committees are provided to the Scottish Executive prior to each meeting with the opportunity to comment or request further information on any issue under discussion. The Scottish Executive is informed of the results of each meeting. No requests for Scottish representation were made for meetings of the Committee on the Promotion of Agricultural Products, the Agrimonetary Management Committee and the Trade Mechanisms Management Committee during the Danish and Greek presidencies. The dates of these meetings and a synopsis of the issues discussed is listed as follows:

Committee on the Promotion of Agricultural Products

The committee met monthly during the Danish and Greek presidencies with the exception of August and October 2002 and March 2003. The committee discussed amendments to and interpretation of the regulations, proposals submitted for funding and other issues relating to the implementation of regulations.

Agrimonetary Management Committee

The committee met in the Danish presidency on 16 October 2002 and in the Greek presidency on 9 April 2003. It discussed aspects of agrimonetary compensation and a minor amendment to the agrimonetary regulations.

Trade Mechanisms Management Committee

The UK is represented at the Management Committee by the Rural Payments Agency. With the exception of July and August 2002 and April 2003, the committee met monthly during the period of the Danish and Greek presidencies. The Committee is responsible for horizontal issues in respect of export refunds and CAP import and export licensing.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of the management committees of the common organistations of agricultural markets for *(a)* cereals, *(b)* dehydrated fodder, *(c)* sugar, *(d)* oils and fats, *(e)* natural fibres, *(f)* milk and milk products, *(g)* beef and veal, *(h)* sheep and goat, *(i)* pigmeat, *(j)* poultrymeat and eggs, *(k)* fresh fruit and vegetables, *(l)* products produced from fruit and vegetables, *(m)* hops, *(n)* seeds and *(o)* live plants and floriculture products, during the (i) Danish and (ii) Greek presidency; what issues were discussed; when the Scottish Executive was informed of each meeting; for what meetings requests for Scottish representation were made; and if she will make a statement. [131648]

Mr. Bradshaw: The information requested is as follows.

Management Committee for (a) Cereals

The Cereals Management Committee normally meets on a weekly basis. Meetings are attended by officials from Defra and additionally, as necessary, by officials from other UK Agriculture Departments or the Rural Payments Agency. The Scottish Executive receives the agenda for each meeting at the same time as Defra, normally a week prior to the meeting taking place. During the period of the Danish and Greek presidencies, members of the Scottish Executive attended Cereals Management Committee meetings on 4 and 5 occasions respectively. Items under consideration included the regular adjudications for the export of cereals to third countries, the cereals harvest situation, the implementing rules for the import of cereal from third countries and the implementing rules for the trade in cereals with those applicant countries with whom the EU has negotiated reciprocal arrangements.

Management Committee for (b) Dehydrated Fodder

The Management Committee for dehydrated fodder met on 20 June 2003, under the Greek presidency. They did not meet during the Danish presidency. The Scottish Executive was informed once the date of the meeting was known, they did not ask to attend any Management Committee. The Committee considered the setting of the aid rate for dehydrated fodder.

Management Committee for (c) Sugar

The Sugar Management Committee normally meets on a weekly basis. Meetings are attended by officials from Defra and additionally, as necessary, by officials from other UK Agriculture Departments or the Rural Payments Agency. The Scottish Executive receives the agenda for each meeting at the same time as Defra, normally a week prior to the meeting taking place. During the period of the Danish and Greek presidencies, members of the Scottish Executive attended the Sugar Management Committee meetings on three and two occasions respectively. Items under consideration included the regular adjudications for the export of sugar to third countries, the sugar market situation, the implementing rules for the levies charged on the production of sugar in the EU, and the implementing rules for the trade in sugar with the Western Balkans.

Management Committee for (d) Oils and Fats

The dates of Management Committee meetings for oils and fats were:

2002	*2003*
5 July	22 January
11/24 September	12 February
16 October	19 March
20 November	9 April
11 December	19 May
	11 June

The Scottish Executive was informed as soon as dates of meetings were known, they did not request to attend any Management Committee. The Committee considered matters relating to the management of the market for oils and fats.

Management Committee for (e) Natural Fibres

The dates of Management Committee meetings for Natural Fibres were:

2002	*2003*
25 July	18 March
1 August	28 May
4 September	
13 November	
29 November	

The meetings on 1 August 2002 and 13 November 2002 took place in the margins of the Management Committees for Sugar and for Oils and Fats respectively. The types of issues discussed include harvest and market reports for cotton, flax, hemp and silk; estimating cotton production so that a provisional reduction of the guide price can be calculated; revising cotton production estimates; fixing actual cotton production; apportioning a National Guaranteed Quantity of 5000 tonnes of short fibre between 5 minor producing countries; and contributing to the design of a fibre industry questionnaire. The Scottish Executive is regularly informed of the dates of Natural Fibres Management Committees, usually about a week beforehand, in case a representative wishes to attend.

Management Committee for (f) Milk and Milk Products

The dates of Management Committee meetings for milk and milk products were:

2002	*2003*
11/25 July	16/30 January
29 August	13/27 February
12/26 September	13/27 March
10/24 October	10/24 April
14/28 November	15/28 May
12 December	12/26 June

The Scottish Executive was informed a week prior to every meeting, they did not ask to attend any Management Committee. General subjects discussed at Milk Management Committees included, changes to annex I and non annex I export refunds, butter and skimmed milk powder intervention stocks, butter for food manufacture, butter for concentration, aid rates for casein, and the monthly market situation reporting. To view fully all items that were discussed at milk Management Committees please visit the following website: http://www.defra.gov.uk/foodrin/milk/mancom/2002/Archives.htm

Management Committee for (g) Beef and Veal

The dates of Management Committee meetings for beef and veal were:

2002	*2003*
12/26 July	17/31 January
30 August	14/28 February
13/27 September	14/28 March
11/25 October	10/24 April
15/29 November	16 May
13 December	13/27 June

The normal work of this Committee involves regular consideration of the market situation, including production, consumption, imports and exports. Its work also includes setting export refund rates, adjudicating intervention tenders (purchases and sales), opening import tariff quotas, consideration of technical aspects of beef carcase classification and price reporting and consideration of implementational aspects of the various producer support schemes and technical measures. The Scottish Executive was informed of these meetings at the same time as Defra, and it is for the Executive to decide whether or to not to attend as part of the UK delegation. An official from the Scottish Executive attended the Committee on 28 February.

Management Committee for (h) Sheep and Goats

The dates of Management Committee meetings for sheep and goats were:

2002	*2003*
29 November	13 January
	14/28 February
	28 March
	10/25 April
	13/27 June

The normal work of this Committee involves regular consideration of the market situation (including production, consumption, imports and exports). Its work also includes opening import tariff quotas, consideration of technical aspects of sheep carcase classification, price reporting and consideration of implementational aspects of producer support schemes and other technical measures. The Scottish Executive was informed of these meetings at the same time as Defra, and it is for the Executive to decide whether or to not to attend as part of the UK delegation. No official from the Executive attended the Management Committee on Sheep and Goats. 1nb

Management Committee for (i) Pigmeat

The dates of Management Committee meetings for pigmeat were:

2002	*2003*
9 July	21 January
18 September	18 February
17 October	8 April
19 November	21 May
5/10 December	17 June

The Scottish Executive was informed a week prior to every meeting, and for training purposes attended the September meeting. General subjects discussed at pigmeat Management Committees included, changes to export refunds, the monthly market situation reporting, pig carcase grading classification and aids to private storage.

Management Committee for (j) Poultrymeat and Eggs

The dates of Management Committee meetings for poultrymeat and eggs were:

2002	*2003*
9 July	21 January
18 September	18 February
17 October	11 March
19 November	8 April
10 December	20 May
	17 June

General subjects discussed at the eggs and poultry Management Committees included changes to export refunds for eggs, egg products (including non annex I products) and frozen chicken, representative prices, monthly market situation reporting, balance sheets and public stocks, and proposed amendments to egg marketing legislation. To view the latest agenda and debrief for the most recent meeting please visit the following website: http://defraweb/foodrin/poultry/mancom/brussels.htm.

Management Committee for (k) Fresh Fruit and Vegetables and (l) Products Produced from Processed Fruit and Vegetables

The dates of Management Committee meetings for *(k)* and *(l)* fresh and processed fruit and vegetables were:

2002	*2003*
16 July	10 January
17 September	11/19 February
15 October	12 March
12 November	8/29 April
10 December	6/14 May
	13/23/24 June

The Scottish Executive was informed as soon as dates of meetings were known, they did not ask to attend any Management Committee. The subjects discussed at fresh and processed fruit and vegetables Management Committees included the setting of export refunds, aid for certain products grown for processing and arrangements for assisting Producer Organisations.

Management Committee for (m) Hops

There were no meetings of the Management Committee for hops during this period.

Management Committee for (n) Seeds

The Seeds Management Committee met jointly with the Sugar Management Committee on 19 December 2002, and jointly with the Cereals Management Committee on 9 January 2003, to discuss a draft Regulation setting the minimum aid rate for certain agricultural products for the Outermost Regions (Canary Islands, Madeira and the Azores). The Scottish Executive receives the agenda for each meeting at the same time as Defra, normally a week prior to the meeting taking place.

Management Committee for (o) Live Plants and Floriculture Products

There were no meetings of the Management Committee for live plants and floriculture products during this period.

Energy Efficiency

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Department has to encourage people to increase the installation of household energy-saving appliances. [131394]

Mr. Bradshaw: The Energy White Paper details the steps being taken to encourage greater energy efficiency in the UK, and sets out an ambitious strategy for energy efficiency up to 2010 and beyond. Energy efficiency is expected to deliver about half the carbon savings needed to meet our goals for 2020. This will mean roughly doubling the rate of energy efficiency improvement of recent decades.

Key measures proposed in the White Paper include extension of the Energy Efficiency Commitment beyond 2005 at possibly twice its current level of activity; revisions to the Building Regulations; faster improvements in the standards of new household appliances; and consultation on economic instruments to improve household energy efficiency.

Tighter building regulations will have an impact on new homes, alterations to existing stock and all replacement windows and boilers. We have already begun work on the next major revision of the building regulations, which we will aim to bring into effect in 2005. Tighter building regulations will also encourage developers to use low carbon solutions such as solar water heating and photovoltaics.

As announced in Budget 2003, following the initial consultation last year the Government are consulting in more detail on specific economic instruments to encourage greater energy efficiency by households, including the use of measures to change the price differential between efficient and inefficient products.

Micro-CHP could also in due course provide a useful contribution towards improving household energy efficiency. An estimated 250–500MW could be generated from micro-CHP by 2010, although the Government do not have a specific target for the amount of electricity to be generated by micro-CHP technology.

The Government intend to publish an Energy Efficiency Implementation Plan within a year of the White Paper's publication, which will provide further detail on all of these policies.

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the cost of energy wasted by UK households each year; [131395]

(2) what estimate has been made of the average potential financial saving to UK households through the implementation of energy-saving home improvements. [131396]

Mr. Bradshaw: The Government estimates the potential for cost-effective improvements in energy use in homes at almost £ 3 billion a year or around 20 per cent. of current total expenditure. This is almost £120 per household. These figures are based on the installation of cost-effective insulation and the replacement, at the end of their useful lives, of boilers, lights and domestic appliances by the most efficient equivalent models available. Precise estimates vary, since new products reach the [redacted] and existing measures are installed but there is broad agreement on the 20 per cent. estimate.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much energy was produced per person in 2002; and what estimate she has made of production levels in EU countries. [131077]

Mr. Timms: I have been asked to reply.

Energy production figures are shown in the following table. This information is for 2001, as this is the most recent date for which data for all the member states of the EU are available.

Country	Total Energy Production (Millions of tonnes of oil equivalent)	Population (Thousands)	Energy Production per capita (Tonnes of oil equivalent)
Denmark	27.17	5,349	5.08
UK	262.19	59,862	4.38
Sweden	34.38	8,883	3.87
Netherlands	60.44	15,987	3.78
Finland	15.16	5,181	2.93
France	133.19	59,038	2.26
Germany	133.74	82,260	1,63
Belgium	13.08	10,263	1.27
Austria	9.72	8,121	120
Greece	9.97	10,554	0.94
Spain	33.02	40,122	0.82
Italy	26.26	57,844	0.45
Ireland	1.73	3,826	0.45
Portugal	3.40	10,263	0.33
Luxembourg	0.06	440	0.14
Total	763.50	377,993	2.02

Source:

Figures for total energy production are from the International Energy Agency publication "Energy Balances of OECD Countries, 2000–2001" and relate to 2001. Population figures are from Eurostat and relate to 2001 (except Greece—2000).

Farm Animals (Health)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to *(a)* review compensation arrangements for all notifiable diseases in farm animals and *(b)* review the information systems used to administer and record compensation payments for each notifiable disease. [131872]

Mr. Bradshaw: *(a)* We intend to consult on proposals to rationalise existing compensation arrangements for all notifiable animal diseases later this year. The main aim of the exercise will be to increase transparency and operational simplicity by creating a single approach for all notifiable diseases.

(b) Work is in hand to improve business processes for bovine tuberculosis (TB) in Animal Health Offices and this includes the systems used to administer and record TB compensation payments.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the levels of compensation available for bovine TB reactors in the context of known market values over each of the last five years for which records are available. [131873]

Mr. Bradshaw: An internal audit review of compensation paid for animals slaughtered as part of the TB control strategy has found a steady increase in valuations in England since the compensation rate was changed to 100 per cent. of average market price in 1998. However, the auditors concluded that finding data against which TB valuations can be compared in a meaningful way is not a straightforward process.

The total amount of compensation paid in GB from 1998–99 to 2002–03 is given in the table.

Expenditure on TB compensation payments in Great Britain 1998–99 and 2002–03

£000

Financial year	GB expenditure on TB compensation
1998–99	3,491
1999–2000	5,303
2000–01	6,632
2001–02	9,243
2002–03	31,146

Farming Incomes

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what changes have taken place in the annual *(a)* net and *(b)* gross incomes of farmers in each of the past three years; and what estimates she has made of income levels in the next three years. [129236]

Mr. Bradshaw: The gross income of the UK agriculture industry, as measured by the gross value of production, and the net income measures of Total Income from Farming and Total Income from Farming per full time person equivalent, are given in the table for the years 2000–02:

£

	Gross value of production	Total income from farming	Total income from farming per full time equivalent
2000	15.0 billion	1.74 billion	7,848
2001	15.3 billion	2.04 billion	9,298
2002	15.5 billion	2.36 billion	11,107

Total income from farming is an aggregate measure of income across the whole farming industry. It is income generated by production within the agriculture industry, including subsidies, and represents business profits plus remuneration for work done by owners and other unpaid workers.

Forecasts of the key drivers of future business prospects—in particular commodity prices and exchange rates—are highly uncertain.

An increase in Total Income from Farming per full time equivalent of around one third is expected for 2003 due primarily to the effects of the exchange rate. There has been a recovery in the Euro so far in 2003 which has led to a rise in prices across a range of commodities and will result in higher direct subsidy payments.

Beyond 2003, there is likely to be only a modest recovery in commodity markets over the medium term future.

More detailed information may be found in a regular notice on the economic position of the farming industry published on the Defra website at http://statistics.defra.gov.uk/esg/reports/repfi.pdf.

Fishing Industry

Mrs. Iris Robinson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will *(a)* seek to initiate a review of fisheries science by the

EU and *(b)* commence an independent study into the Icelandic and Faeroese models of maintaining fish stocks and the fishing industry. [131787]

Mr. Bradshaw: I see no need to initiate an EU review of fisheries science, given the advisory role that the Scientific, Technical and Economic Committee for Fisheries is already required to play in relation to EU fisheries management measures. I expect that the forthcoming independent report from the Prime Minister's Strategy Unit on its UK Fisheries Project will review among other things the fisheries management systems applied by other countries.

Mrs. Iris Robinson: To ask the Secretary of State for Environment, Food and Rural Affairs how many fishing vessels registered to other countries than the UK fished in each of the statistical fishing regions which fall within the UK's national waters in each of the last five years. [131786]

Mr. Bradshaw: The information requested is not readily available and could be obtained only at disproportionate cost. The information held by Fisheries Departments in the UK relates only to the activity of foreign vessels when a landing has been made into the UK. It would be necessary to invite the various member states involved to supply the data.

Harmful Chemicals (Household Items)

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has *(a)* commissioned and *(b)* evaluated on the presence of harmful chemicals in household items: and if she will make a statement. [131500]

Alun Michael: The Department has commissioned and evaluated research into chemicals in the environment. Some of these chemicals may also be present in household items and this has been considered where relevant, but this has not been the focus of the work as it is outside Defra's remit. The Department has also conducted reviews on chemicals, which have been shared with the United Nations Environment Programme and the Organisation for Economic Co-operation and Development. This is in addition to work which the Department conducts under the Existing Substances Regulation (EC) 793/93 to meet our regulatory responsibilities. This work is focused on the environment and also considers impacts on human health via the environment.

Home Energy Efficiency Scheme

Mr. O'Hara: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Government intends to introduce legislation to allow people claiming the pension credit to be eligible for services under the Warm Front home energy efficiency scheme. [131465]

Mr. Bradshaw: On 4 September, Statutory Instrument, The Home Energy Efficiency Scheme (England) (Amendment) (No. 2) Regulations 2003, amended the list of qualifying benefits for Warm Front to include Pension Credit. This came into effect on the 6 October.

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what is meant by the phrase: the offer of services of products, in promotional material for Warm Front produced by the scheme managers. [131457]

Mr. Bradshaw: Reference to the use of client information for other services or products is included on the Warm Front application form, which is part of the Warm Front leaflet. This is to comply with the requirements of the Data Protection Act 1998.

Particulate Matter Emissions

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of tonnes of particulates saved from emission to the atmosphere in the UK as a result of accumulated switching from conventional automotive fuels to *(a)* LPG, *(b)* CNG, *(c)* LNG and *(d)* hydrogen. [131715]

Mr. Bradshaw: Industry sources suggest there are around 100,000 vehicles currently running on LPG. It is not possible to precisely estimate the particulate matter emissions savings *(a)* because there are no measurements of particulate matter emissions from LPG fuelled vehicles and *(b)* there are no records of which fuel, petrol or diesel, was replaced. It is however estimated that around one third of LPG fuelled vehicles were converted from diesel. In this case, there would be savings of particulate matter emissions of around 130 tonnes per year. This is out of a total of 30,000 tonnes of PM emitted from UK road transport in 2001.

Industry sources suggest approximately 850 vehicles currently run on CNG/LNG. These are mainly heavy-duty vehicles that would otherwise be running on diesel. On the basis of this figure, it is estimated that 13 tonnes of PM have been saved in the UK by these conversions to CNG.

While comparatively small, these emissions savings contribute to improved air quality and help the UK move towards meeting its air quality objectives.

There are presently only a few prototype/demonstration vehicles in the whole of the UK running on hydrogen. Therefore, the particulate matter emission savings from converting to hydrogen are currently negligible. There is, however, long-term potential for significant particulate matter emissions savings by replacing conventional fuelled vehicles with hydrogen fuelled vehicles.

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the monetary value to the *(a)* environment and *(b)* human health of averting the emission of one tonne of particulates to the atmosphere. [131716]

Mr. Bradshaw: The external costs of air pollution is a subject where considerable research work is being undertaken to improve our scientific and economic understanding of the health and environmental damages of air pollution. This work is important to provide the evidence base on which policies are developed.

The framework for estimating the external costs of one tonne of particulates to the atmosphere requires a detailed step-by-step analysis to assess the effect of emissions on local and regional air concentrations; quantify the health and environmental impacts using dose response functions and data on population exposed and value these health and environmental impacts in monetary terms where appropriate. Many factors including location of emissions will determine the extent of damages from a tonne of particulates.

In September 2001, the Interdepartmental Group on Costs and Benefits published "An Economic Analysis to Inform the Review of the Air Quality Strategy Objectives for Particles". This quantified a range of environmental and health effects arising from particulate emissions. Direct environmental effects of particles include damages from soiling of buildings. Evidence on the health effects of particles has been accumulating. Day to day variations in concentration of airborne particles are associated with day to day variations in a range of health end points. These include daily deaths, admissions to hospital for the treatment of both respiratory and cardiovascular diseases and symptoms among patients suffering from asthma. In addition, there is evidence from the United States that long-term exposure to particulate air pollution is associated with a decrease in life expectancy. In 2001, COMEAP (Committee on the Medical Effects of Air Pollutants) reviewed the evidence on the long-term effects of particles on mortality and concluded that it was more likely than not that a causal association existed between long-term exposure to particles and mortality. The IGCB Report took on board this advice in quantifying the long-term mortality effects of particles. However, the health benefits were not presented in monetary terms due to the uncertainties over valuation in the air pollution context where empirical studies are not yet available.

Rights of Way

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what studies have been carried out into the contribution of functioning rights of way to income creation for rural economies. [131450]

Alun Michael: The 1998 Day Visits Survey, which surveyed leisure day visits in both urban and rural areas, found that walking was a principal activity on approximately 930 million trips in England and Wales. It estimated that over one billion pounds was spent on trips where walking was the main activity. The 2002 Leisure Day Visits Survey will be published later this year.

Sheep Farmers (Early Retirement)

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of a voluntary early retirement scheme for tenant sheep farmers, funded from the surrender of sheep premia. [131326]

Mr. Bradshaw: Early retirement schemes have in the past been judged to provide poor value for money. For this reason, we have not used the provision in the EU Sheepmeat Regime permitting the Sheep National Envelope to be used to buy out sheep premium quota rights to establish an early retirement scheme; last year's Sheep Quota Purchase Scheme was intended to help address environmental problems caused by high sheep numbers in some upland areas. Direct payments under the Sheepmeat Regime will be made for one further year, but will be replaced from 2005 by Single Payments under the reform of the CAP agreed in June.

Sustainable Energy

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received regarding targets for sustainable energy usage by Government properties and the attainment of those targets. [126890]

Mr. Bradshaw: From time to time the Government have received representations both from the public, from environmental groups and from the energy sector concerning the use of sustainable energy within their own estate.

Most recently, correspondence on this issue has been concerned with the publication of the Sustainable Development in Government Report, the Energy White Paper consultation and the Sustainable Energy Bill 2001.

Veterinary Surgeons Act

Mr. Stephen O'Brien: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment her Department has made of the effects that proposals to amend the Veterinary Surgeons Act 1966 to enable non-veterinary surgeons to diagnose bovine tuberculosis may have on *(a)* the welfare of cattle, *(b)* the welfare of badgers, *(c)* the welfare of non-wild animals, *(d)* the welfare of other wild animals, *(e)* the workload of existing veterinary practices, *(f)* the cashflow of existing veterinary practices, *(g)* the standards of diagnosis by (i) veterinary surgeons and (ii) non-veterinary surgeons and *(h)* the rate of the spread of the disease in (A) the national cattle herd, (B) geographic areas currently unaffected and (C) non-cattle animals. [131588]

Mr. Bradshaw: We do not believe that the introduction of lay testers will have a detrimental effect on any of the elements listed.

The role of the lay TB tester, set out in our consultation paper issued on 4 July 2003, does not include diagnosis. This will be the responsibility of the supervising Local Veterinary Inspector (LVI) or Veterinary Officer of the State Veterinary Service. It is proposed that 72 hours after the tuberculin injection, the lay tester would record skin measurements, together with a description of the type of reaction observed. This information will be passed to a veterinary surgeon for interpretation of the results.

There is no intention of depriving LVI practices of their routine testing and no practice will be required to use lay testers. Those practices that chose to continue to use veterinary surgeons to perform TB tests would continue to receive fees at existing rates. A lower fee would be paid if a lay tester was used.

Water Abstraction

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what factors underlay the proposal of the Environment Agency to reduce the number of water abstractions in the South East; what assessment she has made of the effect on water supplies in the South East of this proposal; and if she will make a statement. [131499]

Mr. Morley: Proposals to reduce abstraction in the South East are aimed at improving the environment at important wildlife sites that are presently being damaged or are threatened with being damaged by abstraction.

Water companies have been given the proposed list of sites and have been asked to identify the solutions that they would have to implement to make these environmental improvements.

The Office of Water Services and the Environment Agency are scrutinising the companies' plans and I have asked them to report to me in November. From their reports I will identify the environmental improvement schemes that should be included in companies' final business plans for 2005–10, due in April 2004. Throughout this process, security of water supply to customers is paramount and the timing of any changes to abstraction will be arranged so that there is no risk to public water supply.

Mercury Emissions

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has made an assessment of the health benefits of reducing mercury emission from crematoria, using the methodology developed for assessing the health benefits of the National Air Quality Strategy. [131760]

Mr. Bradshaw: The methodology for the Air Quality Strategy is aimed at assessing the health impacts for pollutants where inhalation is the main route of exposure. It is not appropriate to use this methodology in this case because exposure through inhalation is negligable.

Crematoria are a source of inorganic mercury. This is associated with tremors, gingivitis and/or minor psychological changes, together with spontaneous abortion and congenital malformation.

Concern arises from the fact that this inorganic mercury can be transported over long distances and be transformed to methyl mercury in the bottom sediments of aquatic ecosystems. Methyl mercury can cause damage to the brain, kidneys and the central nervous system; as it readily crosses the placental barrier, foetal brain levels are approximately 5–7 times higher than in maternal blood. Foetal and postnatal exposures have given rise to abortion, congenital malformation and development changes in young children, with toxic effects in infants even when absent in the mother.

The UK's long-standing policy approach is therefore to minimise, wherever practicable, the amounts of mercury entering the environment from all human activities. We have been discussing with the crematoria sector how they might mitigate any impacts.

TRADE AND INDUSTRY

Liquid Petroleum Gas

Bob Spink: To ask the Secretary of State for Trade and Industry what her estimate is of the investment in the last five years in the UK economy generated by suppliers and distributors of *(a)* automotive LPG and LPG vehicles, *(b)* CNG and CNG vehicles, *(c)* LNG and LNG vehicles and *(d)* hydrogen and hydrogen vehicles. [131688]

Mr. Timms: The best estimates are:

(a) For LPG £250 million (being £200 million for vehicles and £50 million for fuel),

(b) and *(c)* For CNG and LNG combined £50 million, and:

(d) Estimates are not available for this technology which is in its infancy.

South Sefton Partnership

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what steps have been taken by the South Sefton Partnership to improve support for businesses. [128880]

Jacqui Smith: This is one of South Sefton Partnership's four key objectives. The Partnership has recently prepared a small booklet, "South Sefton Partnership—The Story So Far", which aims to illustrate steps taken to date on these four key objectives.

The steps taken in respect of this objective are as follows:

developing the South Sefton Investment Centre project, which will provide much-needed managed workspace for small businesses and generating income for community projects beyond the lifetime of the Partnership;

creating the South Sefton Small Firms Loan Fund, a seedcorn finance scheme run through Merseyside Special Investment Fund;

launching two grant schemes for local companies. Gateway to Growth supports investment in capital equipment and Improve Your Lot supports improvements to sites and premises;

funding a major study into the redevelopment of Bootle town centre with the aim of attracting investment and jobs to South Sefton and supporting the first phase of the improvement work;

supporting an important study into the regeneration of Crosby Marina, creating anew watersports and visitor centre;

funding a project providing grant assistance to small retail businesses to enable them to improve the security of their premises;

funding the new post of Business Liaison Officer to promote the further development of the South Sefton Business Forum and the Partnership funded grant schemes; and

funding the demolition and clearance of the former Secrets nightclub in Litherland to create a site for possible future use for housing.

British Energy

Mr. Dobson: To ask the Secretary of State for Trade and Industry what the cost will be to the taxpayer of the credit facility made available to British Energy. [132143]

Mr. Timms: A credit facility (currently £200 million) has been made available to BE which will be repaid by the company under the terms of the restructuring plan at no cost to the taxpayer.

Full details of the credit facility agreement are commercially confidential under Exemption 13: Third Party's Commercial Confidences of the Code of Practice on Access to Government Information unless and until it is made public by British Energy.

Broadband

Mrs. Iris Robinson: To ask the Secretary of State for Trade and Industry if she will press BT to decrease the threshold numbers required for the instalment of Broadband in rural areas. [131780]

Mr. Timms: Decisions about whether to reduce further the threshold numbers for activating exchanges are a matter for BT. The Government welcomes the reductions that have already been announced in recent months.

Norman Baker: To ask the Secretary of State for Trade and Industry if she will list those areas in the Lewes constituency capable of accessing broadband; to which areas there are plans to extend such a capability; and on what dates. [131827]

Mr. Timms: This information is not currently held centrally within Government.

However, BT's website (www.bt.com) includes a list of exchanges in the Lewes and the South East region showing which exchanges are already enabled for Broadband or are planned to be enabled with ready for service dates, which have trigger levels set and which do not.

The local Regional Development Agency—South East of England Development Agency (SEEDA), have recently invited tenders for their Coastal Superhighway Programme. As a result of this programme, a new internet point of presence from a fibre optic network will be built in Lewes, which should improve the availability of broadband services in Lewes, by reducing the cost of backhaul and stimulating competition.

In addition, any enterprises in the Lewes area and indeed the whole of the South East region, which cannot receive broadband from BT or from any other telecom or cable companies, may apply for a SEEDA satellite grant (http://www.rabbit-broadband.org.uk/)of up to £700, which covers an installation fee to contribute for the cost of a satellite broadband service.

Mr. Ruffley: To ask the Secretary of State for Trade and Industry what estimate she has made of the proportion of the population in *(a)* Suffolk, *(b)* Norfolk, *(c)* Essex, *(d)* Cambridgeshire and *(e)* the UK who are unable to access broadband. [131839]

Mr. Timms: The latest available data (June 2003) forecasts that, in October 2003, the proportions of the population who are unable to access broadband are:

	Percentage
(a) Suffolk	53
(b) Norfolk	57
(c) Essex	23
(d) Cambridgeshire	45
(e) UK	[1]20

[1] all broadband technologies

Note:

The data for figures *a-d* is only available for ADSL broadband

The recent East of England Development Agency 'Connecting Communities Competition' has introduced significant use of wireless solutions and should significantly improve broadband access in the region.

Carpets International

Lady Hermon: To ask the Secretary of State for Trade and Industry what action she has taken to assist Carpets International (UK) Ltd. since it went into receivership; and if she will make a statement. [130399]

Mr. Sutcliffe: Under the insolvency previsions of the Employment Rights Act 1996, the Redundancy Payments Directorate may pay certain guaranteed debts (within limits) if the employer is legally insolvent within the meaning of that Act. Any outstanding contractual debts owed to employees' remain listed in the insolvency as unsecured debts. The Edinburgh Redundancy Payments office has received and paid redundancy and other insolvency claims for all the employees (over 400) who worked at the Bradford Hartlepool and Hull establishments. The Gwent establishment is still trading with a view to selling that part of the business.

The Employment Services (ES) Rapid Response Unit—a flexible service, tailored to the needs of the particular area, sector and company—was notified and is liaising with local partners such as the Regional Development Agency, the Local Learning and Skills Council, the Local Authority, Chamber of Commerce, to take any appropriate measures to assist or retrain the employees in question. For example, the ES offers access to a range of support schemes, from the New Deal and the Jobseekers Allowance through to more focused schemes designed to help those caught up in restructuring. It provides information on job searching, compiling CVs, further education and training for individuals who need to develop new skills, and benefits.

Coal Industry

Paddy Tipping: To ask the Secretary of State for Trade and Industry when she last met Ministers in the Department for Environment, Food and Rural Affairs to discuss the Large Combustion Plant Directive and its implications for the UK coal industry. [131215]

Mr. Timms: Government decisions relating to consultation on the implementation of the Large Combustion Plant Directive were reached by ministerial correspondence following extensive contact between officials of the Department for Environment, Food and Rural Affairs, which leads on the Directive, this Department and others with relevant interests

Combined Heat and Power

Norman Baker: To ask the Secretary of State for Trade and Industry if she will take steps to compel electricity companies to allow the installation into domestic accommodation of CHP units capable of feeding excess power into the grid. [131285]

Mr. Timms: I have no plans to do so. It is unnecessary to compel network operators to allow the installation of domestic scale CHP units as, provided that certain technical and safety related requirements are met, they are not currently in a position to deny connection to the distribution networks. Through the work of

the Distributed Generation Working Group, the Government and Ofgem are working to encourage the development of simplified connection and metering arrangements that will facilitate the development and integration of domestic scale CHP technology.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Trade and Industry if she will ensure there is a reply to the letter dated 7 August from the right hon. Member for Manchester, Gorton with regard to Mr. Tarik Shaei, addressed to the Companies Investigation Branch in her Department. [131737]

Ms Hewitt: My official replied to the letter from my right hon. Friend the Member for Manchester, Gorton with regard to Mr. Tarik Shaei on 3 October 2003.

Debt Management

Dr. Cable: To ask the Secretary of State for Trade and Industry what assessment she has made of the Office of Fair Trading's compliance review of debt management companies; and what measures she plans to introduce to ensure good practice among debt management companies. [129936]

Mr. Sutcliffe: The Office of Fair Trading has carried out a thorough compliance review to check on the industry's compliance with its debt management guidance. A report on the compliance review will be published shortly.

The guidance sets out minimum standards which debt management companies should adhere to—failure to do so could result in action by the Office of Fair Trading to question their fitness to hold a consumer credit licence. The Office of Fair Trading continues to take up any issues of non-compliance with individual companies, such action can range from advisory/warning letters to formal action i.e. licence refusal/revocation.

Due to the restrictions in the Consumer Credit Act relating to disclosure of information, the Office of Fair Trading cannot disclose details about action taken or planned against individual companies. Details of formal action taken are usually publicised and placed on the Office of Fair Trading public register.

Since the guidance was issued there has been a considerable drop in complaints about Debt Management Companies to the Office of Fair Trading and to other consumer advice agencies.

Direct Selling

Mr. Hancock: To ask the Secretary of State for Trade and Industry what recent representations she has received about the need to improve the regulations relating to direct selling; what plans she has to bring forward legislative proposals; and if she will make a statement. [132135]

Mr. Sutcliffe: The Office of Fair Trading is currently investigating the doorstep selling market as a supercomplaint within the terms of the Enterprise Act 2002. Its report is expected around the end of this year. Any recommendations will be carefully considered.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how much has been spent in each year by her Department in preparing for United Kingdom entry to the euro; how much her Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates she has made of the total costs to her Department of changeover to the European Single Currency. [131599]

Ms Hewitt: I refer the hon. Member to the reply given today by my hon. Friend the Financial Secretary to the Treasury at column 142W.

Export Credit Guarantees Department

Dr. Cable: To ask the Secretary of State for Trade and Industry pursuant to her Answer of 20 June 2003, *Official Report*, column 493W, on ECGD, if she will list the exposure under each reinsurance contract; what the split of business reinsured between defence and non-defence is; which claims have been *(a)* notified but not yet agreed and *(b)* agreed but not paid; and what projections have been made of expected claims payments. [130246]

Mr. Mike O'Brien: Since the start of 1997, ECGD has reinsured 22 deals with other Export Credit Agencies (EGAs) in respect of medium/long-term business. ECGD has received no claims and therefore paid no claims. ECGD does not currently anticipate receiving any claims in respect of any of these cases. Current Exposure refers to the amount that ECGD has reinsured which is still outstanding.

Reinsured ECA	*Underlying insured party*	*Risk status*
Coface	Matra Marconi Space UK Ltd	Corporate
Coface	Matra Marconi Space UK Ltd	Public
Hermes	Matcon Limited	Corporate
Coface	Cooper Rolls Ltd	Corporate
Coface	MBDA UK Limited	Sovereign
Hermes	Powergen UK PLC	Sovereign
Hermes	VAI Industries (UK) Ltd	Sovereign
Coface	Trane (United Kingdom) Limited	Corporate
Hermes	Motherwell Bridge Engineering Limited	Corporate
Office National du Ducroire (OND)	Kier Construction Limited	Public and Corporate

Reinsured ECA	Underlying insured party	Risk status
Hermes	VAI Industries (UK) Ltd	Corporate
Sace	Skanska Construction UK Limited	Sovereign
Sage	Saipem UK Limited	Corporate
Oekb-Oesterreichische Kontrollbank	VAI Industries (UK) Ltd	Corporate
Coface and Sage	Demag Delaval Industrian Turbomachinery Limited	Public and Corporate
Sage	Shell Research Limited	Public
Coface	Alstom Power Plants Ltd	Sovereign
Export import bank of the United States	Rolls-Royce plc	Corporate
Hermes	Traffic Safety Systems Limited	Sovereign
Export import bank of the United States	Rolls-Royce plc	Corporate
Coface	MBDA UK Limited	Sovereign
Sace	CRI Catalyst Company UK Ltd	Sovereign

Reinsured ECA	Market	Original value	Current exposure	Issue date	Sector
Coface	Singapore	10,022,063	0	1997	Civil
Coface	Taiwan	9,983,926	0	1997	Civil
Hermes	Croatia	1,799,326	472,347	1998	Civil
Coface	United Arab Emirates	9,584,759	0	1998	Civil
Coface	Kuwait	29,661,020	0	1999	Defence
Hermes	Mexico	2,625,958	204,887	1999	Civil
Hermes	Croatia	9,996,706	9,996,706	1999	Civil
Coface	Turkey	331,719	88,440	1999	Civil
Hermes	Dominican Republic	29,520,129	20,114,522	2000	Civil
Office National du Ducroire (OND)	India	47,386,230	27,074,794	2000	Civil
Hermes	Brazil	21,228,898	18,614,705	2001	Civil
Sace	Iran (Islamic Republic of)	40,140,469	31,308,243	2001	Civil
Sage	Russian Federation	108,855,581	97,244,455	2001	Civil
Oekb-Oesterreichische Kontrollbank	Brazil	2,439,928	1,957,556	2001	Civil
Coface and Sage	Algeria	119,365,812	53,669,781	2001	Civil
Sage	Iran (Islamic Republic of)	23,425,293	23,425,293	2002	Civil
Coface	Turkey	33,637,809	32,406,342	2002	Civil
Export import bank of the United States	Israel	5,595,278	5,015,491	2002	Civil
Hermes	Romania	1,046,965	1,046,965	2002	Civil
Export import bank of the United States	Luxembourg	16,453,233	14,599,275	2002	Civil
Coface	United Arab Emirates	39,505,804	39,505,804	2002	Defence
Sace	Iran (Islamic Republic of)	13,498,847	0	2003	Civil

The is no current exposure for all four short-term reinsurance cases as these deals have been fully paid. ECGD has received no claims and paid no claims on these. The BAE Systems case in the following table refers to air traffic systems.

Reinsured short-term insurer	Underlying insured party	Risk status	Market
NCM Credit Insurance Ltd	Marconi Corporation plc	Corporate	Germany
NCM Credit Insurance Ltd	Royal Ordnance plc	Sovereign	Singapore
NCM Credit Insurance Ltd	BAE Systems (Defence Systems Ltd)	Public	United Arab Emirates
NCM Credit Insurance Ltd	Rolls-Royce Industrial Power (India) Ltd	Corporate	Canada

Reinsured short-term insurer	Original value £	Current Exposure £	Issue date	Sector
NCM Credit Insurance Ltd	1,337,736	0	1998	Defence
NCM Credit Insurance Ltd	18,600,000	0	1998	Defence
NCM Credit Insurance Ltd	8,000,000	0	1997	Civil
NCM Credit Insurance Ltd	765,600	0	1998	Civil

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will list reinsurance contracts underwritten by the ECGD; and in each case *(a)* who the reinsured party is, *(b)* who the underlying insured party is, *(c)* what cover is provided, *(d)* what the amount of the total exposure under the contract is and *(e)* what amounts have been paid in respect of these contracts for each year up to and including 1997. [129932]

Mr. Mike O'Brien: Prior to the end of 1997, ECGD provided reinsurance to other Export Credit Agencies (EGAs) under Co-operation Agreements on only two occasions in respect of medium/long-term business. The cover provided was reinsurance of all risks covered by the lead EGA.

(a) Reinsured ECA	(b) Underlying insured party	Risk status	Market	(e) Claims paid £	Issue date	Sector	Original value £	(d) Current exposure £
Coface (France)	Matra Marconi Space UK Ltd	Corporate	Singapore	0	1997	Civil	10,022,063	0
Coface (France)	Matra Marconi Space UK Ltd	Public	Taiwan	0	1997	Civil	9,983,926	0

Current Exposure refers to the amount that ECGD has reinsured which is still outstanding.

These cases are also referred to in PQ No. 130246 answered today and were the first cases under the first Co-operation Agreement (with France) that was signed in 1995.

There is no current exposure for the one reinsurance case issued in 1997 as this deal has been fully paid. ECGD has received no claims and paid no claims on this.

Reinsured short-term insurer	*Underlying insured party*	*Risk status*	*Market*	*Original value £*	*Current exposure £*	*Issue date*	*Sector*
NCM Credit Insurance Ltd	BAE Systems (Defence Systems Ltd)	Public	United Arab Emirates	8,000,000	0	1997	Civil

However, it would incur disproportionate cost to list and detail every occasion that ECGD has provided short-term reinsurance prior to 1997 due to the very large numbers involved. When its short-term business was privatised in 1991, ECGD provided reinsurance on all exposure transferred to the commercial insurer (NCM Credit Insurance Ltd.)

Extra-territorial Control

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 16 May 2003, *Official Report*, column 463W, what assessment was made of the section of the Home Office report Raising Standards, Upholding Integrity: The Prevention of Corruption which states that the Home Office guidelines on extra-territorial control are not mandatory. [130177]

Nigel Griffiths *[holding answer 16 September 2003]:* I am aware that the Home Office guidelines on the application of extra-territorial jurisdiction are not mandatory.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for Trade and Industry how much was spent on food by her Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance she has issued to encourage the procurement of home-grown food; and if she will make a statement. [129381]

Ms Hewitt: Approximately 85 per cent. of food purchased on behalf of my Department is provided by our in-house catering contractors, as follows.

Year	*£000*
2001–02	751
2002–03	1,037

65 per cent. of this was spent on food produced in the United Kingdom.

Acquiring similar information on the rest of the food purchased, which is provided by a large number of lesser supplies, would entail disproportionate cost.

DEFRA guidance on sustainable good procurement has been circulated to the appropriate directorates in DTI and to our agencies and non-departmental public bodies.

I have asked the Department's executive agencies to reply direct to the hon. Member.

Letter from Roger Heathcote to Mr. Lidington, dated September 2003:

You tabled a question on 9 September to the Secretary of State for Trade and Industry asking her how much was spent on food by her Department and by each Agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance she has issued to encourage the procurement of home-grown food; and if she will make a statement.

The direct purchase of food and drink by the Employment Tribunals Service (ETS) consists solely of convenience refreshments for training events and meetings and was as follows:

	£
2001–02	9,597
2002–03	7,868

Since the supplies in question are provided by an external retail supplier we have no knowledge of the provenance of the food and drink involved.

ETS has not issued guidance on the procurement of home-grown food.

Letter from Desmond Flynn to Mr. Lidington:

The Secretary of State for Trade and Industry has asked me to reply to you on behalf of The Insolvency Service in respect to your question (2002/3851) requesting information on how much was spent on food by each Agency in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance has been issued to encourage the procurement of home-grown food.

Expenditure on food in The Insolvency Service is generally limited to official hospitality provided by The Service in 2001–02 was £37,000 (including the cost of the closure of our London canteen facility) and in 2002–03 was £23,000. This took the form of buffet style services supplied by numerous small catering organisations across the country.

The Agency does not hold any information on how much was grown or produced within the United Kingdom.

Letter from Claire Clancy to Mr. Lidington:

I am responding to your recent Parliamentary Question to the Secretary of State for Trade and Industry on behalf of Companies House, which is an Executive Agency of the DTI.

The total amount spent on food by Companies House in the year 2001/02 was £212,000 and in the year 2002/03 it was £221,000, of which approximately 55% was produced in the United Kingdom.

The majority of our costs are recovered in the prices charged in the staff restaurant.

Letter from Dr. J. W. Llewellyn to Mr. Lidington:

The Secretary for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML) to your question on how much was spent on food by her Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; and what proportion of that food by value was produced in the United Kingdom

National Weights and Measures Laboratory has spent *(a)* £5.8k in 2001–02 and *(b)* £5.2k in 2002–03 on entertainment. This covers the purchase of catering services for Agency events, biscuits, coffee and tea for meetings, consumables for working lunches and entertaining customers. Records are not kept in such a way that the amount spent on UK produce can be identified.

Letter from R. J. R. Anderson to Mr. Lidington:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about expenditure on food.

Agency expenditure (ex-VAT) on food is as follows:

FY 2001/02 £121,922 of which £75,592 was spent on UK produced goods (62%).

FY 2002/03 £139,560 of which £87,913 was spent on UK produced goods (63%)

We have been assured by our caterers Baxter and Platts that it is their Policy to purchase food in accordance with UK and EC legislation and to satisfy their clients requirements. The Agency encourages all its suppliers to procure all goods and services competitively and to deal with all parties in a fair and reasonable manner.

Letter from Alison Brimelow to Mr. Lidington:

House of Commons Parliamentary Question: 2002/3851.

I am replying to this parliamentary question, tabled on 9 September 2003, about expenditure on food.

Expenditure on food in the Patent Office is generally limited to the provision of official hospitality, some of which is supplied under a contract with an external food supplier. This contract is administered by the Office for National Statistics with whom we share a site. Our recorded expenditure is:

	£
2001–02	38,000
2002–03	46,000.

Whilst no analysis of country of origin is available, it is estimated that the greater part of the food supplied was produced in the United Kingdom.

Graffiti

Siobhain McDonagh: To ask the Secretary of State for Trade and Industry what discussions her Department has had with representatives of the statutory undertakers about graffiti on their street furniture or other property; and if she will make a statement. [118087]

Mr. Sutcliffe: I refer my hon. Friend to the answer given on 1 July 2003, *Official Report*, column 249W by my hon. Friend the Minister for Crime Reduction, Policing and Community Safety.

Mineworkers' Compensation

Adam Price: To ask the Secretary of State for Trade and Industry how much money the Government has paid to Vernside Ltd. in legal costs for processing vibration white finger and respiratory coal health claims. [129207]

Mr. Timms: In total the Department has made over 315,000 payments to VWF and respiratory disease claimants in full and part settlement, totalling £1.68 billion.

Minimum Wage

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many successful prosecutions for failure to pay the national minimum wage there have been in Crosby. [129508]

Mr. Sutcliffe: The National Minimum Wage Act 1998 contains a number of provisions empowering enforcement officers to take civil action against non-paying employers and the Inland Revenue always uses these in the first instance.

In 2002–03, 1,996 employers in the UK were found by the Inland Revenue not to be complying with the minimum wage regulations. The north-west region accounted for 181 of these employers.

In addition, the Inland Revenue identified over £3.5 million in arrears. The majority of employers complied without further action being needed and only 26 enforcement notices were issued. To date there have been no criminal prosecutions in relation to underpayment of the minimum wage.

Model/Photographic Agencies

Dr. Evan Harris: To ask the Secretary of State for Trade and Industry how many spot check inspections on model agencies and photographic agencies were carried out by the Employment Agency Standards Inspectorate in each year since 1997; and how many prosecutions took place in each year. [129053]

Mr. Sutcliffe: The total number of inspections and prosecutions undertaken by the Employment Agency Standards Inspectorate since 1997 are as follows:

	Inspections	*Prosecutions*
1997–98	1,325	14
1998–99	1,360	3
1999–2000	1,319	3
2000–01	1,124	2
2001–02	854	8
2002–03	950	8

Data broken down by sector of the private recruitment industry are not available for these years.

Dr. Evan Harris: To ask the Secretary of State for Trade and Industry what plans she has to introduce regulation in the child model agency and child photography industry, with particular reference to a requirement for compulsory registration with the Criminal Records Bureau. [129054]

Mr. Sutcliffe: The Government have no plans to introduce a requirement for compulsory registration with the Criminal Records Bureau for the child model agency and child photography industry. However, a review of the legislation covering the private recruitment industry is currently under way and we propose to introduce revised regulations covering the conduct of all employment agencies and employment businesses.

Offshore Wind Farms

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will make a statement on the Crown Estate's plans to charge rent in respect of offshore wind farms. [131261]

Mr. Timms: The Crown Estate owns the seabed around the United Kingdom to the limit of the territorial sea. The Crown Estates Act 1961 requires The Crown Estate Commissioners to maintain and enhance the value of the Estate and the return obtained from it, with due regard to the requirements of good estate management. Companies entering into lease agreements for wind farm developments with the Crown Estate will be charged an appropriate rental for the site. Following discussion with industry and the British Wind Energy Association, The Crown Estate has indicated that, up to 2010, the basis for calculating rentals for new wind farm site leases will be unchanged from the current 2 per cent. of gross revenue, with a rent review after 20 years.

The Government have committed themselves to bringing forward legislation as soon as the Parliamentary timetable allows to facilitate the construction of wind farms beyond territorial waters in a Renewable Energy Zone (REZ). Our intention is that The Crown Estate will have powers to licence areas of the seabed in the REZ and will be able to charge a rental for use of the sea bed.

Post Offices

Mr. Hancock: To ask the Secretary of State for Trade and Industry if she will make it her policy to urge the Post Office to organise public meetings *(a)* before decisions are made about closures and *(b)* for each individual closure proposal once the decisions are made on a particular area; and if she will make a statement. [131432]

Mr. Timms: The development of post office closure proposals under the urban reinvention programme and the associated public consultation arrangements are operational matters for Post Office Ltd. within the framework of the Code of Practice agreed with Postwatch.

Mr. Hancock: To ask the Secretary of State for Trade and Industry if she will make a statement on her policy on the *(a)* proposals by the Post Office to close post offices in South Portsmouth in 12 months and *(b)* closure by the Post Office of financially viable local offices. [131433]

Mr. Timms: Post Office Ltd. has recently put forward to public consultation its post office closure proposals for Portsmouth, South constituency under its revised arrangements for the urban network reinvention programme whereby proposals are put forward on an area-by-area basis using Parliamentary constituencies as a guide. This will result in a 'once over the ground' approach bringing clarity and greater certainty to the future shape of the network in each area. Public consultation has been extended from four to six weeks.

Post Office Ltd.'s area closure proposals are determined by a range of factors including the numbers of offices in close proximity to each other and current and projected business volumes. The aim of the programme is to create a sustainable network of viable urban post offices.

Mr. Hancock: To ask the Secretary of State for Trade and Industry how much compensation has been paid to the Post Office for their closure programme; and how much more is expected to be paid. [131434]

Mr. Timms: Parliament has approved funding of up to £180 million for compensation payments under the urban post office network reinvention programme. To date, £38,554,936 has been paid to Post Office Ltd.

Mr. Hancock: To ask the Secretary of State for Trade and Industry what representations she has received about the proposals by the Post Office to close local post offices in South Portsmouth; what has been her response; and if she will make a statement. [131435]

Mr. Timms: Five letters have been received from the hon. Member from Portsmouth, South and one joint letter from Councillors Goble, Andrew and Bentley of Portsmouth city council. The responses explained the rationale for the urban post office network reinvention programme and that the process to determine the closure of individual offices is an operational matter for Post Office Ltd. which they carry out in accordance with the formal public consultation process under the Code of Practice agreed with Postwatch.

Mr. Hancock: To ask the Secretary of State for Trade and Industry if she will make representations to the Post Office about the number of proposed closures of local post offices in South Portsmouth; and if she will make a statement. [131436]

Mr. Timms: Proposals for post office closures and final decisions on them, following public consultation under the Code of Practice, are operational matters for Post Office Ltd. The Government do not have a role in the process to determine the closure of individual post offices.

Miss McIntosh: To ask the Secretary of State for Trade and Industry how many rural sub-post offices have closed since 1 March. [131484]

Mr. Timms: I understand that Post Office Ltd. produces information on post office closures on a quarterly basis. For the quarter up to the end of March 2003, there were 61 net closures throughout the rural post office network with 43 net closures in the quarter to end of June 2003, the latest quarter for which figures are currently available.

Keith Vaz: To ask the Secretary of State for Trade and Industry how many post offices she has visited since she took up her appointment. [131721]

Mr. Timms: My right hon. Friend, the Secretary of State visits post offices regularly in her capacity as the Secretary of State for Trade and Industry, in her capacity as a Member of Parliament, and as a customer.

Power Failures

Miss McIntosh: To ask the Secretary of State for Trade and Industry what assessment she has made of the effects of the recent power failures affecting London on the national economy; and what the possible causes of the power failures are. [132260]

Mr. Timms: The major power failure affecting London and parts of Kent on the 28 August 2003 occurred at 18:20 and lasted 41 minutes. Due to the timing and duration of the interruption there was transport disruption that affected a large number of people travelling home at the end of the working day, however the Department of Trade and Industry has not conducted a formal assessment of the impact of the event on the UK economy.

According to National Grid Transco, the cause of the failure was the incorrect operation of a protective device at Wimbledon substation. My Engineering Inspectorate is currently carrying out a detailed investigation of the circumstances of the incident, including the impact on the transport infrastructure.

Miss McIntosh: To ask the Secretary of State for Trade and Industry what recent assessment her Department has made of the cost of the loss of power through overhead power lines in terms of transmission costs compared to underground transfer; and what research she has commissioned to assess the amount of energy lost overhead and the impact on the cost and efficiency of such lines. [132261]

Mr. Timms: The National Grid Company (NGT) has indicated that losses from overhead lines are approximately 50 per cent. greater than for underground cables for power flows at the same voltage.

The cost of losses is not separately available for overhead lines and underground cables. However, NGT advise that total transmission losses (including overhead lines, underground cables and transformers) account for about 1.5 per cent. of energy transferred on the England and Wales transmission network or a cost of around £90 million p.a. (This compares with average losses on the distribution system of approximately 7 per cent.).

The available data indicate that replacing overhead lines with underground cables could not be justified by gains in efficiency, due to the significantly higher capital cost of underground cables.

Miss McIntosh: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the risks to the United Kingdom of a major power failure in January to February 2004; and what plans are in place to prevent power incapacity at the coldest time of year. [132262]

Mr. Timms: Maintaining the reliability of energy supplies is one of four key goals set out in the Government's Energy White Paper.

It is not Government's role to second-guess the electricity market. Rather, through competitive markets, participants have strong financial incentives to maintain reliable supplies of electricity. These incentives are backed by a number of licence conditions and statutory obligations on National Grid, electricity suppliers and generators, which are enforced by Ofgem.

The Government do have a co-ordinating role to ensure that information is provided to the market. A major component of this is our work with Ofgem, through the joint energy security of supply working group to monitor energy security.

National Grid also informs the market as to the forecast likely supply and demand position using a variety of publications and industry fora. In addition National Grid notifies market participants of tight reserve margins nearer to real time through a hierarchy of alert notices.

National Grid Transco's report on the outlook for gas and electricity markets was published today by Ofgem, and a copy of the report has been placed in the Libraries of the House.

National Grid has announced that it will be tendering for additional reserve capacity to enable it to mange the risks of short-term plant failure and changes in demand. These contracts would be in place prior to the winter period.

In addition, NOT is considering with participants to the Gas Network Code proposals to reduce the risk of supply disruptions in the gas market and the potential impact of these on gas-fired generation to the electricity market. Any formal proposals for modification would need to be considered by Ofgem, in light of their statutory duties, prior to implementation.

Miss McIntosh: To ask the Secretary of State for Trade and Industry what the cost to the National Grid was of loss of power through *(a)* trees falling on a power line, *(b)* high winds causing interruption of power in high wires carried over pylons, *(c)* birds landing on such lines and *(d)* other major loss of power from other causes in the last 12 months. [132263]

Mr. Timms: The number of incidents on NGT's network, which caused an immediate loss of supplies in the 12 months to 30 September 2003, is 10.

These incidents break down as follows:

(a) trees—none

(b) high winds—none

(c) birds—none

(d) other—10 incidents (of which three are attributed to lightning strikes, one to a light aircraft colliding with an overhead line, four due to protection operations, one to plant failure, and one as a result of a construction incident—the losses of supply in these incidents range from under 1 minute to approximately 40 minutes).

On average 0.0001 per cent. of the total energy transferred on the England and Wales transmission network is lost per annum due to faults on the transmission network. Consequently, the actual figure for the cost to NGT through the loss of power from these incidents is very small (of the order of a few thousand pounds per annum).

Small Businesses

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what percentage of gross domestic product is accounted for by the output of (i) small and (ii) micro businesses in *(a)* Dumfries & Galloway, *(b)* Scotland and *(c)* the UK. [132320]

Nigel Griffiths: The percentage of gross domestic product accounted for by the output of small and micro businesses in the UK is not available.

Supermarkets

Norman Baker: To ask the Secretary of State for Trade and Industry when she expects the Office of Fair Trading to conclude its review of the Supermarket Code of Practice; and if she will make a statement. [131829]

Mr. Sutcliffe: The Office of Fair Trading is expected to conclude its review of the Code of Practice governing supermarkets' relations with their suppliers this autumn. The OFT will then send its results to DTI for formal consideration. My right hon. Friend the Secretary of State for Trade and Industry will wait for the results of that review before deciding if any action is necessary.

Wind Farms

Janet Anderson: To ask the Secretary of State for Trade and Industry who bears the cost of public inquiries into planning applications for wind farms. [131670]

Mr. Timms: Each participant bears his own costs and my right hon. Friend the Secretary of State for Trade and Industry recovers her costs, such as the employment of an inspector, from the developer.

WTO (Cancun)

Mr. Redwood: To ask the Secretary of State for Trade and Industry (1) what the *(a)* size and *(b)* cost of the EU delegation to the Cancun Summit was; [131250]

(2) what the total cost of the United Kingdom delegation's travel and subsistence at the Cancun Summit was. [131251]

Ms Hewitt: Accounts for the World Trade Organisation ministerial are not currently available and can be produced only at disproportionate cost. The costs will be spilt over a number of different Departments. Each Department publishes its financial accounts after the end of the relevant financial year.

Dr. Cable: To ask the Secretary of State for Trade and Industry what the total cost was of Ministers' and civil servants' attendance at the Cancun Fifth World Trade Organisation ministerial, including accommodation and travel charges. [131260]

Ms Hewitt: Accounts for the World Trade Organisation ministerial are not currently available and can be produced only at disproportionate cost. The costs will be spilt over a number of different Departments. Each Department publishes its financial accounts after the end of the relevant financial year.

DEFENCE

HMS Tireless

Mr. Hancock: To ask the Secretary of State for Defence what the cost of repair to HMS Tireless is; when he will return to service; what the result was of the inquiry into the incident; and if he will make a statement. [131934]

Mr. Ingram: HMS Tireless rejoined the Fleet earlier this month. The cost of the repair has still to be finalised, but is expected to be under £1 million.

This incident was subject to a Royal Navy Board of Inquiry (BOI). A BOI is an internal fact-finding investigation into the circumstances surrounding a particular incident, undertaken by the Services for internal use. The main purpose is to establish the facts concerning an incident as quickly as possible and to make recommendations aimed at preventing a recurrence. The Board found no grounds for any disciplinary action.

Alvis Vickers

Mr. David Clelland: To ask the Secretary of State for Defence how many Alvis Vickers personnel were dispatched to Kuwait in the period immediately preceding the invasion of Iraq to upgrade British Army vehicles; what assessment he has made of the contribution of the upgrades provided by Alvis Vickers to the performance of the British Army on Operation Telic; and what weight will be given to a proven ability to provide operational support and upgrade work when choosing a contractor for the Future Rapid Effect System. [130409]

Mr. Ingram: Some 60 AVL personnel went to Kuwait to support British troops on Operation Telic. Equipment availability is a key factor in any military operation, and we greatly value the contribution made by civilian contractors. The capacity to support equipment effectively when it enters service is a consideration for acquisition programmes, and this will be the case with FRES.

Armed Forces (Modernisation)

Dr. Julian Lewis: To ask the Secretary of State for Defence if he will make it his policy not to reduce the strength and establishments of *(a)* Royal Navy frigates, destroyers and submarines, *(b)* the Army Air Corps, *(c)* the Infantry, *(d)* the Royal Armoured Corps, *(e)* the Royal Artillery, *(f)* the Royal Engineers, *(g)* RAF squadrons and *(h)* RAF aircraft procurement programmes. [131694]

Mr. Ingram: In his speech to RUSI on 26 June this year (a copy of which is available in the Library of the House), the Defence Secretary made clear how we will continue to modernise our armed forces to respond to changes in society, technology and the strategic environment.

Arms Sales Exhibition (Excel Centre)

Llew Smith: To ask the Secretary of State for Defence what the cost was of policing the arms sales exhibition at the Excel Centre in London. [130294]

Mr. Ingram: I refer the hon. Member to the answer I gave on 18 September 2003 *Official Report*, column 950W to the hon. Member for Twickenham (Dr. Cable). The final cost remains to be established.

Death-in-service Benefits

Geraldine Smith: To ask the Secretary of State for Defence what plans he has to improve the death-in-service benefits and pensions of servicemen and women. [131419]

Mr. Caplin: I refer my hon. Friend to my written statement on 15 September 2003, *Official Report*, columns 39–40WS.

Defence Attaches

Harry Cohen: To ask the Secretary of State for Defence how many defence attaché staff there are at each diplomatic post abroad; what the roles of those based in the United States are; and what proportion of their working time was spent on each major activity in the last year for which figures are available. [131774]

Mr. Ingram: A total of 128 United Kingdom Defence attachés/advisors are currently deployed in 82 locations as follows:

Country	*City*	*Number of attachés at post*
Albania	Tirana	1 Army
Angola	Luanda	1 Army
Argentina	Buenos Aires	2 (1 Army, 1 RAF)
Australia	Canberra	2 (1 RN, 1 RAF)
Austria	Vienna	1 Army
Bahrain	Manama	1 RN
Barbados	Bridgetown	1 RN
Belgium	Brussels	1 RAF
Brazil	Brasilia	2 (1 RN, 1 RAF)
Brunei	Bandar Seri Begawan	1 RN
Bulgaria	Sofia	2 (1 RN, 1 Army)
Canada	Ottawa	2 (1 RAF, 1 Army)
Chile	Santiago	1 Army
China	Beijing	2 (1 Army, 1 RAF)
Colombia	Bogota	1 Army
Congo DRC	Kinshasa	1 Army
Croatia	Zagreb	1 Army
Cyprus	Nicosia	1 Army,
Czech Republic	Prague	2 (1 Army, 1 RAF)
Denmark	Copenhagen	1 RN
Egypt	Cairo	2 (1 RN, 1 Army)
Ethiopia	Addis Ababa	1 Army
Finland	Helsinki	1 Army
France	Paris	3 (1 RN, 1 Army, 1 RAF)
Georgia	Tbilisi	1 RN
Germany	Berlin	4 (1 RN, 2 Army, 1 RAF)
Ghana	Accra	1 Army
Greece	Athens	2 (1 RN, 1 Army)
Guatemala	Guatemala City	1 Army
Hungary	Budapest	2 (1 Army 1 RAF)
India	New Delhi	2 (1 Army, 1 RAF)
Indonesia	Jakarta	1 Army
Ireland	Dublin	1 Army
Israel	Tel Aviv	2 (1 Army, 1 RAF)
Italy	Rome	3 (1 RN, 1 Army, 1 RAF)
Jamaica	Kingston	1 Army
Japan	Tokyo	1 RN
Jordan	Amman	2 (1 Army, 1 RAF)
Kazakhstan	Almaty	1 Army
Kenya	Nairobi	1 Army
Korea	Seoul	2 (1 Army, 1 RAF)
Kuwait	Kuwait City	1 Army
Latvia	Riga	1Army
Lebanon	Beirut	1 Army
Lithuania	Vilnius	1 Army
Macedonia	Skopje	1 Army
Malaysia	Kuala Lumpur	2 (1 RN, 1 Army)
Morocco	Rabat	1 Army
Nepal	Kathmandu	1 Army
Netherlands	The Hague	1 RN
New Zealand	Wellington	1 Army
Nigeria	Abuja	1 Army
Norway	Oslo	1 RN
Oman	Muscat	2 (1 RN, 1 Army)
Pakistan	Islamabad	2 (1 RN, 1 Army)
Philippines	Manila	1 Army
Poland	Warsaw	2 (1 Army, 1 RAF)
Portugal	Lisbon	1 RN
Qatar	Doha	1 RAF
Romania	Bucharest	2 (1 Army, 1 RAF)
Russia	Moscow	6 (2 RN, 2 Army, 2 RAF)
Saudi Arabia	Riyadh	3 (1 RN, 1 Army, 1 RAF)
Serbia and Montenegro	Belgrade	1 Army
Sierra Leone	Freetown	1 Army
Singapore	Singapore	2 (1 RN, 1 RAF)
Slovak Republic	Bratislava	2 (1 Army, 1 RAF)
Slovenia	Ljubljana	1 Army
South Africa	Pretoria	2 (1 Army, 1 RAF)
Spain	Madrid	2 (1 RN, 1 RAF)
Sri Lanka	Colombo	1 Army
Sweden	Stockholm	1 RAF
Switzerland	Berne	1 Army
Syria	Damascus	1 Army
Thailand	Bangkok	1 Army
Turkey	Ankara	2 (1 Army, 1 RAF)
Uganda	Kampala	1 Army
Ukraine	Kyiv	2 (1 RN, 1 Army)
United Arab Emirates	Abu Dhabi	1 Army
USA	Washington	8 (3 RN, 3 Army, 2 RAF)
Uzbekistan	Tashkent	1 Army
Venezuela	Caracas	1 RN
Zimbabwe	Harare	1 Army

There are a total of four officers (2 RN, 2 RAF) employed in Canada, Russia, India and USA as Office Managers; these are not accredited diplomatic posts.

The principal role of an attaché is to further the UK's Defence Diplomacy aims in his host country. This is articulated as six core attaché functions:

Support to Defence Diplomacy;

Provision of Operational Military Advice and Assistance;

Provision of Politico-Military Advice;

Support to Defence Intelligence;

Support to Defence Exports; and

Representation and Administrative Support.

With the exception of Washington, the average percentage effort devoted to each core function by attachés employed in British embassy Defence sections is as follows:

Support to Defence Diplomacy—38 per cent.

Provision of Operational-Military Advice—16 per cent.

Provision of Politico-Military Advice—12 per cent.

Support to Defence Intelligence—8 per cent.

Support to Defence Exports—16 per cent.

Representation and Administrative Support—10 per cent.

A similar breakdown of Washington's outputs against the same six functions is as follows:

Support to Defence Diplomacy—33 per cent.

Provision of Operational-Military Advice—16 per cent.

Provision of Politico-Military Advice—15 per cent.

Support to Defence Intelligence—14 per cent.

Support to Defence Exports—4 per cent.

Representation and Administrative Support—18 per cent.

The main area of variance between Washington and the rest of the world is its support to Defence Exports. Within the British Defence Staff Washington there is a significant non-diplomatically accredited Defence Equipment Staff dedicated to supporting this core function.

European Competition Policy

Mr. Gerald Howarth: To ask the Secretary of State for Defence what discussions he has had with European partners on the development of European competition policy in the defence industry. [130807]

Mr. Sutcliffe: I have been asked to reply.

I have had no discussions on this issue with European partners. My hon. Friend the Minister for Employment Relations, Industry and the Regions represented the UK at the 13 May 2003 EU Competitiveness Council where the European Commission Communication of 11 March 2003, entitled "European Defence—Industrial and Market Issues: Towards an EU Defence Equipment Policy", was discussed. As a result, the European Commission plans to present its reflections on the application of competition rules in the defence sector for further discussion, possibly by the end of 2003.

Firing Ranges

Mr. Hancock: To ask the Secretary of State for Defence what firing ranges, other than Tipner, are used by the Royal Navy; and how many days in each of the last three years these alternatives have been used. [131430]

Mr. Caplin: The Royal Navy has used the following ranges other than Tipner in the Portsmouth area:

Firing ranges	*Days used*
MWS (Collingwood)	549
Army Cadet Range at Browndown	90
MWS (Dryad)[1]	375
Pirbright (Army)	15
Bisley (Army)	60

[1] Closes 2004.

Mr. Hancock: To ask the Secretary of State for Defence how many days, in each of the last three years, the Tipner firing ranges have been used by *(a)* Royal Navy and *(b)* other agencies. [131429]

Mr. Caplin: The information requested is only readily available for the last 12 months, but there is no reason to believe that the pattern of usage has changed significantly over the last three years:

RN—252 days

Other Agencies—58 days

Mr. Hancock: To ask the Secretary of State for Defence what plans he has for the future use of the Tipner firing ranges; and if he will make a statement. [131431]

Mr. Caplin: The ranges at Tipner are vital to maintaining military training for the Royal Navy in the Portsmouth area, and will remain in use for the foreseeable future.

Mr. Hancock: To ask the Secretary of State for Defence whether there has been a recent study into the use of Tipner firing ranges by Brent geese; and if he will make a statement. [131428]

Mr. Caplin: There has been no Ministry of Defence sponsored study into the use of Tipner ranges by Brent Geese. However, the MOD is aware of two recent studies, by the Hampshire and Isle of Wight Wildlife Trust and Ecological Planning and Research.

Future Rapid Effects System

Mr. Gerald Howarth: To ask the Secretary of State for Defence what his Department's planned expenditure on (i) the Future Rapid Effects System and (ii) all other armoured vehicle projects is over the next 15 years. [130620]

Mr. Ingram: The Ministry of Defence's financial planning processes focus on ten years ahead for equipment acquisition costs and four years ahead for other areas of expenditure. It is not therefore possible to provide the detailed cost information sought over a 15 year period.

The Future Rapid Effects System project is still in its concept phase. We are therefore yet to endorse the acquisition cost of the project, although it could be in the region of £6 billion.

Other armoured vehicle projects (which have passed their Main Gate investment decision point) are shown below, together with their post Main Gate expected acquisition costs:

Future Beach Recovery Vehicle (£13 million);
Viking (£73 million);
Terrier (£365 million);
Titan and Trojan (£407 million);
Future Command and Liaison Vehicle (£238 million).

In addition, two other armoured vehicle projects—the Armoured Battlegroup Support Vehicle (ABSV) and the Warrior Mid Life Improvement—are still in their concept phases. Consequently, costs have yet to be agreed for these programmes.

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether funding for other armoured vehicle projects has been changed as a consequence of the funding arrangements for the Future Rapid Effects System. [130621]

Mr. Ingram: The Ministry of Defence's annual planning round is used to balance levels of investment across capabilities to ensure that our acquisition plans are, in aggregate, affordable within the resources allocated to the future equipment programme. At the individual project level, there is therefore no direct or specific linkage between increased funding in one area and reductions in another.

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects to make an announcement on the Future Rapid Effects System; and if he will make a statement on its role in the future capability of the Army. [130623]

Mr. Ingram: FRES will be at the forefront of the Army's rapid intervention capability, across the spectrum of missions from warfighting to peace-keeping. It is expected that the capability will be provided by a system of air-transportable medium weight armoured vehicles and that it will operate as an integral part of future network-enabled forces.

As part of the current concept phase of the FRES project, the MOD has been undertaking planning work in order to inform decisions on how best to take the programme forward. The MOD is now considering procurement options and we expect to make an announcement later this year on the way ahead for the project.

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether he estimates that the number of variants for the proposed Future Rapid Effects System will fall below 15. [130782]

Mr. Ingram: The Future Rapid Effects System (FRES) project is in its concept phase. The optimum make up of the FRES fleet will be determined by studies planned for the subsequent assessment phase of the programme. Only when these studies have been completed will we be able to finalise the number of variants required.

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) when he expects the A400M to be compatible with the requirements of the proposed Future Rapid Effects System; and how this has been affected by the delays in the assessment phase for the Future Rapid Effects System; [130783]

(2) what extra costs he expects to incur to the A400M programme to make it compatible with the requirements of the proposed Future Rapid Effects System. [130775]

Mr. Ingram: The requirements for the Future Rapid Effects System (FRES) are still being developed as part of the project's concept phase. Studies are planned for the next phase of the FRES programme to examine coherence with associated programmes including A400M. These studies will ensure that the FRES requirements take into account the need for air portability. The contract for the A400M programme has now been signed. It is not currently expected that there will be any consequent adjustments to it, and therefore no additional costs have been identified.

Mr. Gerald Howarth: To ask the Secretary of State for Defence if he will make a statement on the effects of the timescales for *(a)* the A400M and the development of a strategic lift capability and *(b)* the awarding of the contract for the Future Rapid Effects System on (i) the development of a rapidly deployable medium force capability and (ii) the projected in-service date of the Future Rapid Effects System. [130804]

Mr. Ingram: In seeking a better balance in our deployable land forces, we plan to shift from the current mix of light and heavy forces representing the two extremes of deployability and combat power to a more graduated and balanced structure of light, medium and heavy forces, together with a greater emphasis on enabling capabilities such as logistics, engineers and intelligence. The introduction of the air-transportable, medium-weight Future Rapid Effects System family of vehicles is one part of this re-balancing. The ISD for FRES will be formally set at the Main Gate investment decision, however the planning assumption for its ISD remains around the end of this decade. A400M enters service in a comparable timeframe—its ISD is 2011.

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether he plans to purchase or lease further C-17s to provide a strategic lift capability for the proposed Future Rapid Effects System. [130781]

Mr. Ingram: The MOD is currently considering the retention in service of a small fleet of C17 aircraft. This is not specifically linked to the introduction of the Future Rapid Effects System (FRES), although C17s could have utility in this role alongside other airlift assets.

Iraq

Adam Price: To ask the Secretary of State for Defence what contribution the Government has made to ensure that an accurate central list of Iraqi detainees in coalition-run prisons in Iraq, with names in Arabic, is kept. [130354]

Mr. Hoon *[holding answer 16 September 2003]:* The names of all Iraqis held at the Theatre Internment Facility are held on a database which includes Arabic names that have been transliterated into English by an interpreter. A list of names of all UK detained Iraqis held in the Theatre Internment Facility, and for which the UK Military is therefore responsible, is passed onto the International Committee of the Red Cross every two weeks.

Mr. Flook: To ask the Secretary of State for Defence (1) what the estimated monthly cost of keeping British military personnel and equipment in Iraq and the surrounding region is, following the recent deployment of extra troops; [131510]

(2) what the estimated total cost to date is of deploying British military personnel and kit to Iraq. [131520]

Mr. Ingram: The Ministry of Defence identifies the costs of Operations in terms of the net additional costs it has incurred. The costs which the Department would have incurred had the operation not been undertaken—expenditure on wages and salaries or on conducting training exercises, for example—are deducted from the total costs of the operation.

Calculating all the costs of military action will take some time since they will include the cost of ammunition, bombs and guided weapons consumed in excess of peacetime levels and the cost of repairing and replacing equipment destroyed and damaged. We do however estimate the cost of preparatory activities in 2002–03 at around £700 million, less than the £1 billion set aside at Spring Supplementary Estimates 2002–03. This estimate includes the procurement or modification of equipment, increased maintenance and stock consumption, civil sea and air charter and provision of infrastructure in-theatre. A figure for total costs in 2002–03 including the cost of operations up to 31 March 2003 will be published in the Department's Resource Accounts at the end of October 2003.

It is too early to estimate the costs likely to arise in 2003–04. Once these are known, additional funding will be sought in the normal way through Supplementary Estimates.

Costs are not incurred on a regular monthly basis and force levels have fluctuated considerably during 2003–04. As a result, to attempt to provide monthly average costs would be misleading.

Suez Canal (Medals)

Ms Atherton: To ask the Secretary of State for Defence (1) when he plans to issue qualification criteria for the medal for service in the Suez Canal Zone; how long the distribution of medals will take; and what factors underlie this timetable; [131437]

(2) what measures he is taking to try to ensure that Suez Canal Zone veterans receive their medals before this year's Remembrance Day service; [131438]

(3) what measures he will take to minimise the number of veterans who lose their eligibility to the Suez Canal Zone medal because of the lack of detail in service records of the 1950s. [131439]

Mr. Caplin: Final approval of the Suez Medal is now awaited. As soon as that occurs I will make a statement to the House. Prior to that officials are carrying out preparatory work on the applications already received, and aim to issue medals to eligible veterans as soon as practicable.

It is hoped that everyone who served in the Suez Canal Zone for the requisite number of days, within the designated dates and geographical boundaries which are in the process of being agreed, will receive a medal and/or clasp. However, on some individual Service records it might be more difficult to confirm eligibility from the limited information. In such cases, the files will be cross-referenced against the detailed Service records and maps that have been prepared by officials from contemporary historical documents. These will help to determine which Units, ships, regiments, squadrons etc. were deployed in the Canal Zone during the period specified in the White Paper. In rare cases where the evidence is insufficient to confirm eligibility for the medal, the medal offices may have to invite veterans to supply additional proof of entitlement in the form of contemporary official documentation, but it is hoped that this will not be necessary, I expect most veterans to receive their medals during the course of next year.

EDUCATION AND SKILLS

14 to 19 Curriculum

Mr. Brady: To ask the Secretary of State for Education and Skills what his policy is on working with *(a)* Sea Cadets, *(b)* Army Cadets and *(c)* Air Training Corps in the provision of greater curriculum flexibility for 14 to 19 year olds. [131812]

Mr. Miliband: Our policy document, 14 to 19: Opportunity and Excellence sets out how we intend to ensure that young people are offered greater choice, coherence and quality in their programmes. We explained that all 14 to 19 year olds should be involved in wider activities and experience beyond the curriculum which can enrich learning, while developing practical skills and interests. Participation in the Sea and Army Cadets and the Air Training Corps is one positive form of such participation.

Mr. Brady: To ask the Secretary of State for Education and Skills what assessment he has made of the pilot schemes for greater flexibility in the 14 to 19 curriculum. [131814]

Mr. Miliband: The 14 to 19 pathfinders, which are testing, among other things, greater curriculum flexibility and choice, are currently being evaluated. We plan to publish the outcomes in January 2004. In addition, the 'Increased Flexibility for 14 to 16 year olds' Programme has provided new vocational and work-related learning opportunities for this age group, including provision of the new GCSEs in vocational subjects. This Programme too is being evaluated and the findings are due to be published early in 2004.

In the meantime, we intend to amend the National Curriculum at Key Stage 4 to give schools greater flexibility in responding to the needs of their pupils. The Working Group on 14 to 19 Reform has been asked to consider how there might be greater coherence in learning programmes for young people throughout their 14 to 19 education.

Mr. Brady: To ask the Secretary of State for Education and Skills what funds were allocated to *(a)* schools, *(b)* futher education colleges and *(c)* other providers in connection with pilot schemes for greater flexibility in the 14 to 19 curriculum in 2003–04. [131813]

Mr. Miliband: The information is not available in the form requested. In the academic year 2003/04, £16 million has been allocated to the 14–19 pathfinders which are testing, among other things, greater curriculum flexibility and choice.

All the 14–19 pathfinders involve partnership and collaboration among a variety of different institutions and providers including schools, colleges, training providers, employers and higher education institutions. Funding is allocated and monitored at partnership level through the pathfinder lead body, which may be, for example, the local education authority, Local Learning and Skills Council, a school or an FE college.

The 'Increased Flexibility for 14–16 year olds' Programme is also providing new vocational and work-related learning opportunities for this age group, including provision of the new vocational GCSEs. During 2003–04, this Programme is providing £38.3 million via the Learning and Skills Council to the lead partners, which are mainly FE colleges, to support provision in schools and colleges.

We also expect schools and FE colleges to use their mainstream funding to provide greater curriculum flexibility.

Access Agreements

Mr. Boswell: To ask the Secretary of State for Education and Skills when it will be possible to approve access agreements for higher education institutions for incorporation in their prospectus for potential students; and what assessment he has made of the implications for a student who is accepted for entry by a higher education institution of cases where *(a)* an access

agreement has not been concluded and *(b)* an access agreement has been reached and promulgated but is subsequently modified. [131541]

Alan Johnson: We expect the Office for Fair Access to approve access agreements in time for universities to inform prospective students' applications to higher education. We therefore expect agreements to be in place before students are accepted for places and would not expect the agreement to change in respect of a students already committed to a course once it has been approved.

Class Sizes (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Education and Skills what the average class size is in Suffolk schools for *(a)* 5, *(b)* 6, *(c)* 7, *(d)* 8, *(e)* 9, *(f)* 10 and *(g)* 11-year-olds in each year since 1997. [131836]

Mr. Stephen Twigg: Average class size by national curriculum year group (first collected in 1998) is shown in the table.

Maintained primary schools[1]: average class size taught by one teacher by year group[2] Position in January each year—Suffolk Local Education Authority

	National curriculum year group					
	1	*2*	*3*	*4*	*5*	*6*
1998	26.1	26.5	27.3	27.1	26.2	25.7
1999	26.6	26.1	26.5	26.9	26.6	27.4
2000	26.0	26.4	27.0	27.0	26.5	26.2
2001	25.4	25.8	26.6	26.8	27.3	26.0
2002	24.9	25.4	26.5	26.7	27.4	26.7
2003	25.8	25.4	26.7	26.8	26.3	26.1

[1] Includes middle deemed primary schools.
[2] Classes as taught during a single selected period in each school on the day of the census in January.

Education Spending

Mr. Ruffley: To ask the Secretary of State for Education and Skills how much was spent per primary school pupil, using figures adjusted for inflation, in *(a)* Suffolk, *(b)* Norfolk, *(c)* Essex, *(d)* Cambridgeshire and *(e)* the UK in each year since 1997. [131835]

Mr. Miliband: The information requested is only available from 1999–2000 onwards. Due to changes in the school funding system, it is not possible to provide corresponding figures for previous years. My Department collects data for schools in England only. The information available is contained in the following table:

Expenditure per primary school pupil

LEA name	*1999–2000*	*2000–01*	*2001–02*
Cambridgeshire	2,247	2,413	2,561
Essex	2,280	2,519	2,678
Norfolk	2,275	2,489	2,792
Suffolk	2,447	2,634	2,803
England	2,402	2,572	2,781

Notes:
1. Figures calculated using Net Current Expenditure (after recharges) which includes expenditure within schools and also that incurred centrally by the LEA's.
2. Real terms figures used are adjusted to 2002–03 prices using 27 June 2003 GDP deflators.
3. Figures are as reported by the LEA.
4. Financial data is drawn from the DfES Section 52 outturn statements.
5. Pupil data are drawn from the Annual Schools Census adjusted to be on a financial year basis.

Education Standards

Mr. Mike Hall: To ask the Secretary of State for Education and Skills how many *(a)* boys and *(b)* girls reached the required standards in (i) English and (ii) maths at key stage (A) 1, (B) 2, (C) 3 and (D) 4 in each year since 1997, broken down by local education authority, using value added data. [131467]

Mr. Miliband: The information requested in this question has been placed in the Library in answer to PQ127922.

The tables show, for each local education authority, the number of boys and girls in maintained schools who achieved the expected level in each year from 1997 to 2002. The figures shown are based on:

Pupils achieving level 2 or above at Key Stage 1 in reading and in maths

Pupils achieving level 4 or above at Key Stage 2 in English and in maths

Pupils achieving level 5 or above at Key Stage 3 in English and in maths

Pupils achieving good grades (A*—C) at GCSE in English and in maths.

Educational Maintenance Allowance

Mr. Bill O'Brien: To ask the Secretary of State for Education and Skills if he will make a statement on the progress of the pilot schemes on the Education Maintenance Allowance scheme. [131408]

Alan Johnson: An independent evaluation of EMAs has been taking place since 1999. Evidence from the second year of the pilots, which was published in July 2002, shows that EMAs have increased the number of eligible young people in full time education in year 12 in pilot areas by 5.9 percentage points compared to local authority areas without EMAs. The EMA scheme will be available across the whole of England from 2004 and the pilot scheme will continue until then.

Evaluation of the pilots has also provided information on which features of the different variants are most effective. This has informed development of the national model.

EU Enlargement

Mr. Boswell: To ask the Secretary of State for Education and Skills how many full-time students in British higher education came from countries which are *(a)* about to be admitted to the EU and *(b)* in the European Economic Area, in the last year for which figures are available; and what estimate he has made of the likely loss of income to higher education institutions from fees revision when enlargement takes place. [129986]

Alan Johnson: In 2001/02, 3,258 full-time undergraduate students in British higher education came from countries which are about to be admitted to the EU, and 55,356 came from the European Economic Area.

Assuming that international students would pay an average fee of upwards of £6,500 in 2004/05, then the likely loss of income to higher education institutions from those students admitted to the EU would be at least £17 million. Students studying in England would become eligible for funding from HEFCE; the amount depending on the course of study.

European Higher Education Reform

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the conclusion of the Berlin Conference on the Bologna Process for higher education institutions, held in September 2003. [131534]

Alan Johnson: The Government welcome the outcomes of the recent Berlin ministerial meeting on the Bologna process of European higher education reform. The process of reform will make it increasingly easy for students and researchers to gain the social and educational benefits from studying in another European country. In Berlin, Education Ministers set clear goals for 2005 on making progress across Europe on degree structures, on credit systems and on quality assurance. This will ensure that there is no danger of the process of reform slowing down.

In addition, another seven countries joined the Bologna process in Berlin. This raises to 40 the total number of countries committed to working together to build a successful and attractive European higher education area by the end of the decade, an important plank of the Lisbon agenda on competitiveness.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for Education and Skills how much was spent on food by his Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-grown food; and if he will make a statement. [129382]

Mr. Stephen Twigg: In 2001–02 DfES recorded expenditure of £448,893 on hospitality and £71,829 on contract payments. The figures for 2002–03 were £531,494 and £19,487 respectively. Expenditure on food in DfES is generally limited to official hospitality and canteen subsidies/contract payments. Records of spend on food provided at external conferences and like events are not kept centrally and so have not been included. Unfortunately, we are unable to breakdown this expenditure further. Our service provider is encouraged to purchase fresh UK produce wherever possible. Guidance produced by Defra on "Integrating Sustainable Development into Public Procurement of Food and Catering" has been issued to our service provider and associated action plan completed.

GCSE Pass Marks

Mr. Brady: To ask the Secretary of State for Education and Skills what assessment he has made of changes in GCSE examination pass-marks in the last *(a)* five and *(b)* 10 years. [131807]

Mr. Miliband: QCA as the statutory regulator for public examinations has responsibility for the maintenance of standards. The Chief Executive of QCA will write to the hon. Member providing details of the assessments the Authority has made.

Learning and Skills Councils

John McDonnell: To ask the Secretary of State for Education and Skills if he will make a statement on the impact of Reshaping in the Learning and Skills Councils on the delivery of the organisations functions. [131733]

Alan Johnson: The Learning and Skills Council is undertaking a reshaping exercise which is designed to build on its existing strengths to enhance its capacity to work with partners to develop and to implement the strategies necessary to achieve national targets for skills and learning, while streamlining routine administrative arrangements. The reshaping programme will not damage the LSC's ability to deliver. It will improve the organisation's overall efficiency and effectiveness. The reshaping programme is a matter for the Learning and Skills Council, and I have therefore asked Mark Haysom, the council's chief executive, to write to my hon. Friend with further information. A copy of his reply will be placed in the Library.

John McDonnell: To ask the Secretary of State for Education and Skills (1) how much he estimates will be saved by the exercise Reshaping in the Learning and Skills Councils; [131734]

(2) how many staff he estimates will leave their posts as a result of the exercise Reshaping in the Learning and Skills Councils; [131735]

(3) what the timetable is for the completion of the exercise Reshaping in the Learning and Skills Councils. [131736]

Alan Johnson: These are matters for the Learning and Skills Council. Mark Haysom, the council's chief executive, will write to my hon. friend with this information and a copy of his reply will be placed in the Library.

Non-EU Students

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Skills if he will list the 50 further education colleges with the lowest percentage of non-European Union students successfully completing their courses, giving *(a)* the percentage for each institution and *(b)* the number of non-EU students at each institution in the last year for which figures are available. [131727]

Alan Johnson: The information requested is not available. The Learning and Skills Council (LSC) only publish success, retention and achievement rates for those learners funded by the council in further education colleges and external institutions in England. However, the majority of learners from countries outside of the European Union are not funded by the LSC—so figures are not available.

Furthermore, the LSC do not publish further education institution success, retention and achievement rates based on less than 500 learners as they can be

misleading. In 2001/02, less than 15 further education institutions in England had more than 500 LSC funded non-European Union students.

Physical Education

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills if he will list for each school in Shrewsbury and Atcham the average number of hours for which schoolchildren undertake physical education. [132286]

Mr. Stephen Twigg: This information is not currently held in the format requested and can be provided only at disproportionate cost.

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills what proportion of schools provide a minimum of two hours physical education per week for school children. [132287]

Mr. Stephen Twigg: The Government are investing more than £1 billion in England to transform physical education (PE) and school sport. This funding will help deliver an ambitious Public Service Agreement target, shared by DfES and DCMS, to increase the percentage of school children who spend a minimum of two hours each week on high quality PE and school sport within and beyond the curriculum to 75 per cent. by 2006. Currently, about a quarter of schools provide this entitlement at key stage 1, two-fifths at key stage 2 and a third at key stages 3 and 4.

School Catering

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills which schools in Shrewsbury and Atcham allow the sale of drinks with a high added sugar content to schoolchildren. [132285]

Mr. Stephen Twigg: The Department for Education and Skills does not collect this information.

School Curriculum (Music and Dance)

Bob Russell: To ask the Secretary of State for Education and Skills what his policy is towards including the promotion of English folk songs and English folk dances in the school curriculum; and if he will make a statement. [131611]

Mr. Miliband: We believe that a broad range of high quality music and dance experiences should be available to all our young people, whatever their background and wherever they live.

Opportunities for pupils to sing, dance and make music from a range of times, places and cultures are firmly embedded within the National Curricula for Music and Physical Education. In England, we have a rich folk tradition which teachers can draw upon. However, it is for the individual teacher to select their repertoire, based on their own professional judgement and expertise.

School Funding

Miss McIntosh: To ask the Secretary of State for Education and Skills if he will make a statement on school funding in *(a)* York and *(b)* North Yorkshire. [131477]

Mr. Miliband: Between 1997–98 and 2003–04, North Yorkshire's total funding per pupil has increased in cash terms from 2,340 to 3,460 an increase of 48 per cent. York's funding has increased from £2,290 to £3,290, an increase of 44 per cent.

School Opening Hours

Bob Russell: To ask the Secretary of State for Education and Skills what assessment he has made of the implications for parental choice for schools of the announcement of proposals to stagger the school day; and if he will make a statement. [131618]

Mr. Miliband: School governing bodies will continue to set school opening hours to suit the circumstances of parents and pupils at their school. The recent publication "Travelling to School: an action plan" encourages school to work with their local authority and transport providers to consider whether staggered school opening hours can allow pupils to access a wider range of school based activities, cut costs and improve services by allowing the same number of buses to provide a service to many more pupils. Decisions on school session times are and will remain a matter for individual schools. If schools in their local area adopt different times, parents with reasons to prefer one school's opening hours to another's will no doubt take this into account in choosing a school.

Skills Gap (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Education and Skills what assessment he has made of the skills gap in the Suffolk work force aged over 16 years old. [131837]

Mr. Ivan Lewis: My Department measures skills gaps in the Employers Skills Survey. The 2001 survey indicated that 8 per cent. of establishments in Suffolk reported skills gaps within their current work force. This was slightly above the England average of 7 per cent.

Up to date information will be available through the LSC National Employers Skill Survey which will provide assessments of skills gaps in the current work force for individual LSC areas. It will be available in December 2003.

Teacher Redundancies

Mr. Ruffley: To ask the Secretary of State for Education and Skills how many school teachers have been made redundant in each local education authority in each year since 1997. [131847]

Mr. Miliband: Statistical First Release 23/2003, released on 9 September, provides teacher numbers at regional and LEA level for each year since 1997. Provisional national and regional figures for January 2004 are due to be published next April. Definitive statistics on teacher redundancies are not collected centrally.

University Tuition Fees

Mr. Brady: To ask the Secretary of State for Education and Skills how much was paid in tuition fees for higher education in UK universities by citizens of British Overseas territories in each of the last five years,

broken down by territory; and what proportion of the fees were *(a)* reimbursed by the government of that territory and *(b)* borne by the individual. [131809]

Alan Johnson: The information requested is not collected centrally.

CULTURE, MEDIA AND SPORT

BBC Licence Fee

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what recent representations she has received on the future of the BBC television licence. [131471]

Estelle Morris: Representations on the future of the television licence fee are not recorded separately from other representations about television licensing received by the Department for Culture, Media and Sport. In the year from April 2002 to March 2003, the Department received 268 letters from Members of Parliament and 527 letters from members of the public about all aspects of television licensing.

The forthcoming review of the BBC's Royal Charter will include public consultation on the Corporation's funding arrangements.

Call Centres

Mr. Connarty: To ask the Secretary of State for Culture, Media and Sport whether her Department plans to outsource call centre work to premises outside the United Kingdom. [132107]

Mr. Caborn: DCMS is not an organisation that operates a call centre.

Cinemas (Sub-titling and Audio Description)

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport pursuant to the answer of 15 September, *Official Report*, column 520W, on subtitled films, what steps her Department is taking to ensure initiatives are introduced to supply cinemas in *(a)* Scotland, *(b)* Wales and *(c)* Northern Ireland with subtitling and audio-description equipment to improve access to cinemas by people with hearing and sight impairments. [131560]

Estelle Morris: The UK Film Council, the Government's strategic adviser for film, is in discussion with the national screen agencies, the Northern Ireland Film and Television Commission, Scottish Screen and Sgrin Cymru Wales about improving access to cinemas for people with hearing and sight impairments. I am writing to the devolved Administrations to express my support for this very valuable initiative.

Community Sports Coaches

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport pursuant to her answer of 19 June, *Official Report*, column 343W, on community sports coaches, what the current Budget allocation for the community sports coaches schemes is; and whether it is sufficient to meet the target of 3000 coaches by 2006. [131630]

Mr. Caborn: Of the £28 million that DCMS is investing to implement the key recommendations of the Coaching Task Force, the Community Sports Coach scheme has been allocated a total of £16.1 million: £0.5 million in 2003–04, £5.0 million in 2004–05 and £10.6 million in 2005–06.

This is sufficient for 3,000 full-and part-time community sports coaches by 2006. I have today written to my hon. Friend with more detail about progress with the scheme. I am arranging for copies of the letter to be placed in the Libraries of both Houses.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Culture, Media and Sport how many consultancies were commissioned by her Department in the last two years for which figures are available; and what the cost of those contracts was. [130906]

Mr. Caborn: In 2001–02 11 contracts were awarded at a cost of £323,820, while in 2002–03 16 contracts were awarded at a cost of £693,000.

Digital Curriculum

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport (1) what discussions she has had with the BBC on the delay in announcing its outline plan for the digital curriculum; [131526]

(2) if she will make a statement on the timetable for the BBC's *(a)* announcement of an outline plan regarding and *(b)* launch of the digital curriculum; [131527]

(3) what discussions she has had with the BBC on the content of its outline plan for the digital curriculum, with particular reference to the commissioning of content from the independent production sector. [131528]

Estelle Morris: The conditions on the approval of the Digital Curriculum require the BBC to publish a five-year commissioning plan, no less than 15 months before the launch of the service. The European Commission announced on 1 October 2003 that the Digital Curriculum was compatible with European state aid rules. The BBC is therefore now able to pursue its work on the service, and has announced that it intends to launch the full service in 2006, following a series of pilot projects. In accordance with the conditions, half of all content will be commissioned from external producers.

English Folk Songs /Dance

Bob Russell: To ask the Secretary of State for Culture, Media and Sport (1) what her policy is towards promoting English folk songs and English folk dances; and if she will make a statement; [131607]

(2) what action she *(a)* has taken since 1997 and *(b)* plans to take in future years to promote English folk songs and English folk dances; and if she will make a statement. [131608]

Estelle Morris: The Department for Culture, Media and Sport recognises the particular contribution of folk arts to rural life regeneration and cultural tourism. In March 2003, Arts Council England announced increases in core funding to contemporary music, including folk music, of £1.7 million. This included an

increase of over £100,000 to Folk Arts England to support the development of a dynamic English folk music sector.

Arts Council funding for the Colchester Arts Centre, which provides a diverse programme of folk music will also rise over the next three years by 16.5 per cent. to £104,000.

Football Grounds (Standing Areas)

Mr. Grogan: To ask the Secretary of State for Culture, Media and Sport what assessment she has made as to the safety implications of introducing small sections of standing areas at football grounds. [132402]

Mr. Caborn: The Government's position on standing at football grounds has not changed. Whatever their size, standing terraces are implicitly more dangerous to spectators than seated areas. As such, there are no plans to revise the all seater policy, which applies to all Premier and First Division grounds.

I have made it clear to those who seek changes to that policy that it will remain in place unless or until compelling technical evidence is produced that it is no longer necessary. My officials regularly discuss the Government's position on this issue with the Football Supporters' Federation and other interested parties. No technical evidence in favour of the re-introduction of standing areas has been produced to date.

Grade I Listed Buildings

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport if she will make list the Grade I listed buildings in England which are classified as at risk; and if she will make a statement. [131683]

Mr. Caborn: 288 Grade I listed buildings are included in English Heritage's Buildings at Risk Register 2003, which was published on 18 July, copies of which have been placed in the Libraries of both Houses. The Register is also available as a database on English Heritage's website: www.english-heritage.org.uk/bar

Iraq (Heritage/Conservation)

Mr. Dalyell: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her support for training conservation and heritage professionals in Iraq since 15 September. [130812]

Tessa Jowell: The Government are committed to supporting the Iraqi people in securing the long-term well being of Iraqi collections and antiquities. We believe that the most sustainable way of achieving this is to ensure that the museums have Iraqi conservators, curators and restorers who have the necessary and up-to-date skills to look after the collections. The British Museum, English Heritage and other organisations funded through my Department are consequently providing initially six secondment scholarships to help train Iraqi Board of Antiquities staff in the skills which the board most urgently needs. A number of staff have already been identified who will come to the UK to undertake secondments in the British Museum as soon as possible. In addition, my Department has compiled a database of offers for help and support by a number of UK-based heritage bodies and will match these offers with future needs identified by the Board of Antiquities.

Irish Art/Culture/Sport

John McDonnell: To ask the Secretary of State for Culture, Media and Sport what support her Department has given to the promotion of Irish art, culture and sport in this country since 2001. [131732]

Estelle Morris: DCMS does not directly support the promotion of Irish art, culture and sport. This is a matter for the Arts Council of Northern Ireland, the Arts Council (Republic of Ireland), the Sports Council for Northern Ireland and the Irish Sports Council. However, art organisations, whose work incorporates Irish art and culture, have received grants from our sponsored body for the arts in England, Arts Council England.

Licensing Act 2003

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport when her Department will publish details of the *(a)* fees that will be charged under the Licensing Act 2003 and *(b)* subordinate legislation under the Act explaining *(i)* the prescribed forms of application and (ii) the building plans that will be required. [132155]

Mr. Caborn: The Government intend to introduce all of the secondary legislation that will be required for transition to the new licensing regime, including that on fees, forms and plans, as soon as possible.

Sports Facilities (Modernisation)

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on how the money earmarked in the Budget statement for a pilot scheme of capital modernisation of sports facilities has been spent. [131579]

Mr. Caborn: This is not a pilot scheme. The Government are making £60 million available to 16 governing bodies for capital work at affiliated amateur sports clubs over the period 2003–04 to 2005–06. £20 million of this is coming from the Capital Modernisation Fund, as announced earlier this year.

This money is being made available to governing bodies to make a real difference to community sport. Each will submit a strategy document before the end of October 2003, detailing how the money will be used, and building work on new and improved facilities is expected to begin in April 2004.

Terrestrial Television

Mr. Ruffley: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the number of households that will not be able to access terrestrial television following the decision to stop the free to air access on Sky television in *(a)* the UK, *(b)* Suffolk, *(c)* Bury St. Edmunds constituency, *(d)* Norfolk, *(e)* Cambridgeshire and *(f)* Essex. [131842]

Estelle Morris: Estimates of terrestrial television coverage are not available in the requested form. The estimated coverage of analogue terrestrial television services is 99.4 per cent. of the UK and currently 73.1 per cent. of UK households can receive Freeview's services via digital terrestrial television. Information about analogue coverage and digital terrestrial coverage based on post code, can be obtained from the BBC and the Independent Television Commission. BBC services on digital satellite can be viewed free-to-air without the need for a viewing card. ITV, Channel 4 and Five are now considering a scheme to enable viewers to continue receiving these services, with a viewing card.

Tyntesfield Estate

Mr. Ruffley: To ask the Secretary of State for Culture, Media and Sport pursuant to her Answer of 26 June 2003, *Official Report*, column 212W, on the Tyntesfield Estate, what the level of the further grant award which has been agreed in principle by the Heritage Lottery Fund to be made to Tyntesfield is; and whether that grant has been made. [131453]

Mr. Caborn: The level of award which has been agreed in principle for Tyntsfield by the Heritage Lottery Fund (HLF) is £20 million. The grant will be awarded subject to the receipt and favourable assessment of a fully worked up application which meets HLF's priorities. The National Trust is currently working up this application in accordance with standard HLF procedures. The application is expected to be submitted to the HLF in December this year.

US Embassy (11 September)

Mr. Kidney: To ask the Secretary of State for Culture, Media and Sport what arrangements she made for *(a)* access by US citizens to the US Embassy and *(b)* access to Grosvenor Square by members of the public offering their condolences on 11 September when the Square was closed. [131412]

Tessa Jowell: My Department liaised closely with the US Embassy throughout the organisation of this event and access to the Embassy was available on 11 September 2003. The opening of the garden was a ticket-only event for the families of the UK victims. It would not have been appropriate to allow other members of the public to participate in this very private moment. Furthermore, permitting members of the public to access the site on the day of the event would have compromised the extremely tight security which was required for such a high profile event.

LEADER OF THE HOUSE

Special Advisers

Mr. Tyrie: To ask the Leader of the House on how many occasions in financial year 2002–03 his special advisers travelled abroad in an official capacity; which places were visited; and how much each visit cost. [131705]

Mr. Hain: My special advisers made no trips abroad in an official capacity in 2002–03.

Mr. Tyrie: To ask the Leader of the House what the total cost was of special advisers to his office in financial year 2002–03, broken down by *(a)* salary and related expenses and *(b)* other costs. [131706]

Mr. Hain: The information requested is set out in the table and covers the period of my right hon. Friend the Member for Livingston (Mr. Cook) when he was President of the Council and Leader of the House of Commons.

£

Salaries	*Other costs*
115,450.50	281.55

MINISTER FOR WOMEN

Assaults (Minicab Drivers)

Linda Perham: To ask the Minister for Women what recent representations she has received on assaults committed against women by illegal mini-cab drivers; and when she will next discuss such assaults with the Secretary of State for Transport. [127788]

Ms Hewitt: I have not received any representations recently on this subject and have no plans to raise it with my right hon. Friend the Secretary of State for Transport. However, the Government are committed to reducing crime and the fear of crime wherever it occurs in the transport system.

The Government are fully aware that many people (particularly women) are concerned about using public transport, especially at night. We are working with transport operators, local authorities, the police and others to improve personal security for both pedestrians and public transport passengers.

SOLICITOR-GENERAL

Employment Tribunal Appeals

Miss McIntosh: To ask the Solicitor-General what the average wait before an appeal is heard against the decision of an Employment Tribunal has been in the last 12 months. [128333]

Mr. Sutcliffe: I have been asked to reply.

For appeals received in the last 12 months ending August 2003 the average time between receipt of the appeal and first hearing was four months.

Presently, appeals are on average being listed for a hearing within three months.

DEPUTY PRIME MINISTER

Approved Development Programme Funding

Bob Russell: To ask the Deputy Prime Minister pursuant to his answer of 17 September (129309), if he

will give his reasons as to why Approved Development Programme funding is not available for local authorities. [131617]

Keith Hill: The Approved Development Programme is the main source of public subsidy supporting the development of social and keyworker housing by registered social landlords (RSLs). Resources for the Programme are limited and not all RSLs are successful in obtaining a share.

Local authorities have an enhanced strategic housing role and they have access to revenue and capital resources separate from the Approved Development Programme to address local housing needs.

Consultation Documents

John Barrett: To ask the Deputy Prime Minister if he will list the consultation documents issued by his Department in each of the last four years; what the cost was of producing each of these; how many documents were issued in each consultation; and how many responses were received in each consultation. [124578]

Yvette Cooper: The Government recommend that policy development should be done in close consultation with stakeholders. Formal consultation documents are one part of this process, which can also include:

Stakeholder meetings

Listening events/public meetings

Web forums

Public surveys

Focus groups

Regional events

Free-phone and freepost surveys and events

Targeted leaflet campaigns

Road shows and exhibitions.

It is standard practice for Departments to evaluate the policy development process, including the use of consultation. The specific information requested is not collated on a central basis and could be provided only at disproportionate cost. However, details of the Office of the Deputy Prime Minister's recent consultation exercises are available at www.ODPM.gov.uk.

Criminal Records Bureau (Fees)

Mr. Bailey: To ask the Deputy Prime Minister what assessment he has made of the financial impact of recent Criminal Records Bureau fee increases on education and social care budgets in local government. [131818]

Mr. Raynsford: Responsibility for paying the fee for a criminal record Disclosure rests with the individual applicant, although it is open to the employer to reimburse the cost. A Regulatory Impact Assessment, which assesses the impact of the fee increase across all sectors, is available in the Library of the House.

It has always been the intention that the Criminal Records Bureau (CRB) should be self-financed by means of the charges that it makes of those using the service, and that the cost of the service should not be a drain on the Exchequer. That remains the objective.

However, in the short term, the costs of the CRB will continue to be met by a combination of fee receipts and contributions from the Home Office (HO), the Department of Health (DH) and the Department for Education and Skills (DfES). In 2003–04 the HO will contribute £4 million and DH and DfES a further £7.4 million each.

Empty Housing

Mr. Pike: To ask the Deputy Prime Minister which 20 local authority areas have the highest percentage of empty housing; and if he will make a statement. [131413]

Keith Hill: Information relating to the number of empty housing is reported annually by local authorities on their Housing Investment Programme returns. The latest available data for the 20 local authority areas that have the highest percentage of empty housing are reported at 1 April 2002 and contained in the following table.

Vacants as percentage of stock at 1 April 2002

Local authority	*Region*	*Total dwelling stock*	*Vacants*	
			Total	*As percentage of stock*
South Hams	SW	40,600	4,900	12
Burnley	NW	40,600	3,400	8
Kingston upon Hull	YH	115,200	8,800	8
Hastings	SE	40,800	3,400	8
Blackburn with Darwen	NW	58,400	4,000	7
Hyndburn	NW	35,700	2,500	7
Liverpool	NW	206,500	15,400	7
Manchester	NW	194,900	13,700	7
Salford	NW	100,800	6,800	7
Richmondshire	YH	20,700	1,500	7
Kensington and Chelsea	L	88,300	6,300	7
Newcastle upon Tyne	NE	120,700	7,300	6
Wear Valley	NE	28,500	1,700	6
Preston	NW	57,200	3,500	6
Calderdale	YH	88,400	5,400	6
Scarborough	YH	52,400	3,300	6
West Lindsey	EM	35,900	2,200	6
Great Yarmouth	E	43,600	2,700	6
Tendring	E	64,200	3,800	6
Shepway	SE	52,100	3,400	6

Note:
Figures rounded to nearest hundred.
Source:
Office of the Deputy Prime Minister HIP Returns.

Departmental Advertising

Mr. Bercow: To ask the Deputy Prime Minister what the total expenditure on advertising by the Department was in *(a)* 2001–02 and *(b)* 2002–03; and what the level of planned expenditure is for (i) 2003–04 and (ii) 2004–05. [114430]

Yvette Cooper: The Office of the Deputy Prime Minister was created on 29 May 2002. The total expenditure on advertising by the Office in *(b)* 2002–03 was 3,346,943. The majority of this advertising spend was on the Fire Safety Campaign. The level of planned expenditure for (i) 2003–04 is £3 million; and for (ii) 2004–05 is £3.3 million. The majority of this advertising spend will also be on the ongoing Fire Safety campaign.

Fire Service Pensions

Mr. Heald: To ask the Deputy Prime Minister what plans he has to reform fire service pensions in England and Wales; and if he will make a statement. [126413]

Phil Hope: The Office of the Deputy Prime Minister announced in the White Paper "Our Fire and Rescue Service", published on 30 June, our plans for changes to the pension arrangements for firelighters. As a first step, on 17 July a document, for consultation, detailing our proposals to amend the existing Firefighters' Pension Scheme was published.

The Office of the Deputy Prime Minister is also planning to introduce a new scheme more suited to the service of the future as well as pension arrangements for retained firefighters. We will consult fully on our proposals in due course.

Gross Credit Approvals

Mr. Kidney: To ask the Deputy Prime Minister what his Department's expenditure limits for total gross credit approvals are for the 2003–04 financial year; and of those sums how much *(a)* has been committed, *(b)* is planned to be committed and *(c)* remains uncommitted. [126122]

Yvette Cooper: The Office of the Deputy Prime Minister's budget for credit approvals in 2003–04 is £1,227,062,000. Of this *(a)* £1,221,462,000 has been committed; *(b)* £5,600,000 is currently planned to be committed; and *(c)* none remains uncommitted.

Mr. Kidney: To ask the Deputy Prime Minister what proportions of his Department's expenditure limits for total gross credit approvals for financial year 2002–03 were unused in that year. [126123]

Yvette Cooper: Six per cent. of the Office of the Deputy Prime Minister's budget for gross credit approvals in 2002–03 remained unused at the end of the financial year although end year flexibility arrangements allow unspent budgets to be carried forward from one year to the next.

Homeless People

Mrs. Curtis-Thomas: To ask the Deputy Prime Minister how many homeless families there are in the UK. [129451]

Yvette Cooper: Information on local authorities' activities under homelessness provisions in England is published in a quarterly Statistical Release, "Statutory Homelessness: England". Table 3 of the Statistical Release presents a summary of those households accepted as unintentionally homeless and in priority need under the homelessness provisions of the 1996 Housing Act. Tables 6 and 7 summarise the number of homeless households in accommodation arranged by local authorities on the last day of the quarter.

Copies of the Statistical Release are available in the Library of the House and the latest edition, published on 10 September, presents statistics up to and including the second quarter of 2003. In the period April to June 2003, local authorities accepted 36,230 households as homelessness, and as at 30 June 2003 there were 93,480 households in accommodation arranged by local authorities under homelessness provisions of Housing Acts.

For information about other parts of the United Kingdom, I refer my hon. Friend to my right hon. Friends the Secretaries of State for Scotland, Wales and Northern Ireland.

The March 2002 report, 'More than a roof', set out the Government's approach to tackling and preventing homelessness. Specific measures included investment of £125 million in 2002–03 to support local authorities and voluntary agencies working with them to support new approaches to tackling and preventing homelessness. The Homelessness Directorate within the Office of the Deputy Prime Minister has a revenue budget of £70 million and a £23.5 million capital budget for 2003–04. These resources will help to support the Government's commitment that by March 2004 no homeless family with children should be placed in a bed and breakfast hotel other than in an emergency, and even then for no more than six weeks.

Funding will also support new approaches that help people tackle the problems that are making and keeping them homeless and help to sustain the Prime Minister's target to reduce rough sleeping by two thirds of 1998 levels.

While the latest quarterly statistics show increases in homelessness acceptances and the number of homeless households in temporary accommodation, there has been a significant reduction in the number of homeless families with children placed in bed and breakfast accommodation. The number of such families has fallen by 22 per cent. over the last quarter and 44 per cent. compared with a year ago. In addition, the latest rough sleeping figures for England, also published on 10 September, estimate that 504 people were sleeping rough on any one night—the lowest ever recorded level.

The rising trend in homelessness is the result of numerous complex factors, many of which are outlined in "More than a roof". In addition, the Priority Needs Order has extended the criteria by which people are assessed to have a priority need if they are homeless.

The Homelessness Act 2002 placed a duty on local authorities to have a strategy in place by the end of July 2003 to tackle and prevent homelessness, based on a review of homelessness in their district. While the number of homelessness acceptances is likely to continue to increase in the short term, improved housing supply and increased investment in prevention should lead to reductions in the longer term.

Housing Renewal Pathfinder Project

Mr. Pike: To ask the Deputy Prime Minister what assessment his Department has made of the progress of each Housing Renewal Pathfinder Project; and if he will make a statement. [131415]

Keith Hill: On 6 October 2003 the Office of the Deputy Prime Minister announced the allocation of £125 million to the Manchester Salford pathfinder over

the next two and a half years for the implementation of its scheme (*Official Report*, column 16W). The Newcastle Gateshead pathfinder has submitted its scheme and it is being assessed by the Office of the Deputy Prime Minister and by the Audit Commission who are independently scrutinising each of the pathfinder schemes. We will announce the outcome of the negotiations on the scheme once they are complete.

On present plans we expect to have agreed the remaining schemes by the end of March 2004, with the exception of the Hull and East Riding pathfinder which received its pathfinder status on 9 September 2003 and which expects to submit its scheme to the Office of the Deputy Prime Minister by October 2004.

IT Projects

Dr. Pugh: To ask the Deputy Prime Minister what major IT projects with a value in excess of £10,000 he authorised expenditure on in each of the last three financial years. [125722]

Yvette Cooper: Since its creation, the Office has approved a number of major IT projects jointly with the Department for Transport in the 2002–03 financial year, consequently there may be some overlaps between the two departments. These projects have been identified separately in the following list.

2002–03: ODPM Centre—joint projects with DfT

Next Generation Website

DfT/ODPM Intranet Strategic IT Enhancement

Windows XP Migration

Personnel Improving Services and Modernisation

BS7799

Data Communications Service

Corporate Information Infrastructure

Corporate Intranet

ETHOS End-to-End Performance Monitoring

GSI Upgrade

PC Replacement

Remote Access Upgrade

Single Sign On Implementation

2002–03: ODPM Centre—ODPM-only projects

GOSAP financial systems for Government Offices

BVPI website upgrade and e-survey

Market Testing

Mr. Bercow: To ask the Deputy Prime Minister what the estimated level of saving to the Department is from the use of market testing in 2002–03. [107766]

Yvette Cooper: The information requested is not held centrally and could only be provided at a disproportionate cost.

Research and Development

Mr. Hepburn: To ask the Deputy Prime Minister what the Government is doing to encourage research and development in the North East. [130733]

Yvette Cooper: The Government are committed to encouraging investment in research and development throughout the United Kingdom. Last year, the Government allocated the largest sustained increase in the Science Budget for more than a decade; total science spending by 2005–06 will be £1¼ billion higher than in 2002–03.

To encourage commercial investment in Research and Development, the Government have a range of policies including the new Grant for Research and Development, Small Business Research Initiative (SBRI) and Research and Development tax credits to encourage companies in the North East to invest in new technologies.

Research funding for the region's five universities was £19.7 million in 2000–01 which represents 0.7 per cent. of the region's GDP.

The Government also fund ONE North East, the regional development agency. They have put in place a "Strategy for Success" which, with the support of the regional Science and Industry Council will be investing very significant amounts of Government and European funding in to the Research and Development of key emerging technologies via newly established centres of excellence. ONE North East is investing £60 million in supporting regional science, engineering and technology, some £23 per head of population, above the national average of around £5 per head.

Mr. Hepburn: To ask the Deputy Prime Minister how much the Government has spent on research and development in *(a)* the North East, *(b)* each of the other regions and *(c)* the UK in each year since 1997. [130734]

Jacqui Smith: I have been asked to reply.

Government research and development spending—both within higher education institutes and outside of higher education institutes—is tracked regionally through the ONS regional trend series. The most recent figures available—for 2001—are provided in Tables 1 and 2 as follows, together with figures for the years 1997–2000 inclusive.

Table 1:

Estimated GOR breakdown of expenditure on Intramural R&D performed within Government Establishments (GOVERD), 1997–2001

£ million

	1997	*1998*	*1999*	*2000*	*2001*
United Kingdom	2,018	2,079	2,072	2,134	1,829
North East	3	3	2	2	4
North West and Merseyside	56	59	56	57	66
Yorkshire and the Humber	30	31	46	48	50
East Midlands	53	51	56	56	68
West Midlands	195	182	190	196	65
Eastern	276	257	246	259	277
London	184	202	229	258	238
South East	753	700	644	635	515
South West	259	330	299	307	254
England	1,810	1,815	1,767	1,816	1,537
Wales	20	51	60	65	49
Scotland	175	201	231	238	226
Northern Ireland	12	12	14	15	16

Table 2:

Estimated GOR breakdown of expenditure on Intramural R&D performed within Higher Education Institutions (HERD), 1997–2001

£ million

	1997	*1998*	*1999*	*2000*	*2001*
United Kingdom	2,891	3,040	3,341	3,633	4,035
North East	101	105	113	122	142
North West and Merseyside	228	238	260	287	322
Yorkshire and the Humber	229	241	270	284	317
East Midlands	151	159	182	204	224
West Midlands	156	167	180	192	207
Eastern	214	211	255	324	366
London	729	775	837	895	980
South East	434	460	493	515	562
South West	129	138	148	160	178
England	2,372	2,494	2,737	2,984	3,297
Wales	111	113	129	139	155
Scotland	357	375	411	440	510
Northern Ireland	52	57	64	70	73

Sponsorship

Mr. Oaten: To ask the Deputy Prime Minister which of his Department's projects have received sponsorship in the last financial year; who the sponsor was in each case; what the nature of each project was; what time period was covered by each project; what the total cost of each project was; how much money was involved in each sponsorship deal; and if he will make a statement. [112405]

Yvette Cooper: The Urban Summit was held on 31 October and 1 November 2002 at a net cost of £450,000[1]. English Heritage paid £4,000 to sponsor the drinks reception. English Partnerships sponsored the Urban Summit newspaper that was produced at the end of the first day at a cost of £5,250. Advantage West Midlands and the Birmingham and Solihull Connexions Services sponsored the Cyber Cafe at a total cost of £5,000. The Office of the Deputy Prime Minister does not have any information on 'sponsorship' of the delegate dinners on the first night of the Summit as these were organised and paid for direct by the dinner hosts themselves: Advantage West Midlands, Birmingham and Solihull Learning and Skills Council, Birmingham Chamber with Business Link, Birmingham City Council, English Partnerships and West Midlands Local Government Association.

The Fire Safety Campaign is designed to raise awareness of fire safety issues. In 2002–03, two campaigns were launched—The Fire Action Plan in September 2002 and Kitchen Safety in February 2003. In each case, around £750,000 in the form of in-kind support was provided by the sponsors/ Woolworths, Homebase, Argos, Currys, El Electronics, B&Q, Comet, Robert Dyas, Wickes, Energizer, Duracell, Fire Angel and Kidde Safety sponsored both campaigns and in addition the National Union of Students, Wilkinson's, Tefal and Morphy Richards sponsored the Kitchen Safety Campaign.

[1] Estimated net cost, after taking account of income from ticket sales, sponsorship and exhibition sales. This figure includes the cost of contractors, consultants and agency staff recruited to work on Summit organisation.

Travellers

Mr. Hancock: To ask the Deputy Prime Minister, if he will make it his policy to give local authorities the power to seize the assets of travellers who camp illegally in order to recoup the cost of clearing sites on their departure; what guidance he gives to local authorities; what plans he has *(a)* to alter this advice and *(b)* to propose amendments to the law; and if he will make a statement. [125984]

Yvette Cooper: There are no plans to give local authorities additional powers to seize the assets of illegally camped Gypsies and Travellers in order to recoup the cost of clearing sites. Local authorities if they choose to do so, are able to use their powers under Section 77 of the Criminal Justice and Public Order Act 1994, to remove unauthorised campers from land.

The police are also able to use their powers under Section 62 of the same Act to seize and remove any vehicles parked on illegal sites if a Section 61 Direction has already been served, and the owners have failed to remove them.

TRANSPORT

Air Travel Trust Fund

Miss McIntosh: To ask the Secretary of State for Transport if he will make a statement on the scope of the financial cover under the insolvency protection provisions of the Air Travel Trust Fund. [R] [131515]

Mr. McNulty: Customers purchasing package travel including a flight are protected financially in the event of failure of the travel organiser concerned. Customers abroad at the time of failure will be repatriated at the end of their holiday, and those who have yet to travel will be fully reimbursed for what they have paid. Under the terms of the Civil Aviation (Air Travel Organisers' Licensing) Regulations 1995, in the event of failure of a licensed travel organiser the bond established with the Civil Aviation Authority would be used to cover the repatriation and reimbursement costs. If the bond is insufficient to meet these costs the Air Travel Trust Fund would be used to make up the difference.

Miss McIntosh: To ask the Secretary of State for Transport when he will bring forward legislation to change the scope of the financial protection of the Air Travel Trust Fund. [R] [131516]

Mr. McNulty: The Government have no plans to change the scope of the financial protection provided by the Air Travel Organisers' Licensing scheme, backed up by the Air Travel Trust Fund.

Miss McIntosh: To ask the Secretary of State for Transport what plans he has to extend financial protection to those booking accommodation through an on-line airline facility. [R] [131517]

Mr. McNulty: Accommodation booked on the same on-line facility as that used for the purchase of an airline ticket is already covered by the provisions of the Civil Aviation (Air Travel Organisers' Licensing) Regulations 1995 and is therefore protected financially. If the accommodation is booked on a different website

the two transactions are legally distinct, and the two transactions do not constitute a package for the purposes of Council Directive 90/314/EEC on package travel, package holidays and package tours. The Government have no plans to amend the ATOL Regulations to extend the financial protection to cover this type of purchase.

Miss McIntosh: To ask the Secretary of State for Transport what level of protection is extended under the Air Travel Trust Fund to those booking airline tickets and separate accommodation on the same website. [R] [131518]

Mr. McNulty: A company offering both air travel and accommodation on the same website is obliged to have an ATOL licence, thereby financially protecting customers who buy a package. If flight and accommodation were booked separately there would be no financial protection for the accommodation; the flight, however, would be financially protected unless the vendor issued the ticket within 24 hours of payment being made. If the flight and accommodation were linked, albeit booked separately, the vendor might recognise the linkage and issue a single invoice, thereby conferring financial protection on the resulting package.

Automotive Fuels

Bob Spink: To ask the Secretary of State for Transport if he will introduce demand targets for LPG as a road fuel. [131686]

Mr. Jamieson: The Chancellor announced in Budget 2003 that the Government would be consulting stakeholders on how best to ensure that future support for road fuel gases, including LPG, continued to reflect environmental and other policy objectives, with a view to announcing decisions on future duty rates and other forms of support in the 2003 pre-Budget report. A joint Department for Transport, Treasury and Customs and Excise consultation document "Road fuel gases and their contribution to clean low-carbon transport: Establishing a consistent and durable framework of Government support" discussed the issues and invited comments by 17 September. The Government are now considering the responses received.

Mr. Amess: To ask the Secretary of State for Transport how many vehicles in the United Kingdom were propelled by *(a)* LPG, *(b)* CNG, *(c)* LNG and *(d)* hydrogen in the last year for which figures are available. [131707]

Mr. Jamieson: DVLA statistics do not provide a breakdown by fuel type, only vehicles that are dedicated gas or petrol/gas combinations. DVLA statistics also do not distinguish between Liquefied Petroleum Gas (LPG), Natural Gas vehicles and hydrogen vehicles. Statistics from the DVLA for June 2003 show that there are 41,361 vehicles running on road fuel gases (Liquid Petroleum Gas (LPG), Compressed Natural Gas (CNG), Liquid Natural Gas (LNG) and Hydrogen).

But this understates the number of vehicles because not all conversions to alternative fuelling are notified to DVLA. Industry sources suggest there are around 100,000 vehicles currently running on LPG, around 850 on natural gas (CNG and LNG) and there are presently only a few prototype/demonstration vehicles in UK running on hydrogen.

Mr. David Amess: To ask the Secretary of State for Transport how many automotive refuelling points there were in the United Kingdom for *(a)* LPG, *(b)* CNG, *(c)* LNG and *(d)* hydrogen in the last year for which figures are available. [131708]

Mr. Jamieson: Information supplied by the Energy Saving Trust show that there are currently around 1,300 LPG, 19 CNG and 7 LNG refuelling sites in the UK. There are currently no public access hydrogen refuelling points. However, a refuelling point will be available to support the Clean Urban Transport for Europe (CUTE) hydrogen fuel cell bus project.

Balloons

Mr. Paterson: To ask the Secretary of State for Transport (1) what assessment he has made of the effects of introducing a domestic airworthiness standard for tethered balloons for passenger transport in advance of the introduction of a European standard, with particular reference to the effects on UK manufacturers of balloons; [131218]

(2) what options are open to manufacturers of tethered balloons for passenger transport to attain certification. [131219]

(3) when he first received reports that, under single market provision, a certification of airworthiness would be required for tethered balloons for passenger transport. [131220]

Mr. McNulty: I refer the hon. Member to my answer of 29 September 2003, *Official Report*, 6 October 2003 columns 1057–1060W.

Biofuels

Mr. Paice: To ask the Secretary of State for Transport what assessment he has made of the funding necessary to enable the UK to meet the EU targets of *(a)* 2 per cent. biofuels by 2005 and *(b)* 5.75 per cent. by 2010. [131717]

Mr. Jamieson: The EU Biofuels Directive requires member states to set their own indicative targets for sales of biofuels to be met in the years 2005 and 2010. The Government will be consulting early next year on the level of targets that might be appropriate for the UK, and on the steps that we might take to meet them. In doing so, we will take full account of the likely costs and benefits to the UK, and of the level of Government support that might be necessary.

Mr. Paice: To ask the Secretary of State for Transport what funds he has provided for the promotion and development of *(a)* sustainable liquid biofuels and *(b)* fossil gas fuels for road transport in the last three years. [131718]

Mr. Jamieson: The Government have supported biofuels since July 2002 by means of a 20 pence per litre duty incentive which has resulted in sales of biodiesel increasing to over 2 million litres a month from virtually nothing before that date. Biodiesel is used mainly in a 5 per cent. blend with conventional diesel, and bio-blend

fuel already represents some 2 per cent. of diesel sales. Vehicles do not need to be converted to run on 5 per cent. bio-blend diesel.

In addition to this, the Government have funded a number of research projects into aspects of biofuels, including their emissions performance. The Government will be consulting early in 2004 on possible targets for biofuels sales in the UK and on how best to meet these targets.

In the last three financial years, 2002–01 to 2002–03, the Energy Saving Trusts' TransportEnergy Powershift programme has provided grants of around £12.6 million for the purchase or conversion of vehicles to run on road fuel gases (natural gas and liquefied petroleum gas). The duty rate for the gases has since Budget 2001 been 9 pence per kilogramme. The Government have been consulting key stakeholders on how best to ensure that future support continues to reflect environmental and other policy objectives, with a view to announcing decisions in the 2003 pre-Budget report.

Coach Safety

Bob Spink: To ask the Secretary of State for Transport what advice his Department has given to British coach drivers on adhering to French regulations on coach travel during coach accident memorial days. [131692]

Mr. McNulty: The Department is aware that the French authorities place a restriction on coach travel during a weekend in late July or early August, annually. The date of the ban changes year-to-year, but during the 24-hour period of application, coach groups of more than 15 children under the age of 16 years are prohibited from travelling. The restrictions were originally put in place due to a number of serious coach accidents occurring at this time of year, which is traditionally the busiest weekend for transporting French children and heavy holiday traffic.

The French authorities notify the British Embassy in Paris once the date of the ban is confirmed. They in turn pass this information to the UK trade association, the Confederation of Passenger Transport (CPT), for further dissemination amongst the UK coach industry. This information would also be available from the French Embassy and industry publications. Therefore, the Department does not pass this information to UK coach operators.

Correspondence

Mr. Paterson: To ask the Secretary of State for Transport when the Minister of State will reply to the letter of 10 September from the hon. Member for North Shropshire regarding Mr.Per Lindstrand of Lindstrand Balloons Ltd. [131217]

Mr. McNulty: I refer the hon. Gentleman to my letter to him on this subject of the 22 September 2003.

Deep Vein Thrombosis

Mr. Hancock: To ask the Secretary of State for Transport pursuant to his answer of 15 September 2003, *Official Report*, columns 499–500W, on deep vein thrombosis, when the Aviation Health Unit will come in to existence; what its composition will be; and if he will make a statement. [131932]

Mr. McNulty: The Aviation Health Unit, based at the Civil Aviation Authority's Gatwick offices and funded by this Department, will be a centre of expertise on health issues affecting air passengers and crew. The Civil Aviation Authority will announce the appointment of the Head of the Unit, and the start date of the Unit's work, shortly. The Head of the Unit will help determine its composition.

Derailment (King's Cross)

John McDonnell: To ask the Secretary of State for Transport if he will make a statement on the action to be taken as a result of the derailment of a train at King's Cross station on 16 September. [131729]

Mr. McNulty: The derailment remains the subject of an on-going Health and Safety Executive (HSE) investigation. HSE's HM Railway Inspectorate is still gathering evidence to inform its decision about bringing any possible enforcement action.

Network Rail has launched a formal investigation into the cause of the accident.

Disabled Parking Permits

Mr. Hancock: To ask the Secretary of State for Transport what assessment he has made of the level of crime associated with the theft of blue badge disabled parking permits; what steps his Department is taking to deal with such crime; and if he will make a statement. [132085]

Mr. McNulty: Vehicle crime is a matter that the Government continues to take very seriously and many initiatives are being taken forward to reduce levels of crime and theft in particular. Indeed, in recent years there has been a fall in such crime and we are on track to meet our target to reduce vehicle crime (thefts of and theft from vehicles) by 30% by March 2004.

Theft of Blue Badges and abuse of the Blue Badge Scheme is of concern to the Department. These are issues that were considered during a recent comprehensive review of the Scheme, which concluded with 47 recommendations (including a number of enforcement measures) from our statutory advisers, the Disabled Persons' Transport Advisory Committee. These have been accepted by the Government and are being taken forward. The enforcement measures include an important power for the police, traffic wardens and local authority parking enforcement officers to inspect badges to check details and the photograph of the badge holder. We are also looking at the feasibility of establishing a national database of badge holders; the introduction of smartcard technology; increasing penalties for abuse and misuse of the Scheme.

The power to inspect, and a number of other measures, will need to be introduced through primary legislation and we are looking for a suitable legislative opportunity to do so. We aim to implement the changes at the earliest opportunity.

Driving Licences

Mr. Hancock: To ask the Secretary of State for Transport which countries' passports *(a)* are and *(b)* are not accepted by the Driver and Vehicle Licensing Agency as proof of identity from individuals applying for a replacement driving licence; for what reasons the latter are not acceptable; what other form of documentation is acceptable to the DVLA; and if he will make a statement. [131501]

Mr. Jamieson: DVLA will consider passports from all countries in support of a driving licence applicant. In some cases, additional evidence of an applicant's identity may be required before a licence can be issued. A wide range of documents can be considered including birth certificates and appropriate papers issued by the Home Office. DVLA will not grant a driving licence until the identity of the applicant has been clearly established.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Transport how much has been spent in each year by his Department in preparing for United Kingdom entry to the euro; how much his Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131606]

Mr. McNulty: I refer the hon. Member to the reply given today by my hon. Friend the Financial Secretary (PQ reference 131597), at column 142W.

Keith Vaz: To ask the Secretary of State for Transport how many official speeches he has made since June supporting entry into the euro. [131848]

Mr. McNulty: I refer my hon. Friend to the reply given today by my hon. Friend the Financial Secretary (PQ reference 131748), at column 142W.

Flight Paths (Walthamstow)

Mr. Gerrard: To ask the Secretary of State for Transport what changes have taken place in the last three years in the number of aircraft on flight paths above Walthamstow. [131581]

Mr. McNulty: Records are not kept of the numbers of aircraft routed over Walthamstow. Approximately 20 to 25 per cent. of Heathrow arrivals overfly Walthamstow or adjoining areas. Aircraft inbound to London City overfly Walthamstow only occasionally.

There are no Heathrow departure routes over Walthamstow. A London City departure route passes over the south of the area.

Mr. Gerrard: To ask the Secretary of State for Transport what altitude restrictions apply to aircraft on flight paths above Walthamstow; and how these have changed in the last five years. [131582]

Mr. McNulty: The airspace over all of Walthamstow above 2,500 ft has been classified as 'controlled' for many years. Over the southernmost quarter of Walthamstow the airspace has been controlled to ground level since the opening of London City Airport. Aircraft using Heathrow and City operate within this controlled airspace. Aircraft inbound to Heathrow will normally be above 5,000 ft.

Over the remainder of my hon. Friend's constituency below 2,500 ft, helicopters and general aviation aircraft from smaller aerodromes can determine routes and altitudes according to their particular requirements. Such flights are subject to the Rules of the Air Regulations, notably Rule 5, which means most will be above 1,500 ft.

There have been no changes to the airspace over Walthamstow in the last five years.

Mr. Gerrard: To ask the Secretary of State for Transport for which airports *(a)* inbound and *(b)* outbound flight paths overfly Walthamstow; and how this has changed in the last three years. [131583]

Mr. McNulty: The information requested is as follows.

Inbound—There are no fixed paths over Walthamstow for arriving aircraft although they tend to follow a regular pattern that varies depending on wind direction and how busy Heathrow airport is at the time. Aircraft over-flying Walthamstow comprise mainly those descending from the Lambourne holding stack en route to the final approach to Heathrow, and occasionally aircraft inbound to London City. Exceptionally, aircraft inbound to Stansted may be routed over Walthamstow.

Outbound—There are no Heathrow departure routes over Walthamstow, but air traffic controllers are permitted to use all controlled airspace, and so a small number of Heathrow departures may overfly Walthamstow above 4,000ft. Any London City departures over Walthamstow will normally be above 3,000ft. Aircraft departing from other south-east airports can be routed over the Walthamstow area, but will be at much higher altitudes and probably not be heard.

There have been no changes to these airspace arrangements in the last three years.

Heathrow Airport

John McDonnell: To ask the Secretary of State for Transport (1) what consultation his Department has undertaken with the Environment Agency on the risk of flooding in the Thames Valley resulting from the potential development of a third runway at Heathrow; [131730]

(2) what assessment he has made of the impact of the development of *(a)* a third runway and *(b)* the fifth terminal at Heathrow airport on the risk of flooding in (i) the Thames Valley and (ii) the London borough of Hillingdon. [131731]

Mr. McNulty: The Future Development of Air Transport in the United Kingdom: South East consultation closed on 30 June 2003. We are currently analysing over 400,000 responses to the consultation. It would not be appropriate to comment on any of the responses while the analysis is being undertaken. However, all options considered in the South East and

East of England Regional Air Services Study (SERAS), including the option for a third runway at Heathrow, were appraised for potential impacts on the water environment including any contributory risk to flooding.

The appraisal system took account of national guidance including the Environment Agency's 1 in 100 year flood plain mapping and the Flood Estimation Handbook. The option for a third runway at Heathrow Airport was assessed as having a low adverse impact on flooding.

There was a detailed Environmental Impact Assessment including flood risk for Terminal 5. The Secretary of State took account of the inspector's conclusions on environmental impacts in reaching his decisions in November 2001. The issue of the impact of the development on the Twin Rivers was unresolved at that time and a condition was imposed requiring BAA to secure planning permission for a scheme to address it. The London borough of Hillingdon has now granted permission for such a scheme.

Mr. Randall: To ask the Secretary of State for Transport (1) what assessment he has made of the impact of a third runway at Heathrow on flooding in the area; [131868]

(2) what assessment he has received from the Environment Agency on the flooding implications of building a third runway at Heathrow. [131869]

Mr. McNulty: The Future Development of Air Transport in the United Kingdom: South East consultation closed on 30 June 2003. We are currently analysing over 400,000 responses to the consultation. It would not be appropriate to comment on any of the responses while the analysis is being undertaken. However, I can confirm that all options considered in the South East and East of England Regional Air Services Study (SERAS), including the option for a third runway at Heathrow, were appraised for potential impacts on the water environment including any contributory risk to flooding.

The appraisal system took account of national guidance including the Environment Agency's 1 in 100 year flood plain mapping and the Flood Estimation Handbook. The option for a third runway at Heathrow Airport was assessed as having a Low Adverse impact on flooding.

Horley Station

Mr. Peter Ainsworth: To ask the Secretary of State for Transport what estimate he has made of the cost to public funds of building a rail tunnel under Horley Station; and if he will make a statement. [131502]

Mr. McNulty: The Strategic Rail Authority (SRA) is responsible for promoting and securing the development of the rail network, including improvements to stations and infrastructure. The SRA has not made an estimate of the cost to public funds of building a tunnel under Horley Station and has no plans to carry out such works.

Maritime Transport Funding (Republic of Ireland)

Mr. Don Foster: To ask the Secretary of State for Transport (1) what progress his Department has made in renegotiating the funding contributed by the UK for navigational aids used solely by vessels using ports in the Republic of Ireland; [131536]

(2) what plans he has to end the Irish Light Dues subsidy. [131540]

Mr. Jamieson: The UK is seeking to renegotiate the current agreement to require Ireland to meet the full costs of their aids to navigation. Discussions with FCO and Irish Government are ongoing but progress is slow.

We are working with the General Lighthouse Authorities to review the future requirement of marine aids to navigation. The review will examine the provision of existing and future aids in Ireland and determine whether all existing aids are required.

Mr. Don Foster: To ask the Secretary of State for Transport how much was contributed by the UK authorities for navigational aids in the Republic of Ireland in each of the last five years. [131537]

Mr. Jamieson: The contribution of the General Lighthouse Fund to navigational aids in the Republic of Ireland in the last five years is assessed as follows:

£000

1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
4350.5	5520.7	4597.9	473.6	4915.5

Mr. Don Foster: To ask the Secretary of State for Transport how much subsidy was paid by the UK Government for each vessel using ports in the Republic of Ireland, in the last year for which figures are available. [131538]

Mr. Jamieson: We do not hold the information in the form requested in respect of the costs of providing aids to navigation for vessels using Republic of Ireland ports. Once a merchant vessel has paid light dues, there is no further liability for a period of one month from that date. Furthermore, no more than seven payments are required in any fiscal year. We therefore do not hold information on merchant vessel movements beyond the seven voyage limit. Neither do we hold records on fishing vessel or tug activity.

Mr. Don Foster: To ask the Secretary of State for Transport when he *(a)* last raised and *(b)* next intends to raise the issue of light dues with the Irish Government; what discussions his Department has had with the Irish Government over the last three years regarding light dues; and what representations he has received from the Irish Government on the reform of the light dues. [131539]

Mr. Jamieson: In seeking to renegotiate the current funding agreement, light dues issues are discussed throughout the year with representatives of the Irish Government. No representations have been received on the reform of the light dues structure.

Rail Franchises

Bob Russell: To ask the Secretary of State for Transport what requirements he has placed on the

Strategic Rail Authority to consult passengers in determining which applicant is to be awarded the Greater Anglia Franchise. [131610]

Mr. McNulty: As with all franchise competitions, the onus is on the bidders to consult local stakeholders. They are required to supply the Strategic Rail Authority with a summary of the consultation undertaken and how the outcome was included in their bid.

Royal Mail

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many train paths were allocated to the Royal Mail in each week in the last year for which figures are available. [131680]

Mr. McNulty: In the summer 2002 timetable 62 paths each weekday were allocated for Royal Mail services. Paths have been given up at various dates since then. As of 30 September 26 were still operative.

Mr. Gordon Prentice: To ask the Secretary of State for Transport whether the mail trains and other facilities associated with the transport of mail by rail are to be mothballed following the decision of Royal Mail to send mail by road; and if he will make a statement. [131684]

Mr. McNulty: That is a matter for the owners of the trains and facilities concerned.

School Hours

Bob Russell: To ask the Secretary of State for Transport what discussions he had with the Secretary of State for Education and Skills before 16 September on proposals to stagger the school day; and if he will make a statement. [131619]

Mr. McNulty: The Secretaries of State for Transport and for Education and Skills have discussed staggered school opening hours on a number of occasions. Experience in some local authorities has shown that small changes to school opening hours can make a major difference to the economics of dedicated school bus services and can also improve services by allowing the same number of buses to provide a service to many more pupils. But this is a matter for individual schools and local authorities to take a view on, in developing comprehensive school travel plans.

Shipping Safety

Mr. Paul Marsden: To ask the Secretary of State for Transport how many British ships were *(a)* lost and *(b)* damaged whilst at sea in each year since 1997. [132288]

Mr. Jamieson: The numbers of United Kingdom registered merchant vessels of 100 gross tonnes[1] and over lost and damaged while in coastal or high seas since 1997 are set out in the table. This table is based on accidents reported to the Marine Accident Investigation Branch of the Department for Transport.

[1] "British Ships" has been defined as United Kingdom Merchant Vessels of 100 gross tonnes and over.

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*Total*
Constructive Total Loss[1]	1	0	0	0	1	0	2
Damaged	29	19	21	29	23	13	134
Total	30	19	21	29	24	13	136

[1] The term "constructive total loss" is used by insurance companies. It describes the situation where the ship insured is reasonably abandoned on account of its actual total loss appearing to be unavoidable, or because it could not be preserved from actual total loss without an expenditure which would exceed its value when the expenditure had been incurred.

Mr. Paul Marsden: To ask the Secretary of State for Transport what is the minimum strength standard that British ships are built to for *(a)* the hull and *(b)* the aft. [132289]

Mr. Jamieson: The detailed designs of structural elements of British ships are to standards which are maintained and published by those classification societies to which this responsibility has been delegated under the Merchant Shipping Acts. Such standards govern the hull and fittings, superstructures and machinery of ships and take into account hull form, speed, operational restraints and geographic area of operation. Minimum strength standards are dependent on the role of the specific vessel.

The International Association of Classification Societies (IACS) exists as a forum for the unification of such standards. IACS publishes a number of unified requirements related to ship's structures.

Mr. Paul Marsden: To ask the Secretary of State for Transport what proportion of British ships are built to withstand freak waves while at sea. [132290]

Mr. Jamieson: British vessels are designed to meet the worst waves reasonably expected in service. The International Association of Classification Societies (IACS) has tables showing what wave loadings are to be used for differing service requirements. Standards for ship's structures are based on known wave environments expressed statistically and incorporate appropriate safety margins. Freak waves by definition are in excess of these expectations and therefore no ship is specifically designed to meet them.

Transport (Concessionary Fares) Bill

Mr. Hancock: To ask the Secretary of State for Transport if he will make it his policy to accept the proposals outlined in the Transport (Concessionary Fares) Bill introduced by the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) on 16 September; and if he will make a statement. [131498]

Mr. McNulty: We have ensured that older people aged 60 and over and disabled people are entitled to a free bus pass allowing half-fare travel on local buses, as a minimum. Local authorities may already run more generous schemes, such as free travel and cross boundary concessionary travel, if they wish. We have also introduced a half-fare for older people (aged 60 and over) and disabled people on many long distance scheduled coach services, in return for the operators of those services receiving grant from the Department for Transport.

Walking Strategy

Mr. Simon Thomas: To ask the Secretary of State for Transport (1) how much money has been spent on the development and production of a draft Walking Strategy; and when the final strategy will be published: [132357]

(2) what initiatives his Department has implemented to reverse the decline in people choosing to walk their journeys as a means of travelling; [132358]

(3) what plans the Government has made to establish a National Walking Board to implement the findings of the draft walking strategy; [132359]

(4) what plans the Government has made to establish a walking website as a resource for promoting walking as an alternative way of travelling short journeys. [132360]

Dr. Howells: My Department issued a discussion document to inform our strategy on walking on 30 June. "On the move: by foot" sought views on how we might improve conditions for pedestrians and increase levels of walking. The consultation period closed on 26 September. We shall consider carefully all responses received to determine the need for future resources, institutions and additional specific guidance. It is not possible to quantify accurately the costs to Government and to list the many organisations and individuals who have contributed to the development of our strategy on walking to date. We aim to publish a follow-up document before the end of this year.

My Department has implemented a range of initiatives which support sustainable travel options, including walking journeys. These focus on school and workplace travel and traffic management measures.

My Department has pledged part-funding to an alliance of Living Streets, London Walking Forum and the Ramblers Association for the development of an interactive website for practitioners and the public. It will bring together news on publications, conferences, training and good practice, as well as providing a forum for advice and exchange of views.

The Government's 10 Year Transport Plan and Liveability agenda fully recognise the benefits to the environment of more journeys on foot. The recently-established cross-Whitehall Activity Co-ordination Team is also considering how best to promote the health benefits of routine physical activity such as walking.

Wind Farms

Pete Wishart: To ask the Secretary of State for Transport if he will introduce offshore wind farm safety legislation to create a safety zone around the Robin Rigg Offshore. [131473]

Mr. Jamieson: The Government hope to bring forward legislation to create a comprehensive legal framework which applies to all marine renewable energy developments as soon as parliamentary time allows.

Pete Wishart: To ask the Secretary of State for Transport for what reasons he decided to legislate for offshore wind farm safety for Scotland; and whether he consulted the office of the Secretary of State for Scotland before deciding to legislate in this area. [131474]

Mr. Jamieson: The Government hope to bring forward legislation relating to renewable energy developments as soon as parliamentary time allows. Officials in the Department of Transport are in regular contact with those in the Scotland Office and Scottish Executive about a range of issues concerning renewable energy developments. This will ensure fully effective provisions dealing with navigational safety in the vicinity of all offshore renewable energy developments located around the UK.

ADVOCATE-GENERAL FOR SCOTLAND

Official Engagements

Malcolm Bruce: To ask the Advocate-General for Scotland, pursuant to her Answer of 8 September 2003, *Official Report*, column 17W, on engagements, if she will list the Scotland Office official engagements she has undertaken over the last 12 months. [131559]

The Advocate-General for Scotland: It is not practice to list the individual engagements.

SCOTLAND

Airport Expansion

Miss McIntosh: To ask the Secretary of State for Scotland if he will make a statement on airport expansion in Scotland. [131479]

Mrs. McGuire: The Government will publish an air transport White Paper later this year which will include consideration of issues relating to airport capacity in Scotland and in other parts of the United Kingdom.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Scotland how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131589]

Mr. Darling: I refer the hon. Member to the answer given today by my hon. Friend, the Financial Secretary to the Treasury at column 142W.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for Scotland how much was spent on food by his Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-grown food; and if he will make a statement. [129380]

Mrs. McGuire: Scotland Office expenditure on food is minimal, is generally limited to catering associated with official hospitality and supplied by external contractors. Information on the cost or the source of food supplied is not held centrally.

Holyrood Project

Pete Wishart: To ask the Secretary of State for Scotland if his Department will make a submission to the Fraser inquiry into the Holyrood project. [131487]

Mrs. McGuire: Invitations to make written submissions to the inquiry are a matter for Lord Fraser. As my right hon. Friend the Secretary of State has made clear, the Scotland Office will provide any information he may request.

Pete Wishart: To ask the Secretary of State for Scotland whether his Department *(a)* has met and *(b)* will meet Lord Fraser to discuss (i) the inquiry into the Holyrood project and (ii) the evidence to be provided by Her Majesty's Government for the Scottish Office. [131488]

Mrs. McGuire: Scotland Office Ministers and officials have received no invitation to meet Lord Fraser in the context of his inquiry into the Holyrood project.

Pete Wishart: To ask the Secretary of State for Scotland whether the Government intends to allow the Fraser inquiry into the Scottish Parliament building access to information relating to internal advice and decisions made by government on this matter, and in particular information which would normally be subject to Exemption 2 of the Code of Practice on Access to Government Information. [131490]

Mrs. McGuire: As my right hon. Friend the Secretary of State made clear to the Scottish Affairs Committee on 17 June, the Government will co-operate fully in providing information requested in connection with the inquiry.

WALES

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Wales how much has been spent in each year by his Department in preparing for United Kingdom entry to the euro; how much his Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131600]

Mr. Touhig: I refer the hon. Member to the answer my hon. Friend the Financial Secretary to the Treasury gave him at column 142W.

Licensing Fees

Norman Lamb: To ask the Secretary of State for Wales how much was paid to Microsoft in licensing fees by his Department in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130676]

Mr. Touhig: IT equipment is currently supplied to the Wales Office by Siemens Business Services under their contract with the National Assembly for Wales. Relevant licences are held by Siemens.

In the coming year, Wales Office IT equipment will be supplied by Liberata under their contract to the Department for Constitutional Affairs DCA. Relevant licences will be held by Liberata.

NORTHERN IRELAND

Asbestos

Dr. Cable: To ask the Secretary of State for Northern Ireland pursuant to his answer of 24 June 2003, *Official Report*, column 707W, on asbestos, if he will list the buildings which have been identified as containing asbestos. [130950]

Mr. Pearson: Two schedules, one of which lists those buildings within the Northern Ireland Civil Service office estate which contain asbestos, and one of which lists the specialist buildings owned by NICS departments which contain asbestos, have been placed in the Library.

Assembly Elections

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland when he will announce the date of the Northern Ireland Assembly elections which were originally scheduled to take place in May. [129711]

Mr. Spellar: The Government hopes that it will be possible for elections to be held during the autumn. No date has yet been set, nor has a date been set by which an announcement will be made.

Asthma

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many children have been diagnosed with asthma in the past five years; and if he will make a statement. [130269]

Angela Smith: The majority of persons suffering from asthma have their condition diagnosed and treated by a general practitioner and this information is not available centrally. The Department does however fund a project managed by the Department of General Practice at Queens University of Belfast. This project collects data from a representative sample of general practitioners' practices across Northern Ireland.

Provisional figures from this data retrieval project suggest there are approximately 150 cases of asthma diagnosed per 1,000 persons in the population for the under 15 age group. This equates to approximately 1 in 7 children.

The National Asthma Campaign estimate that the prevalence of asthma is on the increase with approximately 1 in 7 children in the UK receiving treatment for it. This reflects a worldwide increase in asthma prevalence.

The primary cause of most cases of asthma is unknown; however, there is evidence that parental smoking exacerbates asthma in children.

Benefit Payments

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to meet representatives of the Northern Ireland Branch of the National Federation of Sub-postmasters to discuss issues arising from the direct payment of pensions and benefits into bank accounts. [131243]

Mr. Spellar: The Social Security Agency and the Post Office have worked closely in developing the Direct Payment programme which is aimed at providing a safer, more convenient, modern and efficient method of paying social security benefits. However, I have no plans to meet representatives of the Northern Ireland Branch of the National Federation of Sub-Postmasters.

Child Care Initiative

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) what measures have been introduced by Northern Ireland government departments to support the child care initiative; [128292]

(2) what measures have been introduced by the Northern Ireland Office to support the child care initiative. [131524]

Mr. Pearson: The Government have a significant role as an employer in Northern Ireland and recognise the importance of maintaining and reviewing the measures in place to help civil servants balance their work and family responsibilities. Child care was one of the issues closely examined in the recent NICS dependant care review. This major review was carried out by an Interdepartmental Working Group and consultation with Central Trade Union Side is now due to begin. A number of key recommendations impacting on child care issues have been made and will be taken forward by DFP. At present there are various child care arrangements in place within individual Departments and Agencies.

Chronic Diseases

Mr. McGrady: To ask the Secretary of State for Northern Ireland what progress has been made by each local health and social care group in Northern Ireland to encourage the development of systematic and evidence-based approaches to the prevention, identification, management and follow-up of people with chronic disease, with particular reference to *(a)* coronary heart disease, *(b)* diabetes and *(c)* COPD. [130801]

Angela Smith: Local health and social care groups are working closely with all primary care professionals in their areas to encourage the development of systematic and evidence-based approaches to the prevention, identification, management and follow-up of people with chronic disease. In particular, the groups are currently undertaking three coronary heart disease projects, 14 diabetes projects and 9 COPD projects.

Class Sizes

Lady Hermon: To ask the Secretary of State for Northern Ireland how many primary schools in *(a)* North Down and *(b)* Northern Ireland had class sizes of more than 30 pupils in the last year for which figures are available; and if he will make a statement. [129815]

Jane Kennedy: The information requested (which relates to 2002–03) is as follows:

Area	*Class size*
North Down	5
Northern Ireland	166

Diabetes

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) if he will make it his policy that the Department of Health Services and Public Safety implement the CREST Taskforce Report on Diabetes in full; [129902]

(2) when a regional implementation group, as outlined in the CREST Taskforce Report on Diabetes 2003, will be established; [129903]

(3) what resources will be allocated to take forward the implementation of the CREST Report; and on what timescale. [129904]

Angela Smith: The Department recognises the importance of the need for high quality care and early detection for people with diabetes and the need for prevention, and welcomes the publication of the CREST report. The report contains a wide range of recommendations covering the full spectrum of the condition from screening for people with a higher risk of developing diabetes to the prevention and treatment of the disease.

The prevention of diabetes through the health promotion message of healthy eating, physical activity, not smoking and greater public awareness of diabetes, its symptoms and associated health risks is extremely important. I am confident that existing health strategies such as Investing for Health, the Physical Activity Strategy and Nutrition Strategy will contribute significantly to this. I have also emphasised the need to secure improvements in the management of chronic disease and I have asked local health and social care groups to develop projects within their locality to secure improvements in conditions such as diabetes. I have also made resources available to improve the detection and treatment of diabetes-related eye disease and this is being taken forward by a regional working group. These significant steps underline my desire to improve services for people with diabetes.

My Department is currently considering how it can best address the other recommendations in the CREST report within the current and planned resources available to it.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what cross-border co-operation projects have been planned on improving the quality of life for people with Type II diabetes. [130799]

Angela Smith: The Department of Health, Social Services and Public Safety in Northern Ireland and the Department of Health and Children in the Republic of Ireland are to jointly support a project aimed at improving the management and quality of life of Type II diabetic patients through community pharmacies and raising public awareness of the condition.

The project, which is expected to run until December 2005, is to be funded through the INTERREG IIIA Community Initiative.

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of each local health and social care group plans in relation to diabetes as outlined in Priorities for Action 2003–04. [130800]

Angela Smith: One of the key actions set out in Priorities for Action 2003–04 was a requirement for each of the 15 local health and social care groups to develop at least one project to increase the capacity of primary care to address chronic diseases such as asthma or diabetes in the primary care setting and reduce pressures in the hospital sector. It is a matter for each group to decide which area of chronic disease management should be targeted in the light of local priorities. In the event, 14 groups are taking forward projects which focus on diabetes. The exact nature of the projects varies from group to group and they are at different stages of development.

Digital Hearing Aids

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of those waiting for digital hearing aids in Northern Ireland have been issued with a digital hearing aid; what action he is taking to increase this figure; and if he will make a statement. [131758]

Angela Smith: Preparatory work for the provision of Digital Hearing Aids (DHAs) is at an advanced stage and introduction, on a phased basis, will commence in early November. An additional £1 million has been allocated for this purpose, to cover the revenue costs of recruiting additional audiologists, training in fitting DHAs, purchasing the new aids and the capital costs of installing computer based testing equipment necessary to support introduction.

It is estimated that there are over 100,000 hearing aid users in Northern Ireland. Evidence based research suggests that DHAs may benefit 80 per cent. of users. It is not possible at this stage to say what numbers of new and existing users might be assessed for DHAs per year. Given that introduction is on a phased basis, it will take a number of years for the entire hearing aid user population to be assessed for digital aids.

Driver and Vehicle Testing Agency

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action *(a)* has been taken and *(b)* will be taken in order to reduce waiting times for MOT appointments at the Driver and Vehicle Testing Agency. [131781]

Angela Smith: The principal cause of the present difficulties is a significant increase in demand: applications are up by around 11 per cent. over the previous year. Allied to this is the fact that the Agency's test centres have been closed on a phased basis for the installation of much needed new vehicle test equipment. I regret that despite careful planning it has not been possible to cope as effectively as I would have liked with this additional demand in recent months.

The Agency has taken a number of measures to reduce waiting times. These include increasing productivity, introducing a more efficient booking programme, making maximum possible use of overtime, redeploying staff from non-urgent duties to testing, introducing extended working at a number of

centres, recruiting additional staff and postponing non-urgent training. It has also improved the provision of information and guidance to the public and is in the process of extending its new telephone booking service.

These and other measures have brought about a gradual improvement. Average waiting times have dropped from 43 days in early July to around 35 days. The positive trend is expected to continue over the next few months.

Educational Psychology

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland (1) how many pupils are *(a)* being attended to by educational psychologists and *(b)* waiting to be attended to by educational psychologists in each of the education board areas in Northern Ireland; [131777]

(2) how many pupils *(a)* requested an appointment with an educational psychologist and *(b)* succeeded in obtaining such an appointmenst in each of the education board areas in Northern Ireland in each of the past five years; [131778]

(3) what the average waiting times for a child to get an appointment with an educational psychologist in each of the Education Board areas in Northern Ireland was in each of the past five years. [131779]

Jane Kennedy: This information is not available from the Education and Library Boards within the time scale. I will write to the hon. Member as soon as it is available.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many educational psychologists are employed by each of the Education and Library Board areas in Northern Ireland; and how many *(a)* were employed, *(b)* retired and *(c)* recruited in each board area in each of the last five years. [131783]

Jane Kennedy: I have been informed by the Education and Library Boards that the number of Educational Psychologists employed by each Board area, in each of the past five years, is as follows.

	1999	*2000*	*2001*	*2002*	*2003*
BELB[1]	17.9	21	22	23.5	26
NEELB[1]	17.5	20.5	22	23	23
SEELB[1]	17.5	20	20	22.3	22.6
SELB[1]	N/a	22.75	24.8	26.26	24.1
WELB[1]	13	14.5	20.5	22.5	24.5

[1] Full time equivalent

In the time scale available it is not possible to provide recruitment and retirement data correlating with the data in the table above. I will write to the hon. Member later with these figures once they have been confirmed with the Education and Library Boards.

Energy Efficiency

Lady Hermon: To ask the Secretary of State for Northern Ireland what recent steps he has taken to promote energy efficiency in Northern Ireland; and if he will make a statement. [131393]

Mr. Pearson: The Consultation document 'Towards a New Energy Strategy for Northern Ireland', published by DETI in April 2003, highlighted the continued importance of energy efficiency and renewable energy as the primary means of reducing the carbon footprint of the energy sector in Northern Ireland and enhancing sustainability. The final Strategy, which will be published later this year, will further sharpen the focus on energy efficiency and help co-ordinate efforts towards securing further substantial improvements.

Government are committed to promoting energy efficiency and approximately £16 million will be committed this year on energy efficiency programmes sponsored by a number of Government Departments in Northern Ireland.

For example, the Department of Social Development has lead responsibility for energy efficiency in the domestic sector, using the Northern Ireland Housing Executive as a delivery partner, and has secured a 13 per cent. saving in energy consumption since 1996 in occupied stock across all tenures. This level of saving was achieved from a broad range of schemes, such as the Warm Homes Scheme, the Housing Executive's heating replacement programme and renewable energy pilot schemes. The energy efficiency levy, which was increased by the Northern Ireland Assembly to £5 per electricity consumer was used to further underpin household energy efficiency with over 80 per cent. of this benefit being specifically targeted towards disadvantaged householders likely to be at risk of fuel poverty.

Environmental Protection Agency

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will establish an independent environmental protection agency in Northern Ireland; and if he will make a statement. [131244]

Angela Smith: In April 1996, the Environment and Heritage Service (EHS) was set up as a Next Steps Agency. The Agency was significantly under-resourced in its initial years. However, following devolution, the Executive accorded environmental protection a high priority, and funding increased significantly.

There are no specific plans at present to establish an independent Environment Protection Agency. However, it is anticipated that the role of Next Steps Agencies, will be examined as part of the proposed Review of Public Administration. The review team are due to consult on their findings shortly.

Equal Opportunities

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on cross-departmental policies to tackle *(a)* gender inequality and *(b)* racial inequality in Northern Ireland. [128289]

Jane Kennedy: We are committed to bringing forward cross-departmental gender and race equality strategies during 2003. These will strengthen work being done under section 75 of the Northern Ireland Act 1998.

A gender strategy is being developed in consultation with the Equality Commission and voluntary and community sector groups. The first draft of the strategy

has been circulated to Departments for comments and a second series of consultation workshops with the Equality Commission and voluntary and community sector groups has been scheduled for early October 2003. The aim is to publish a draft Gender Equality Strategy for consultation by later autumn 2003.

A race strategy, which will be the overarching Government policy document in relation to racial equality in Northern Ireland, was launched for consultation on 25 February 2003. The consultation period which included both public seminars and focused seminars with minority ethnic communities, closed on 31 July 2003. The consultation responses are currently being assessed and the finalised strategy and Action Plan, which will be developed in partnership with the Northern Ireland Race Forum, will be published by the end of the 2003–04 financial year.

Equality Commission

Lady Hermon: To ask the Secretary of State for Northern Ireland for what reason the Equality Commission has not yet established a consultative council as required by section 74 of the Northern Ireland Act 1998; and if he will make a statement. [130403]

Mr. Spellar: Section 74 of the Northern Ireland Act confers a power on the Commission to establish consultative councils. If this power is exercised, the Commission has a duty to have regard to the advice offered by the council(s).

The Commission's first Corporate Plan included an intention to consider and consult on options on this issue and the report of a pre-consultation exercise was considered by the Commission in 2002. I understand that little interest was expressed on the establishment of a consultative council(s) in this exercise. The Commission decided to defer a decision on a formal consultation until 2003–04 business year and this remains the position.

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) how many fair employment cases the Equality Commission is assisting through the provision of funding; and how many of these also involve discrimination prohibited on other grounds; [131420]

(2) when the Equality Commission produced a strategic plan for investigations following reviews under Article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998; [131462]

(3) how many employers the Equality Commission has referred to the Fair Employment Tribunal because of a failure to abide by undertakings made as a result of investigations under Article 11 of the Fair Employment and Treatment Order (Northern Ireland) 1998 in each year; [131879]

(4) how many applications for assistance in terms of funding of fair employment cases the Equality Commission received *(a)* in the last financial year and *(b)* in this financial year; and how many of these also involved discrimination prohibited on other grounds; [131463]

(5) how many cases the Equality Commission is assisting through the provision of funding; [131421]

(6) how many applications for assistance in terms of funding of cases the Equality Commission has received in the *(a)* current and *(b)* last financial year; [131422]

(7) what external research the Equality Commission has commissioned on fair employment since its foundation; [131464]

(8) what *(a)* external and *(b)* internal research the Equality Commission has published on fair employment since its foundation; [131470]

(9) how many investigations under Article 11 of the Fair Employment and Treatment (Northern Ireland) Order 1998 have been initiated by the Equality Commission in each year since its foundation; [131460]

(10) if he will confirm when the Equality Commission produced a strategic plan for investigations under Article 11 of the Fair Employment and Treatment (Northern Ireland) Order 1998; [131461]

(11) how many investigations under Article 11 of the Fair Employment and Treatment Order (Northern Ireland) 1998 have been initiated by the Equality Commission in each year since its foundation; and how many of them were against an employer as a result of a finding by the Fair Employment Tribunal against that employer; [131761]

(12) what external research the Equality Commission has published on fair employment since its foundation; [131762]

(13) with how many employers the Equality Commission has agreed undertakings following investigations under Article 11 of the Fair Employment and Treatment Order (Northern Ireland) 1998 in each year since its foundation. [131881]

Mr. Spellar: I have asked the Chief Executive of the Equality Commission for Northern Ireland to write to the hon. Gentleman. A copy of the letter will be placed in the Library.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for Northern Ireland how much was spent on food by his Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-grown food; and if he will make a statement. [129379]

Mr. Pearson: Expenditure on food in NICS Departments is generally limited to official hospitality and staff catering subsidies of approximately £700,000 per annum in both 2001–02 and 2002–03. Staff catering services have been contracted out since the early '90s and the purchase of food is therefore the responsibility of the private sector catering service providers.

Departments do not have detailed information to identify what proportion of that food by value was produced in the Untied Kingdom other than statements from catering service providers that, where possible, the majority of fresh food would be sourced in Northern Ireland.

No guidance has been issued encouraging the procurement of home produced food; however, my Department is liasing with the Departments of Environment and Agriculture and Rural Development in Northern Ireland and nationally with the Department of Environment, Food and Rural Affairs in developing policy and best practice guidance on food procurement to ensure quality standards and value for money. This process has also involved consultation with stakeholders including the World Wildlife Fund, Livestock Marketing Commission and Ulster Farmers Union.

Forensic Service

Mr. Tynan: To ask the Secretary of State for Northern Ireland what funding he intends to make available, following the completion of the evaluation phase, to support the acquisition of new premises for the Forensic Science Agency. [130335]

Mr. Spellar: I await the outcome of the current accommodation review before making decisions on the most appropriate funding and procurement routes to secure necessary facilities for the Agency.

Mr. Tynan: To ask the Secretary of State for Northern Ireland what recent steps have been taken *(a)* to put an adequate maintenance and refurbishment programme in place for and *(b)* to replace the current premises and facilities of the Forensic Science Agency. [130336]

Mr. Spellar: FSNI continues to service and maintain its facilities. Following the outcome of the current accommodation review, I will be making decisions on the future accommodation requirements of the Agency. Alongside this, consideration will also be given to any further action needed to maintain facilities in the interim.

Foster Carers

Lady Hermon: To ask the Secretary of State for Northern Ireland what allowances are made available by local authorities for foster carers in Northern Ireland; and if he will make a statement. [131372]

Angela Smith: In Northern Ireland, Health and Social Services (HSS) trusts pay fostering allowances, which are agreed each year in consultation with the four HSS boards. The standard rates known as the 'Model Scheme' in Northern Ireland are currently lower than the average amount paid by local authorities in England. However, boards and trusts have increased allowances within the Model Scheme by 5.5 per cent. for 2003–04. Different rates are payable for children of different ages ranging from £285.88 per four weeks for children aged 0–4 to £513.52 per four weeks for children aged 16+ . The scale of foster care allowances is set out in the following table. Enhanced allowances are also available to cover, for example, expenses incurred at Christmas and birthdays and the cost of school uniforms and educational holidays.

My Department is currently developing a Strategy for Children in Need which will include children in foster care. It is intended that we will work closely with HSS boards, trusts and the fostering network to develop a three-year plan for fostering in Northern Ireland. This will have regard to the issues raised in the Strategy for Foster Care Services in Northern Ireland which has already been developed by the four HSS boards in association with the fostering network, including those which relate to remuneration of foster carers.

Scale of foster care allowances

£

Age group	*Per week*	*Per four weeks*	*Per annum*
0–4	71.47	285.88	3,716.44
5–10	81.41	325.64	4,233.32
11–15	101.36	405.44	5,270.72
16+	128.38	513.52	6,675.76

Lady Hermon: To ask the Secretary of State for Northern Ireland how many registered foster carers there were in Northern Ireland in each year since 1997; and if he will make a statement on the recruitment of foster carers in Northern Ireland. [131374]

Angela Smith: The routine collection of data by my Department on the numbers of registered foster carers in Northern Ireland commenced in 2001 and the returns from that date are presented in the following table. In addition a figure is available for 1997 from a fostering inspection report published by the Social Services Inspectorate. This, too, is presented in following table.

There are difficulties with the recruitment and retention of foster carers. Despite numerous recruitment campaigns by Health and Social Services (HSS) Boards and Trusts, problems with the recruitment of foster carers continue to exist.

The success in recruitment and retention of foster carers is dependent on many factors including remuneration, training, the status that foster carers receive and support, particularly in times of crisis. My Department is currently in the process of developing a strategy for all children in need including those in foster care. It is intended that, as part of that strategy, the Department will work in liaison with HSS Boards and Trusts and the Fostering Network to develop a three year costed fostering plan. The plan will, of course, take account of the issues raised in the Strategy for Foster Care Services developed by the four HSS Boards in conjunction with the Fostering Network, which I understand will be published soon.

Registered foster carers in Northern Ireland in each year since 1997

	Number
1997	1,380
1998–2000	[1]
2001	1,155
2002	1,132
2003	1,192

[1] Data not routinely collected.

Further Education

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he plans to allow all children who wish to remain in education until age 19 to do so. [130256]

Jane Kennedy: The Government encourage young people in Northern Ireland to continue in full-time education beyond the compulsory school leaving age of

16 and as far as possible facilitate the decisions of those who wish to do so subject of course to the entrance requirements of the specific institution.

Gransha Road, Dundonald

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on claims made by members of the public in 2002 about tarmac laid on the Gransha Road, Dundonald. [130986]

Mr. Spellar: On 25 July 2002 routine surface dressing work was carried out on behalf of the Department at Gransha Road by its measured term contractor, Tullyraine Quarries Ltd.

On 29 July 2002 reports were received about the failure of the surface dressing and of a substantial number of vehicle damage claims caused by this failure.

The failure was investigated by the Department and these investigations led to the Department referring all the Gransha Road vehicle damage claims then known, approximately 400, to the contractor, Tullyraine Quarries Ltd., in accordance with proper legal and audit practice and procedure.

The Department maintains its position that legal responsibility for the claims lies with its contractor, Tullyraine Quarries Ltd. The contractor has not to date conceded responsibility and the claims remain outstanding.

One of the motorists, who sustained vehicle damage on 29 July 2002, issued legal proceedings on 22 July 2003 against the Department, Tullyraine Quarries Ltd. and Lagan Services Ltd. This on-going court action shall proceed as a test case.

The Department cannot comment any further as the legal issues are now sub judice.

Health Service (Sick Leave)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the longest time is that an employee has been on sick leave in each of the health trusts in Northern Ireland. [130862]

Angela Smith: The information is not readily available in the format requested. However the following table contains information, which Trusts were able to provide. The entitlement for paid sick leave for any employee is a maximum of 12 months, six months full pay and six months half pay. Employees can remain on the Trust payroll for a number of reasons; these include applications for ill health retirement, where the recovery period is longer or where a member of staff is terminally ill.

HSS Trust	*Reply*
Altnagelvin	Details not available
Armagh and Dungannon	11 months (continuing)
Belfast City Hospital	2 years
Causeway	2 years 5 months
Craigavon and Banbridge Community	1 year 1 month
Craigavon Area	1 year 5 months
Down Lisburn	2 years 5 months (continuing)
Foyle	2 years 4 months (continuing)
Green Park	3 years
Homefirst Community	Details not available
Mater Infirmorum	1 year
Newry and Mourne	2 years
North and West	Details not available
NI Ambulance Service	2 years
Royal Group HSS Trust	Details not available
South and East Belfast	Details not available
Sperrin Lakeland	1 year 8 months (continuing)
Ulster Community and Hospitals Trust	3 years 5 months
United Hospitals	2 years 3 months

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many sick leave days were taken in Northern Ireland by *(a)* doctors, *(b)* nurses, *(c)* other health professionals and *(d)* other employees in (i) 1998, (ii) 1993 and (iii) 1988. [130863]

Angela Smith: Information on sick absence is not held centrally and not all trusts were able to supply full details in the required format. However, information supplied by individual trusts is set out in the following table.

HSS Trust/Staff type	*1988*	*1993*	*1998*
Altnagelvin			
Nursing	[1]—	13,301	11,830
Medical	[1]—	346	434
Healthcare	[1]—	2,373	3,707
Professionals	[1]—	6,492	6,299
Other	[1]—		
Armagh and Dungannon			
Nursing	[1]—	[1]—	17,312
Medical	[1]—	[1]—	222
Healthcare	[1]—	[1]—	1,898
Professionals	[1]—	[1]—	13,128
Other	[1]—	[1]—	—
Belfast City			
Nursing	9,433.6	17,462.4	17,851.9
Medical	[1]—	—	325.9
Healthcare	1,766.0	442.6	4,261.7
Professionals	7,792.1	3,051.2	18,469.0
Other	—	18,579.9	—
Causeway			
Nursing	4,550.0	8550.8	7,439.8
Medical	25.0	41.0	143.2
Healthcare	296.5	853.5	557.8
Professionals	7,517.8	26,433.6	17,608.4
Other	—	—	—
Craigavon and Banbridge			
Nursing	[1]—	2,198.8	2,915.2
Medical	[1]—	56.5	117.6
Healthcare	[1]—	4,150.1	4,448.1
Professionals	[1]—	10,807.5	6,567.3
Other	[1]—	—	—
Craigavon			
Nursing	6,037.9	12,482.7	7,808.9
Medical	0	306	322
Healthcare	450.6	1,509	1,100.3
Professionals	3,911.4	6,304.5	4,083.5
Other	—	—	—
Down Lisburn			
Nursing	3,610	13,242	18,533
Medical	1	68	430
Healthcare	266	933	1,370
Professionals	4,059	17,606	20,423
Other	—	—	—

HSS Trust/Staff type	1988	1993	1998
Foyle			
Nursing	[1]—	[1]—	886.4
Medical	[1]—	[1]—	15.5
Healthcare	[1]—	[1]—	514.8
Professionals	[1]—	[1]—	1,313.8
Other	[1]—	[1]—	—
Green Park			
Nursing	[1]—	[1]—	9,225
Medical	[1]—	[1]—	95.40
Healthcare	[1]—	[1]—	1,411.90
Professionals	[1]—	[1]—	4,692.5
Other	[1]—	[1]—	—
Homefirst Community			
Nursing	[1]—	[1]—	[1]—
Medical	[1]—	[1]—	[1]—
Healthcare	[1]—	[1]—	[1]—
Professionals	[1]—	[1]—	[1]—
Other	[1]—	[1]—	[1]—
Mater Infirmorum			
Nursing	—	—	11,197.54
Medical	—	—	[2]—
Healthcare	—	—	[2]—
Professionals	—	—	[2]—
Other	—	—	[2]—
Newry and Mourne			
Nursing	[1]—	[1]—	8,836
Medical	[1]—	[1]—	186
Healthcare	[1]—	[1]—	1,465
Professionals	[1]—	[1]—	8,748
Other	[1]—	[1]—	—
North and West Belfast			
Nursing	[1]—	7,612.30	6,953.4
Medical	[1]—	99.10	380.2
Healthcare	[1]—	2,641.30	3,223.4
Professionals	[1]—	26,266.7	26,723.1
Other	[1]—	—	—
NI Ambulance Service			
Ambulance staff	[1]—	[1]—	18,748
Royal Group			
Nursing	[1]—	17,981.6	8,725.4
Medical	[1]—	793.6	213.4
Healthcare	[1]—	1,916.8	1,014.1
Professionals	[1]—	48,855.2	25,369.2
Other	[1]—	—	—
South and East Belfast			
Nursing	2,952.6	13,742.9	12,583
Medical	1.5	347.1	75.4
Healthcare	287.6	8,519.9	7,794.5
Professionals	3,104.3	27,777.8	15,486.9
Other	—	—	—
Sperrin Lakeland			
Nursing	623.2	17,030.6	21,848.5
Medical	0	300.9	573.6
Healthcare	124	1,655.1	4,467
Professionals	175.4	18,255	17,137
Other	—	—	—
Ulster Community			
Nursing	5,037.4	18,922.1	14,048.9
Medical	19.2	356.4	368.2
Healthcare	2,413.8	2,239.1	8,740.7
Professionals	9,337.1	21,741.7	18,572.7
Other	—	—	—
United Hospitals			
Nursing	[1]—	[1]—	16,167
Medical	[1]—	[1]—	597
Healthcare	[1]—	[1]—	1,781
Professionals	[1]—	[1]—	26,409
Other	[1]—	[1]—	—

[1] N/A
[2] All grades—breakdown not available
Note:
All figures are working days lost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many general practitioners in Northern Ireland are on sick leave; and for what length of time each has been on sick leave. [130864]

Angela Smith: As a general practitioner is entitled to his or her full normal remuneration during absence on account of illness, not all GPs report when they are unable to attend work due to sickness. The total number of GPs on sick absence is therefore not known. However it is known that at 31 August 2003, 31 general practitioners have reported absent from their practice on account of sickness.

Number of weeks	Number of GPs
Under 2 weeks	5
2–4 weeks	3
5–13 weeks	11
14–26 weeks	7
Over 26 weeks	5

Bill of Rights

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how much money the Northern Ireland Human Rights Commission has spent on the drafting of a Bill of Rights for Northern Ireland. [128326]

Jane Kennedy: The consultation process on a Bill of Rights for Northern Ireland was launched on 1 April 2000. The total costs to date are £503,800. These costs include advertising (circa 40 per cent.) and publications (also circa 40 per cent.) together with a range of other costs relating to events, conferences, work with children and young people, public opinion surveys and education and training events and materials.

Implementation Group

Mr. Dodds: To ask the Secretary of State for Northern Ireland which parties comprise the Implementation Group in Northern Ireland. [131578]

Mr. Spellar: The political parties who are invited to the Implementation Group are parties committed to securing the full implementation of the Agreement.

Integrated Education

Lady Hermon: To ask the Secretary of State for Northern Ireland how many integrated education school places there were in *(a)* North Down and *(b)* Northern Ireland in each year since 1997; what action he is taking to increase the number of integrated education places; and if he will make a statement. [131373]

Jane Kennedy: The total approved enrolments for North Down Integrated Schools—Primary and Post-Primary since 1997 are:

School year	*Total approved enrolment numbers*
1997–98	0
1998–99	856
1999–2000	918
2000–01	934
2001–02	944
2002–03	944
2003–04	944

The total approved enrolment number for all Integrated Schools—Primary and Post-Primary since 1997 are:

School year	*Total approved enrolment numbers*
1997–98	9,462
1998–99	12,507
1999–2000	13,470
2000–01	14,508
2001–02	15,356
2002–03	16,088
2003–04	16,341

The Department of Education funds the Northern Ireland Council for Integrated Education to promote the development of integrated education and also contributes to the Integrated Education Fund which provides assistance with the capital costs of new schools.

In December 2000 the Department reduced the viability criteria for the establishment of new integrated school to intakes of 15 pupils for primary schools in Belfast and Londonderry and 12 pupils for developments elsewhere in Northern Ireland. Changes to the viability criteria for integrated post primary schools were announced in October 2001. Integrated post primary schools which achieve a year eight intake of 50 pupils a now eligible for recurrent funding from the Department.

New Integrated Primary Schools have recently been announced in Randalstown, Glengormley and Antrim, bringing to 50 the number of integrated schools operating in Northern Ireland.

International Bodies

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will list all international members of bodies set up in Northern Ireland since 1998 in connection with the Belfast Agreement. [131675]

Mr. Spellar: There are two bodies established or to be established by International Agreement in connection with the Belfast Agreement. The Independent International Commission on Decommissioning was established by International Agreement between the British and Irish Governments in September 1997. Its current members are General John de Chastelain (a Canadian national) and Mr. Andrew Sens (a United States national). The Independent Monitoring Commission will be established by an International Agreement between the British and Irish Governments. The membership will comprise two United Kingdom nationals (Mr. John Grieve and Lord Alderdice); one Irish national (Mr. Joe Brosnan) and one United States national (Mr. Richard Kerr).

Irish Hare

Mr. Pickthall: To ask the Secretary of State for Northern Ireland if he has received the report on the status of the Irish hare for the review of the Wildlife (Northern Ireland) Order 1985; and if he will make a statement. [131696]

Angela Smith: I refer to the answer I gave my hon. Friend, the Member for Hull, North (Mr. McNamara) on the 16 September 2003, *Official Report*, column 117W.

Learning Disabilities

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on educational opportunities for those aged 16 and above with *(a)* severe and *(b)* moderate learning disability. [130255]

Jane Kennedy: Pupils with special educational needs are assessed by education and library boards (ELBs) on an individual basis.

Pupils with severe learning difficulties, because of the nature and complexity of their special educational needs, generally remain in full-time education in special schools until the end of the term following their nineteenth birthday.

Pupils with moderate learning difficulties, whether placed in an ordinary school, a special unit or a special school, generally leave school at the statutory school leaving age but usually move on to placement in training or further education. In a small number of cases and depending on their special educational needs, they may remain in school beyond statutory school leaving age.

ELBs are required, in conjunction with other relevant agencies, to draw up a transition plan for all pupils with Statements of Special Educational Needs to set out appropriate post-school opportunities, including further education.

The Department for Employment and Learning's (DEL) Careers Service provides impartial advice and guidance to young people with severe and moderate learning disabilities on all available opportunities in education, training and employment. These include the DEL funded Jobskills training programme within further education colleges which provide a range of courses suitable for people over 16 with learning difficulties. DEL also funds a range of support services for these young people to assist in their achievement of qualifications.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will take steps to ensure that a statement provided for a child with special needs in one board area is acceptable in all education and library board areas in Northern Ireland when the child transfers from one board area to another; and if he will make a statement. [131822]

Jane Kennedy: The Department of Education's Code of Practice on the Identification and Assessment of Special Educational Needs gives clear guidance to Education and Library Boards and Schools on meeting the special educational needs (SEN) of all children who require such provision.

When responsibility for a child with a statement of SEN changes from one Board to another, the statement mu be transferred to the new Board, together with any opinion which may have been provided under the Disabled Persons (NI) Act 1989 that the child is disabled. Upon the transfer of the statement, the receiving Board becomes responsible for maintaining the statement, and for providing the special educational provision specif in the statement.

The receiving Board may, on the transfer of the statement, bring forward arrangements for the review of the statement, and may conduct a new statutory assessment regardless of when the previous assessment took place. It must tell the parents, within six weeks of the date of transfer, when it will review the statement, and whether statutory assessment is proposed.

Linguistic Diversity

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many staff are employed in the Linguistic Diversity Branch of the Department of Culture, Arts and Leisure; how many have competence in the Irish language; and how many have competence in the Ulster Scots language. [98197]

Angela Smith: Linguistic Diversity Branch of the Department of Culture, Arts and Leisure has 10 members of staff comprising 9 permanent employees and one casual. These staff belong to the Northern Ireland Civil Service (NICS) general administrative grades and have been recruited in accordance with NICS competencies and procedures. Expertise in specific languages is not among the core competencies which are required of general service administrative staff in the NICS.

Mr. Dodds: To ask the Secretary of State for Northern Ireland to which trustees the draft linguistic diversity policy of the National Museums and Galleries of Northern Ireland has been presented; and for what reason. [98199]

Angela Smith: A new Board of Trustees of the National Museums and Galleries of Northern Ireland was appointed in July 2002. The board has not yet seen the draft linguistic diversity policy, but it is hoped that its members will have an opportunity to consider and formally adopt the draft shortly.

One member of the outgoing board was actively involved in the development of the draft policy, through chairing the working group that was established by the board to take the process forward. However, the other members of the outgoing board did not consider the draft before the end of their term of office.

NHS Patients (Private Health Care)

Mr. Jon Owen Jones: To ask the Secretary of State for Northern Ireland how many patients have been referred by the NHS in Northern Ireland to private healthcare providers *(a)* in England, *(b)* in Northern Ireland, *(c)* in Scotland, *(d)* in Wales and *(e)* abroad in each of the last five years for which figures are available. [131744]

Angela Smith: *(a)-(e)* Information on the number of patients referred to private health care providers across the United Kingdom and abroad is detailed.

Patients may be referred to private health care providers under two schemes

1. Extra Contractual referral scheme (ECR)
2. Waiting List Initiatives

Under the ECR scheme patients are referred to private health care providers, as the specialist treatment they require is not available locally in a NHS hospital.

Patients may also be transferred to private healthcare providers to reduce waiting lists at NHS hospitals.

There are four Health and Social Services Boards in Northern Ireland. Each Board has not been able to provide the data in the same format and in some instances data was not available (n/a). To obtain complete and consistent data would require a manual exercise, the costs of this would be disproportionate.

Table 1 details the number of patients transferred by Eastern, Northern and Southern Health Board Areas under the ECR scheme.

Table 2 details the number of patients transferred by Eastern, Northern and Southern Health Board Areas as part of Waiting List Initiatives.

Table 3 details the number of patients transferred by Western Health Board Area under both ECR schemes and Waiting List Initiatives.

The figures are for patients referred to private health care providers within the acute programme of care. A number of patients from the elderly, learning disability and mental health programmes of care are treated in nursing and residential homes managed by private health care providers.

Table 1: Number of patients from each Health Board Area referred for private treatment under the ECR scheme

	Health Board of Residence	*Northern Ireland*	*Abroad*	*England*	*Scotland*	*Wales*	*Mainland GB*	*Total*
1999[1]	Eastern	2	4	9	0	0	9	15
1999–2000	Northern	n/a	n/a	n/a	n/a	n/a	n/a	n/a
1999–2000	Southern	1	0	0	0	0	0	1
2000[1]	Eastern	1	6	37	8	3	48	55
2000–01	Northern	0	3	n/a	n/a	n/a	12	15
2000–01	Southern	1	0	0	1	0	1	2

Table 1: Number of patients from each Health Board Area referred for private treatment under the ECR scheme

	Health Board of Residence	Northern Ireland	Abroad	England	Scotland	Wales	Mainland GB	Total
2001[1]	Eastern	0	2	22	3	1	26	28
2001–02	Northern	0	1	n/a	n/a	n/a	9	10
2001–02	Southern	3	2	0	0	0	0	5
2002[1]	Eastern	0	12	13	0	0	13	25
2002–03	Northern	0	5	n/a	n/a	n/a	15	20
2002–03	Southern	3	1	1		0		
2003[1]	Eastern	0	3	10	0	0	10	13
2003–04[2]	Northern	n/a	n/a	n/a	n/a	n/a	n/a	n/a
2003–04[2]	Southern	4	0	1	0	0	1	5

[1] Eastern Board figures are supplied for calendar years
[2] Data for 2003–04 covers the period 1 April 2003 to 22 September 2003

Table 2: Number of patients from each Health Board Area referred for

	Health Board of Residence	Northern Ireland	Abroad	England	Scotland	Wales	Total
2000–01	Eastern	4	129	0	45	0	178
2000–01	Northern	n/a	n/a	n/a	n/a	n/a	n/a
2000–01	Southern	204	98	0	30	0	332
2001–02	Eastern	66	1,200	0	88	0	1,354
2001–02	Northern	53	0	0	54	0	107
2001–02	Southern	39	0	0	48	0	87
2002–03	Eastern	551	163	0	13	0	727
2002–03	Northern	196	86	0	30	0	312
2002–03	Southern	197	62	0	6	0	265
2003–04[1]	Eastern	0	9	0	0	0	9
2003–04[1]	Northern	0	100	0	0	0	100
2003–04[1]	Southern	138	39	0	0	0	177

[1] Data for 2003–04 covers the period 1 April 2003 to 22 September 2003
Note:
Treatment as part of Waiting List Initiatives

Table 3: Number of Patients from Western Health Board Area referred to

	Health Board of Residence	Northern Ireland	Abroad	England	Scotland	Wales	Total
1999–2000[1]	Western	0	10	8	90	1	109
2000–01	Western	158	9	13	28	0	208
2001–02	Western	227	5	6	73	0	311
2002–03	Western	648	15	28	32	0	723

[1] Figures for transfers under waiting list initiatives were not available for 1999–2000
Note:
Data supplied for the Western Board Area includes all transfers to private healthcare providers

Mr. Jon Owen Jones: To ask the Secretary of State for Northern Ireland what criteria is used by the NHS in Northern Ireland to decide when to refer a patient to a private healthcare provider for treatment. [131745]

Angela Smith: The decision to refer a patient to a private healthcare provider for treatment is based on a variety of factors, including the availability of the treatment on the health and social services in Northern Ireland or on the NHS in Great Britain and how long the patient may have to wait for such treatment, as well as the cost. Private health care providers also have to satisfy the appropriate Health and Social Services Board as to the quality of care that will be provided, including arrangements for the provision of any necessary aftercare.

Mr. Jon Owen Jones: To ask the Secretary of State for Northern Ireland how much money has been spent by the NHS in Northern Ireland to obtain healthcare from private healthcare providers in *(a)* in England, *(b)* in Northern Ireland, *(c)* in Scotland, *(d)* in Wales and *(e)* abroad in each of the last five years for which figures are available. [131746]

Angela Smith: The information requested is not available centrally and could only be obtained at disproportionate cost.

Northern Ireland Assembly

Miss McIntosh: To ask the Secretary of State for Northern Ireland if he will make a statement on progress towards re-establishing the Northern Ireland Assembly. [131480]

Mr. Spellar: As the Secretary of State for Northern Ireland made clear to the House in the debate on the Northern Ireland (Monitoring Commission etc.) Bill, 17 September 2003, *Official Report*, column 901, we are working hard to rebuild trust and confidence necessary for elections to the Assembly, and the restoration of devolved institutions, as soon as possible.

Pre-school Education

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many Pre-school Education Advisory Group's places have been allocated to each nursery school and playschool in the South Eastern Education and Library Board for 2003–04. [129899]

Jane Kennedy: I understand from the Chief Executive of the South Eastern Education and Library Board that the following allocations of PEAG places have been made to voluntary and private sector pre-school centres in the Board area. The process of the PEAG reallocating unused places is still under way. The figures shown below may not, therefore, represent any individual centre's final allocation for the year.

Ards Borough Council Area

Ward	*Provider*	*Places Allocated 2003–2004*
Ballygowan	Ballygowan Community Playgroup	24
Ballywalter	Ballywalter Playgroup	18
Glen	Bees Nees Early Years Centre	18
Carrowdore	Carrowdore Community Playgroup	24
Ballywalter	Chirpy Chicks Playgroup	15
Loughries/ Carrowdore	Chuckles Playgroup	19
Killinchy	Kilmood Playgroup	24
Kircubbin	Kircubbin Pre-school Playgroup	26
Scrabo	Little Doves Community Playgroup	15
Vlovilla	Movilla Abbey Playgroup	26
Vlovilla	Play-a-Way Childcare Centre	20
Portaferry	Portaferry Playgroup	18
Central Ards	St. Finian's Playgroup	18
Scrabo/Loughries	The Playcentre at Manor Court	24
Comber East	The Shell Playgroup	18
Total		307

Castlereagh Borough Council

Ward	*Provider*	*Places allocated 2003–2004*
Enler	Ballybeen Women's Centre Pre-School	16
Grahamsbridge	Bumbles Playgroup	18
Carryduff East	Carryduff Pre-school Playgroup	48
Cregagh	Cregagh Pre-School Playgroup	24
Carryduff	Millennium PG	18
Newtownbreda/ Knockbracken	Mount Oriel Playgroup	24
Wynchurch	St. Bernard's Pre-school Playgroup	18
Carryduff East	St. Joseph's Pre-school Playgroup	18
Moneyreagh	Toddle-In Playgroup	24
Total		208

Down District Council Area

Ward	*Provider*	*Places allocated 2003–2004*
Ardglass	Ardglass Community Pre-School PG	16
Seaforde/ Killough	Ballykinlar Community Pre-School	18

Down District Council Area

Ward	*Provider*	*Places allocated 2003–2004*
Castlewellan	Castlewellan Community Playgroup	10
Crossgar/ Ballymote	Crossgar Community Playgroup	18
Drumaness	Drumaness PS Playgroup	18
Dunmore	Drumaroad Cross Community PG	16
Dundrum	Dundrum Cross Community PG	12
Kilmore	Glasswater Pre-school Playgroup	18
Ballykinlar	Great Oaks Playgroup	24
Tollymore	Kilcoo Playgroup	12
Castlewellan	Hickory Dickory Dock	10
Killough	Killough Playgroup	16
Killyleagh	Killyleagh Community Playgroup	24
Kilmore	Little Sunbeams Playgroup	12
Drumaness	Loughinisland Playgroup	20
Cathedral	Naiscoil Dhun Padraig	12
Castlewellan	Naiscoil Uachtar Tire	10
Donard	Newcastle Playgroup	19
Quoile	Rathkeltair Cross Community PG	16
Strangford	Saul Cross Community Playgroup	16
Drumaness/ Kilmore	Teconnaught Playgroup	24
Ardglass	Tiny Toons Community Playgroup	14
Total		355

Lisburn Borough Council

Ward	*Provider*	*Places Allocated 2003/2004*
Dromara	Anahilt Pre-school Playgroup	18
Glenavy	Ballymacward Pre-School Playgroup	15
Hillsborough	Busy Bees	23
Derriaghy	Chatterboxes Playgroup	12
Dromara	Dromara Playgroup	36
Seymour Hill	Drumbeg PG	11
Seymour Hill	Dunmurry Community Playgroup	24
Dunmurry	Kinders Daycare	10
Ballymacbrennan	Legacurry Playgroup	18
Harmony Hill	Little Oaks Pre-School	20
Seymour Hill	Mickey Mouse	15
Derriaghy	Oakwood Pre-school Playgroup	20
Vlaghaberry	Poppins Day Nursery	16
Moira	Rainbow Corner Playgroup	24
Ballymacoss	Rhyme Times	24
Harmony Hill	Rumble's Playgroup	16
Twinbrook	Scoil Na Fuiseoige	26
Ballinderry	Sunshine Playgroup	20
Total		348

North Down Borough Council

Ward	*Provider*	*Places allocated 2003–2004*
Ballymagee	Ballycrochan Playgroup	24
Churchill	Ballyholme Presbyterian Church Playgroup	20
Bangor Castle	Bangor Abbey Playgroup	13
Springhill	Bangor West Nursery Playgroup	24
Springhill	Bo-Peep Corner Playgroup	18
Crawfordsburn	Crawfordsburn PG	13
Ballycrochan	Early Days Playgroup	22
Craigavad	Glencraig Playgroup	18
Rathgael	Little Acorns Pre-School Playgroup	32
Rathgael/ Clandeboye	Little Flower Playgroup	11
Rathgael/ Bloomfield N	Paddington Corner Playgroup	13
Loughview	Redburn Community Playgroup	20
Springhill/ Bryansford	St. Comgall's Playgroup	10

North Down Borough Council

Ward	*Provider*	*Places allocated 2003–2004*
Ballyholme	Tiddli-Winks Playgroup	18
Holywood	Tiggers Palace	15
Total		271

The total of PEAG places currently allocated in the SEELB area is 1,489.

Nursery schools and units are not allocated places by PEAGs, but have a standard class size of 26 pupils. The schools in the South Eastern Board area have the following capacities:

School Name	*Capacity*
Abbey PS, Newtownards—Nursery Unit	52
Academy PS, Saintfield—Nursery Unit	52
Ballymacash PS, Lisburn—Nursery Unit	52
Ballymacrickett PS, Glenavy—Nursery Unit	26
Bangor Nursery School	78
Barbour Nursery School, Lisburn	78
Belvoir Park PS, Belfast—Nursery Unit	78
Bloomfield Road PS, Bangor—Nursery Unit	52
Braniel PS, Belfast—Nursery Unit	78
Brooklands PS, Dundonald—Nursery Unit	78
Cairnshill PS, Belfast—Nursery Unit	52
Castlereagh Nursery School, Belfast	52
Cedar Integrated PS, Crossgar—Nursery Unit	26
Christ the Redeemer PS, Belfast—Nursery Unit	78
Comber PS—Nursery Unit	52
Convent of Mercy Nursery School, Downpatrick	78
Donaghadee PS—Nursery Unit	52
Downpatrick Nursery School	52
Fort Hill PS, Lisburn—Nursery Unit	52
Glenbrook Nursery School, Newtownards	78
Good Shepherd Nursery School, Poleglass	52
Harmony Hill PS, Lisburn—Nursery Unit	52
Holy Trinity Nursery School, Lisburn	52
Holywood Nursery School	52
Kilcooley PS, Bangor—Nursery Unit	26
Killowen PS, Lisburn—Nursery Unit	52
Kilmaine PS, Bangor—Nursery Unit	52
King's Road Nursery School, Belfast	52
Knockbreda Nursery School, Belfast	78
Lisburn Central PS—Nursery Unit	52
Maghaberry PS, Moira—Nursery Unit	26
Millisle PS—Nursery Unit	26
McKinney PS, Dundrod—Nursery Unit	26
Newcastle PS—Nursery Unit	52
Newtownards Nursery School	78
Old Warren PS, Lisburn—Nursery Unit	26
Our Lady Queen of Peace PS, Kilwee—Nursery Unit	52
Pond Park Nursery School, Lisburn	104
Portavogie PS—Nursery Unit	52
Rathmore PS, Bangor—Nursery Unit	52
St. Aloysius PS, Lisburn—Nursery Unit	26
St. Colmcille's Nursery School, Downpatrick	78
St. Joseph's PS, Carryduff—Nursery Unit	52
St. Kieran's Nursery School, Poleglass	52
St. Luke's Nursery School, Twinbrook	52
St. Malachy's PS, Bangor—Nursery Unit	52
St. Malachy's PS, Castlewellan—Nursery Unit	26
St. Mark's PS, Twinbrook—Nursery Unit	52
St. Mary's PS, Newcastle—Nursery Unit	52
St. Mary's PS, Portaferry—Nursery Unit	26
St. Patrick's PS—Magheradroll Nursery Unit, Ballynahinch	52
St. Therese Nursery School, Belfast	52
Towerview PS, Bangor—Nursery Unit	52
Trinity Nursery School, Bangor	78
West Winds PS, Newtownards—Nursery Unit	26
Total	2,938

Racial Assaults

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) how many racial assaults there were in each Northern Ireland parliamentary constituency in each of the last three years, broken down by ethnic group; [128291]

(2) how many racial assaults, broken down by ethnic group, have occurred in each of Northern Ireland's parliamentary constituencies in each of the last three years. [131523]

Jane Kennedy: The following table details the total number of racially motivated assaults recorded in each of the last three years in Northern Ireland. Current recording methods do not break these figures down by parliamentary constituency or ethnic group.

Year	*Number of physical assaults*
April 2000 to March 2001	58
April 2001 to March 2002	39
April 2002 to March 2003	50

Respite Care

Mr. Beggs: To ask the Secretary of State for Northern Ireland what provision there is for respite care for adults with special needs in the Northern Health and Social Services Board Area; and what plans there are to increase provision in the constituency of East Antrim. [131038]

Angela Smith: The Northern Health and Social Services Board advises that the provision of respite services to support adults with special needs differs between the two Community Health and Social Services Trusts in its area.

In Causeway Health and Social Services Trust service provision is almost exclusively through the Trust's own family based respite care scheme. In Homefirst Health and Social Services Trust the model of provision is slightly different, drawing mainly on services provided through a family based scheme run by the voluntary sector, while also using a limited amount of statutory sector provision. This year the Northern Health and Social Services Board provided additional resources to increase family based respite, in conjunction with the voluntary sector, in the East Antrim area.

Senior Civil Service

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will make a statement on the implementation of the Senior Civil Service Review. [131878]

Mr. Pearson: The independent review of Appointment and Promotion Procedures for the Senior Civil Service of the Northern Ireland Civil Service was conducted under the chairmanship of Lord Ouseley. The review report was published in 2002 and contained 25 specific recommendations, two of which related to reserved matters.

An action plan was developed to address the recommendations made, and was put out for public consultation. Considerable progress has since been made against its objectives. The consultation also

sought views on recommendations on open recruitment and work/life balance, and it is intended that an announcement on these matters will be made later in the autumn.

Teachers

Lady Hermon: To ask the Secretary of State for Northern Ireland how many qualified teachers were working in *(a)* primary and *(b)* secondary schools in Northern Ireland in each year since 1997. [129823]

Jane Kennedy: The information requested (expressed as full time equivalents) is as follows:

Qualified teachers working in primary and secondary schools in Northern Ireland in each year since 1997

	Number
(a) Primary Schools	
1997–98	9,012
1998–99	8,810
1999–2000	8,751
2000–01	8,741
2001–02	8,780
2002–03	8,753
Preparatory Departments	
1997–98	181
1998–99	186
1999–2000	172
2000–01	170
2001–02	160
2002–03	154
(b) Secondary Schools	
1997–98	10,336
1998–99	10,358
1999–2000	10,548
2000–01	10,747
2001–02	10,809
2002–03	10,840

Telecommunications Industry

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures are in place to support Northern Ireland's existing and new high technology and telecommunications industry and entrepreneurs; and if he will make a statement. [131525]

Mr. Pearson: Invest NI employs a broad range of measures to assist existing companies and entrepreneurs in the hi-technology and telecommunications sectors. The principal form of support available to assist significant new investment proposals (by new or existing businesses) is Selective Financial Assistance, which may contain elements covering capital and revenue grants in addition to loans and equity participation. Invest NI also operates a comprehensive series of schemes and programmes aimed at providing support which can be tailored to the needs of individual companies or entrepreneurs.

These measures assist Invest NI to achieve the objectives set out in its Corporate Plan 2002–05. They therefore focus on promoting innovation and stimulating higher levels of R&D and knowledge transfer; helping companies to achieve higher levels of growth; promoting a more enterprising culture; raising the number of business starts; and attracting new inward investment.

Invest NI has achieved a highly credible performance in its first year of operation. Key Innovation targets have been met or exceeded; Growing Existing Businesses and Business Start-up targets have been substantially achieved; and performance in attracting new inward investment has been encouraging, despite the continuing global downturn in foreign direct investment. In particular, Invest NI has assisted the setting up of 74 new, potentially high growth companies in the hi-tech and telecommunications sectors. Its offer of £14.3 million support towards business proposals by companies in these sectors represents a total investment of £109 million.

Invest NI has also played a key role in establishing the Northern Ireland Science Park and has provided £26 million to support the establishment of 17 Centres of Research Excellence, the majority of which are focused on high technology sectors. In addition, Invest NI has been highly active in drawing up a series of sector strategies aimed at maximising the economic development potential for a range of sectors including hi-technology and telecommunications.

These excellent first year achievements offer a very sound platform on which Invest NI can build in the future. They demonstrate the success of the measures which Invest NI has developed to provide support schemes and programmes which are both comprehensive and sufficiently flexible to meet the needs of existing businesses and entrepreneurs in a wide range of industrial sectors, including hi-technology and telecommunications.

Teletech Redundancies

Mr. Dodds: To ask the Secretary of State for Northern Ireland what measures he has implemented to assist those workers at TeleTech in North Belfast made redundant recently. [131575]

Jane Kennedy: The Department for Employment and Learning's North Belfast JobCentre contacted TeleTech immediately after the company's announcement on 3 September that approximately 60 workers would be made redundant. An offer of assistance to help find alternative employment for those workers facing redundancy was made. The company decided not to take up this offer at this time as it is hoping to reduce the numbers to be made redundant by redeploying some of those affected to other contracts within TeleTech.

Television Licences

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland, against how many people successful prosecutions have been taken for the non-payment of television licence fees in the past five years. [123999]

Estelle Morris: I have been asked to reply.

The available information for England, Wales and Scotland relates to all offences under the Wireless Telegraphy Acts of 1949 and 1967, though the great majority of these involve licence fee evasion.

Figures for Northern Ireland, provided by TV Licensing, relate specifically to unlicensed use of a television receiver. The number of convictions recorded in the United Kingdom in each of the last five years for which information is available was:

Year	*Number of convictions*
1997	[1]79,898
1998	78,804
1999	[2]56,929
2000	108,680
2001	86,118

[1] Excludes Northern Ireland, for which figures for 1997 are not available.
[2] 1999 returns for Scotland may be incomplete.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many prosecutions proceeded in relation to TV licensing in 2002 in Northern Ireland, broken down by constituency. [131574]

Estelle Morris: I have been asked to reply.

As I indicated in my reply to the hon. Member on 8 September 2003, *Official Report*, columns 30–31W, the total number of prosecutions proceeded with by TV Licensing in Northern Ireland in 2002 for installation or use of television without a licence was 1,448. I understand that TV Licensing does not record prosecutions by constituency.

Ulster Hospital

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many patients are awaiting *(a)* elective admission and *(b)* out-patient assessment at the Ulster hospital. [130860]

Angela Smith: The most recent waiting list figures available reflect the position at the 30 June 2003.

At 30 June 2003 there were 5,925 patients waiting for in-patient treatment at the Ulster Community and Hospitals Trust. 21,264 patients were awaiting a first out-patient appointment at Ulster Community and Hospitals Trust, at 30 June 2003.

WORK AND PENSIONS

Employers Liability Insurance

Mrs. Ellman: To ask the Secretary of State for Work and Pensions what representations he has received concerning increases in employers' liability compulsory insurance in respect of small companies; and if he will make a statement. [131475]

Mr. Browne: The Department has received a number of representations concerning increases in Employers' Liability Compulsory Insurance (ELCI) from small businesses both directly and via representative organisations such as the Federation of Small Businesses (FSB). The Government continue to work closely with such business representatives and the Small Business Service in the work of the second stage of the ELCI review. Government will report in the autumn on the progress that has been made with the review and further steps we intend to take.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Work and Pensions how many consultancies were commissioned by the Department in the last two years for which figures are available; and what the cost of those contracts was. [130890]

Maria Eagle: In the two year period from September 2001 to September 2003 DWP let 824 consultancy assignments with a total value of £248 million.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Work and Pensions how much has been spent in each year by his Department in preparing for United Kingdom entry to the euro; how much his Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131602]

Mr. Pond: Details of expenditure on changeover planning were included in the third outline National Changeover Plan, published on 9 June 2003. Copies of the document are available in the Library.

It is difficult to estimate with any accuracy how much any changeover would cost. It would depend on the approach taken. In particular, many IT systems will be euro compatible as a result of our modernisation programme, which would reduce the costs of any euro changeover.

Social Fund

Mr. Drew: To ask the Secretary of State for Work and Pensions what the average time taken to deal with applications to the Social Fund was over the last 12 months, broken down by individual office. [130517]

Mr. Pond *[holding answer 17 September 2003]:* Information on the average time taken to deal with applications to the Social Fund broken down by individual office is currently unavailable. I will write to my hon. Friend when the data requested becomes available and place a copy of my letter in the Library.

Industrial Injuries

Malcolm Bruce: To ask the Secretary of State for Work and Pensions how many industrial injuries disablement benefit appeals have been lodged since 1997; and how many were *(a)* found in favour of the claimant, *(b)* found against the claimant and *(c)* were abandoned due to time constraints. [130858]

Mr. Browne: Appeals are not abandoned due to time constraints. If an Appeal, listed for hearing before a Tribunal, is unable to be heard, or the hearing is unable to be completed because of lack of time, it will be rescheduled for hearing at the next available date.

The available information is in the table.

Year	Lodged at first tier agency	Received by the Appeals Service	Cleared at hearing	Found in favour of appellant	Decided against appellant	Decision upheld
1998	20,030	24,630	13,510	5,140	415	7,420
1999	22,070	17,320	17,305	6,895	450	9,300
2000	21,525	22,390	19,170	7,665	90	10,735
2001	22,885	23,110	17,985	7,300	55	10,150
2002	18,355	18,565	17,170	6,550	45	10,030
January to July 2003	7,800	11,260	9,110	3,530	20	5,265

Source:
DWP Information and Analysis Directorate Information Centre, 100 per cent sample.
Notes:
1. All figures are subject to change as more up to date data becomes available.
Figures for the latest months will rise significantly as information feeds through to the Appeals Service.
2. Figures are rounded to the nearest five.
3. Appeals cleared in one year will not be the same appeals received in that year.
4. An appeal may have more than one clearance in a year and each clearance will be counted. For example, an appellant may not be happy with the outcome of the original hearing and apply to the district chairman for leave to appeal and subsequent hearings may occur as a result.
5. Not all appeals that are received by the Appeals Service continue through the process to reach a hearing or conclusion. For example, an appeal may be invalid or withdrawn prior to hearing.

Ministerial Meetings

Harry Cohen: To ask the Secretary of State for Work and Pensions if he will make a statement on his meeting with Ros Altmann on 17 September. [131659]

Mr. Andrew Smith: On 9 September I met various people with an interest in the ASW and Dexion pension schemes, including Ros Altmann. During that meeting, I reiterated that I am examining the position and would listen to sensible and constructive suggestions for dealing with compensation, not only for members of the ASW and Dexion pension schemes, but also for others in a similar position. But I also stressed that while I will listen to proposals, I do not wish to provide people with false hope that the Government will step in to help members of defined-benefit pension schemes which have already started to wind-up.

During the meeting on 9 September, I agreed that my officials should meet Ros Altmann to discuss her suggestions. This was the meeting that took place on 17 September, which my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) also attended. The meeting focussed on Ros Altmann's proposals for providing assistance and the assumptions on which her proposals are based. No minister attended the meeting on 17 September.

Pension Advice Surgeries

Mr. Webb: To ask the Secretary of State for Work and Pensions what the locations of the local pension advice surgeries are. [128742]

Malcolm Wicks: The Pension Service provides a wide range of information and support on benefits to older people through our network of local service surgeries.

Local Pension Service surgeries are held on a regular basis across all areas of the country, often in partnership with other organisations such as local authorities and Age Concern. The latest data available indicate that there are currently 2,650 regular drop in and appointment surgeries in place nationally.

Details of the most convenient surgery for individual pensioners and their carers can be obtained by telephoning 0845 60 60 2 65.

The Pension Service wrote to all hon. Members at the end of July providing a full list of surgeries and opening times in individual constituencies; however I am happy to list here the regular surgeries that take place in the Northavon area:

South Gloucestershire Deaf Association
Kingswood Library
Patchway Community Centre
Pucklechurch Sheltered House
Thornbury Library
Yate Library
Frenchay Hospital
Southmead Hospital
Avon Crescent Sheltered Housing
Marshfield Church Hall
Withymead
The Brockridge Centre.

Pension Credit

Mr. Webb: To ask the Secretary of State for Work and Pensions pursuant to his oral briefing to pensioners of 3 September on the pension credit, *(a)* what the total advertising budget is, *(b)* how many pensioners will receive pension credit in October, and, of that number, how many will be former minimum income guarantee claimants; and if he will estimate the (i) number of calls that can be dealt with per (A) hour and (B) day by the pension credit telephone application line and (ii) average time to complete an application using the pension credit telephone application line. [131580]

Malcolm Wicks: I refer the hon. Member to the answer given to the hon. Member for Sutton and Cheam (Mr. Burstow) on 17 June 2003, *Official Report*, column 157W. There are now around 1.9 million pensioner households on our systems being paid pension credit. We intend from November to publish monthly reports on the progress of pension credit take-on, which will include a more detailed breakdown of this

figure. Our planning assumes that on a typical weekday the pension credit application line will be handling around 18,000 calls a day, although if necessary the application line has the capacity to answer up to 14,000 calls per hour for a limited time during exceptionally busy periods. The level of resources will ensure that customers who wish to make an application using the application line can do so. The average time to complete a pension credit application for customers using the application line is currently about 20 minutes.

Peter Bradley: To ask the Secretary of State for Work and Pensions how many pensioners in The Wrekin he estimates will benefit from the pension credit. [131689]

Malcolm Wicks: The information is not available in the format requested. However, an estimated 350,000 pensioner households are eligible for pension credit in the West Midlands.

Notes:

1. The estimates were calculated for all pensioners using the Department's Policy Simulation Model based on the Family Resource Survey data for 2001–02 projected forward to 2003–04. This shows around 3.6 million households entitled to pension credit.
2. The Policy Simulation Model excludes all pensioners in nursing or residential care homes. This is because the Family Resource Survey data does not contain information on these cases. We estimate that just over 200,000 pensioners in care homes will be entitled to pension credit. This means that the total number of pensioner households eligible for pension credit in 2003–04 is estimated to be about 3.8 million households.

Travel to Work Areas

Mr. Sanders: To ask the Secretary of State for Work and Pensions if he will list the top and bottom 100 travel to work areas by average wage; and if he will make a statement. [129159]

Ruth Kelly: I have been asked to reply.

The Information requested falls within the responsibility of the National Statistician who is writing to the hon. Member.

Letter from Colin Mowl to Mr. Adrian Sanders, dated 17 September 2003:

The National Statistician has been asked to reply to your recent question on the top and bottom 100 travel to work areas by average wage. I am replying in his absence.

Information on average weekly earnings for travel to work areas is taken from the New Earnings Survey (NES) for 2002, the latest year for which data are available. Publication criteria for NBS state that all estimates with a sample size less than 30 or a relative standard error greater than 5% must be excluded from published analyses since they are not accurate enough.

A large number of the earnings estimates for travel to work areas have been excluded as a result of these criteria, and there are a total of 150 areas for which estimates can be given. I am placing in the House of Commons library, a single table showing the estimated average weekly earnings for each of these 150 travel to work areas.

CONSTITUTIONAL AFFAIRS

Accountancy Services

Mr. Bercow: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the total cost to the Department was for accountancy services in 2002–03. [109494]

Mr. Lammy: My Department entered into a nine year PFI contract with Liberata UK Ltd., (formerly CSL Group Ltd.) in January 1998. This contract covers a wide range of services including providing accounting systems, making payments, receipting and accounts production. The cost of accountancy services provided to the Department by Liberata under the contract, and from other external firms of accountants or their management consultancy arms where the assignment was connected with financial matters, in 2002–03 was £6.4 million.

Family Law

Mr. Beith: To ask the Parliamentary Secretary, Department for Constitutional Affairs what aspects of family law continue to be the responsibility of the Department for Constitutional Affairs. [131404]

Mr. Lammy: The schedule lists all areas of family law and family policy which had been the responsibility of the former Lord Chancellor's Department prior to the Machinery of Government changes which were announced on 13 June 2003.

The schedule indicates which responsibilities remain with the Department for Constitutional Affairs, and which have been transferred to the Department for Education and Skills.

Proposed future roles and responsibilities for children and families policy DFES/DCA

	DfES	*DCA*
Domestic violence	Contributing re impact of domestic violence on children	Stays (with HO leading cross-Government 'Virtual Unit' on consultation paper and prospective Bill)
Civil partnerships	Contributing re issues affecting children if registering/dissolving same-sex partnerships	Stays (with DTI leading on consultation paper and prospective Bill)
(Opposite sex) cohabitation	Contributing re specific needs and vulnerability of children of cohabitees	Lead, (DCA leading cross-Government exploration of information campaign)
International	Interest in possible domestic impact	Lead, (DCA leading on range of international legal treaty commitments, and Reciprocal Enforcement of Maintenance Orders (REMO) casework)
Family justice system	'Powerful customer' specifying desired priorities and outcomes for children involved in system	Lead, (implementation of new legislation (eg Adoption and Children Act 2002) and maintenance/development of existing legislation. On-going delivery through the courts, with Legal Services Commission (re legal aid) and new Family Justice Council)

Proposed future roles and responsibilities for children and families policyDFES/DCA

	DfES	*DCA*
Divorce	Transfers (delivery of information comparison/products for parents and children affected by separation/divorce)	Part transfer (staying: policy maintenance of Matrimonial Causes Act 1973, repeal of (unimplemented) Part n Family Law Act 1996. Monitoring of delivery of Family Advice and Information Service (FAInS) by the Legal Services Commission)
Child Contact	Lead, (implementation of Government response to Children Act Sub-Committee (CASC), "Making Contact Work", Development of child contact services)	Contributes (through effective implementation of Section 8 Children Act 1989 in courts)
Child Safety	Lead, (implementation of CASC response in areas of Facilitation, enforcement and safety)	Contributes (through commencement of revised forms/ rules in Section 8 proceedings)
Children's Private Law	Lead, (provision of information and other (non-court based) services to parents and children	Contributes (through court-based services)
CAFCASS	Lead, (both delivery by CAFCASS and operation of sponsor unit), and Lead (as link Minister) to CAFCASS Inspectorate in MCSI	Contributes (through courts, judiciary, magistracy (legal practitioners and other stakeholders)
Marriage and Relationship Support (MARS)	Lead, (through delivery of grant programme)	Contributes (informed by civil partnerships and cohabitation responsibilities)

Lay Magistrates

Mr. Hammond: To ask the Parliamentary Secretary, Department for Constitutional Affairs, if he will take steps to ensure that lay magistrates are not discouraged by advice from their clerks from accepting invitations to accompany police patrols to experience crime and disorder at first hand. [131660]

Mr. Leslie: Successive Lord Chancellors have warned magistrates of the risks of participating in activities which might appear to undermine the independence of the bench. However, one of the strengths of the magistracy is that its members will have a wide range of experience of their local communities. Magistrates are encouraged to keep their knowledge up to date, and visits to areas with particular problems can do much to help. The Lord Chancellor and Secretary of State does not wish to discourage magistrates from seeing at first hand how the police work within the local community. This must, however, be achieved in ways which minimise the risks of their impartiality being called into question.

Mobile Phones

Mr. Flight: To ask the Parliamentary Secretary, Department for Constitutional Affairs, what the cost was to his Department and its predecessor of mobile phones supplied to ministers and officials in each year since 1997. [123145]

Mr. Lammy: My Department has spent the following each year on mobile phones supplied to ministers and officials:

1997–98—n/a
1998–99—n/a
1999–2000—n/a
2000–01—n/a
2001–02—£3,632
2002–03—£7,610
2003–04—£4,944 (6 months April 03-September 03)

Figures are not available for the periods 1997–March 2001 without incurring disproportionate costs.

The figures shown above are from April 200land for each subsequent financial year. They inclu.le the cost of equipment, call charges and line rental fees.

Regulatory Bodies

Mr. Yeo: To ask the Parliamentary Secretary, Department for Constitutional Affairs, if he will list the *(a)* number of staff employed by and *(b)* budget of each regulatory body for which his Department is responsible in each year since 1997. [117779]

Mr. Lammy: Information on regulatory bodies is available in "Public Bodies", a publication produced annually by the Cabinet Office. This publication provides information on the size, spend and membership of public bodies in the UK and includes non-departmental public bodies. The current edition of the publication "Public Bodies 2003" is available in the House of Commons Library.

Written Answers to Questions

Wednesday 15 October 2003

PRIME MINISTER

Arcturus House

Q15. **Mr. Steen:** To ask the Prime Minister if he will make an official visit to Arcturus House in Totnes. [132037]

The Prime Minister: I have no current plans to do so.

Departmental Hospitality

Mr. Lidington: To ask the Prime Minister how much was spent on food by his office in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-produced food; and if he will make a statement. [129375]

The Prime Minister: Expenditure on food in the Prime Minister's Office is limited to official entertainment. For the total cost to my office for all official entertainment at 10 Downing Street and Chequers, I refer the hon. Member to the answers I gave the hon. Member for Lewes (Norman Baker) on 28 February 2002, *Official Report*, columns 1444–48W, and the hon. Member for Yeovil (Mr. Laws) on 27 January 2003, *Official Report*, column 564W. Information on the total cost for 2002–03 is not yet available.

Information on the proportion of food by value produced in the UK is not held and could be provided only at disproportionate cost.

The Department for Environment, Food and Rural Affairs has provided guidance for Government Departments and their agencies on local sourcing and how to remove obstacles to tendering faced by local and UK suppliers. The Government has a policy of achieving value for money in public procurement and ensuring that under European Commission rules, public procurement is fair, transparent and non-discriminatory.

Iraq

Paul Flynn: To ask the Prime Minister pursuant to his answer of 18 September, *Official Report*, column 870W, on Iraq, whether the *(a)* chairman and *(b)* members of the (i) Intelligence and Security Committee, (ii) Defence and (iii) Foreign Affairs Select Committees were invited to comment on the content of the Iraq dossier before it was published. [131915]

The Prime Minister: As I said in my reply to my hon. Friend on 18 September, all three chairmen were briefed on the content of the Iraqi Weapons of Mass Destruction dossier by the chairman of the Joint Intelligence Committee on 19 September 2002, shortly before it was published.

In addition, I invited Ann Taylor to see it in advance of the briefing to the whole Intelligence and Security Committee and to pass comment if she wished.

Mr. Dalyell: To ask the Prime Minister if he will make a statement about the advice which he received before the conflict on the impact of a military offensive against Iraq on the incidence of terrorism. [131993]

The Prime Minister: The assessment I received was that the greatest terrorist threat to Western interests came from al-Qaeda and related groups, and that this threat would be heightened by military action against Iraq. This assessment informed the Ministry of Defence's planning for military action, as well as the Foreign and Commonwealth Office's consular planning and in the published Travel Advice.

When I took the decision that military action would be required to ensure that Iraq complied with United Nations Security Council Resolutions, I had to weigh all the factors, including the possible short term risk of increased terrorism, against the longer term risks of rogue states developing weapons of mass destruction.

Syria

Mr. Dobson: To ask the Prime Minister what assessment the Government have made of whether Syria *(a)* possesses and *(b)* is developing weapons of mass destruction. [131973]

The Prime Minister: The Government are concerned by persistent reports that Syria is pursuing a programme for the development of weapons of mass destruction and believes that the best way to pursue those concerns is in a frank and critical dialogue with the Syrian Government.

We regularly urge all states to sign and ratify all the treaties and conventions covering the development of such weapons.

INTERNATIONAL DEVELOPMENT

Patented Medicines

6. **Mr. Lazarowicz:** To ask the Secretary of State for International Development if he will make a statement on the implementation of the World Trade Organisation's agreement on TRIPS and public health. [132044]

Mr. Gareth Thomas: The agreement reached at the WTO will enable poor countries with no, or insufficient pharmaceutical manufacturing capacity to import copies of patented medicines. The agreement is a very significant step which should help to reduce the price in poor countries of patented medicines that come onto the market after 2005.

Sierra Leone

7. **Mr. Win Griffiths:** To ask the Secretary of State for International Development what plans he has to visit Freetown in 2003 to discuss progress on the Department's aid programmes in Sierra Leone. [132045]

Hilary Benn: Due to commitments arising from my new responsibilities, I have, with regret, had to postpone a visit to Sierra Leone planned for November. I remain closely in touch with developments in Sierra Leone and the progress on our substantial programme there, and discussed the progress being made with President Kabbah when he visited the UK in July.

Iraq

8. **Mr. Luff:** To ask the Secretary of State for International Development if he will make a statement on his Department's contribution to the post-conflict reconstruction of Iraq. [132046]

Hilary Benn: In my Written Statement to the House yesterday, I announced a total UK commitment towards Iraq's reconstruction of £544 million for the three years from April 2003, including our share of proposed European Community spending. £296 million of this commitment will be for the period from now until March 2006. It will not result in any reduction in DFID's planned expenditure for low income countries.

9. **Chris Grayling** To ask the Secretary of State for International Development if he will make a statement on the post-conflict reconstruction of Iraq. [132047]

Hilary Benn: In my written statement to the House yesterday, I announced a total UK commitment towards Iraq's reconstruction of £544 million for the three years from April 2003, including our share of proposed European Community spending. £296 million of this commitment will be for the period from now until March 2006. It will not result in any reduction in DFID's planned expenditure for low income countries.

Mr. Dalyell: To ask the Secretary of State for International Development if he will make a statement on his Department's support for projects in Iraq. [132323]

Hilary Benn: I refer my hon. Friend to the written ministerial statement I made yesterday, 14 October 2003, *Official Report*, column 9WS and the documents I placed in the Library after my Ministerial Statement of 3 July. The latest information on DFID's work in Iraq can also be found on our website at www.dfid.gov.uk.

India

10. **Mr. Pound:** To ask the Secretary of State for International Development if he will make a statement on British aid programmes in India. [132048]

Mr. Gareth Thomas: DFID provided £161 million of bilateral development assistance to India in 2002–03. In the New Delhi Declaration of January 2002 the Prime Minister looked forward to expenditure of over £300 million. We are making progress towards this budget and expect to be able to disburse some £200 million in 2003–04.

Our programme helps government deliver pro-poor policies and services. We are working closely with four focus states committed to poverty reduction, including on their programmes of fiscal and public sector reform, increasing access to basic health, education, and urban services for the poor and empowerment of the marginalised. We also support the efforts of the Union Government and civil society in these areas nationwide.

Our priorities for this year are to:

agree, in consultation with Government of India, a new Country Assistance Plan, confirming the strategic partnership and outlining DFID's programme of support to the 10th National Development Plan;

help focus state governments develop social sector investment plans and innovative approaches to livelihoods and empowerment for poor people and women;

help improve governance, especially through public sector reform, civil service reform, increased access to justice, and anti-corruption initiatives;

further strengthen our links with key multilateral partners.

Global Fund (AIDS, TB and Malaria)

12. **Mr. Tom Clarke:** To ask the Secretary of State for International Development what recent contributions his Department has made to the global fund to fight AIDS, TB and malaria. [132050]

Mr. Gareth Thomas: Since the Global Fund (GFATM) was set up in 2001 the UK has committed US$200 million. The UK has recently pledged a further US$80 million, extending our current commitment to a total of US$280 million up to 2008.

Afghanistan

13. **Mr. Tynan:** To ask the Secretary of State for International Development what measures are in place to reduce the production of heroin in Afghanistan. [132051]

Mr. Gareth Thomas: The Afghan Transitional Administration have produced the Afghan National Drug Control Strategy and the UK Government are working in support of that strategy. The UK has committed to provide £70 million over the next three years to target opium poppy cultivation and heroin production. This funding will be used for law enforcement, alternative livelihoods, institution building and research. DFID are providing funding for a range of alternative livelihoods activities designed to provide those involved in opium poppy cultivation with other ways of earning a living.

World Trade Organisation (Cancun)

14. **Ann Winterton:** To ask the Secretary of State for International Development if he will make a statement on the impact on developing countries of the outcome of the fifth ministerial round of the World Trade Organisation meeting at Cancun. [132052]

Hilary Benn: The failure of the WTO ministerial talks in Cancun was a setback for the Doha Development Agenda and a blow to developing and developed countries alike. I believe that this failure will disadvantage the world's poorest countries most. Developing countries stand to get a better deal through multilateral negotiations in the WTO—where developing countries make up two thirds of the membership—than through a multitude of regional and bilateral agreements with bigger economic players.

NORTHERN IRELAND

Arts Council

Mr. Dodds: To ask the Secretary of State for Northern Ireland whether the membership of the Steering Group for the Arts Council of Northern Ireland's research project on the Arts of Irish and Ulster-Scots includes equal representation from both cultural communities. [100446]

Angela Smith: In setting up the Steering Group the Arts Council of Northern Ireland invited nominations from Foras na Gaeilge, Iontaobhas Ultach/Ultach Trust and Tha Boord o Ulster Scotch. These are the bodies partnering with the Arts Council in funding the research. A nomination was also invited from the Department of Culture, Arts and Leisure as the Arts Council's sponsoring Department.

The Steering Group consists of seven members: three nominees of the Arts Council of Northern Ireland and one nominee from each of the above organisations. The single criterion for appointing members of the Steering Group was status as a funding partner. In this context, ensuring numerically equal representation from both cultural communities has not been a consideration for the Arts Council.

Cross-departmental Policies

Mr. Beggs: To ask the Secretary of State for Northern Ireland what cross-departmental policies are in place to tackle *(a)* sex and *(b)* racial inequality in Northern Ireland. [131522]

Mr. Spellar: I refer the hon. Gentleman to the reply I gave on 9 September 2003, *Official Report*, column 298W.

Pre-school Education

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many Pre-school Education Advisory Group places have been allocated to each nursery school and playgroup in Newtownards for 2003–04, broken down by electoral ward pupils live in who have been allocated a Pre-school Education Advisory Group place. [129898]

Jane Kennedy: I understand from the Chief Executive of the South Eastern Education & Library Board that the playgroups in Newtownards have received the following allocations of PEAG places for 2003–04.

Ward	*Provider*	*Places allocated 2003–04*
Glen	Bees Nees Early Years Centre	18
Loughries/ Carrowdore	Chuckles Playgroup	19
Scrabo	Little Doves Community Playgroup	15
Movilla	Movilla Abbey Playgroup	26
Movilla	Play-a-Way Childcare Centre	20
Central Ards	St. Finian's Playgroup	18
Scrabo/Loughries	The Playcentre at Manor Court	24
Total		140

The final enrolment in voluntary and private sector pre-school centres is still subject to changes as allocated places are sometimes not taken up and have to be reallocated. I will write to the hon. Member once the information on final allocations is available. Details of the electoral wards in which the children live are not currently available but will be collected and included in my reply when the information on final allocations is available.

Only voluntary and private sector pre-school centres are eligible for PEAG places. Statutory nursery schools and units have a standard complement of 26 pupils per class. The four statutory settings have the following capacities:

School name	*Total capacity*
Abbey Primary School	52
Glenbrook Nursery School	78
Newtownards Nursery School	78
West Winds Primary School	26
Total	234

TRANSPORT

Grosvenor Square (Street Closure)

Mr. Kidney: To ask the Secretary of State for Transport what application he made for a street closure order in relation to the event at Grosvenor Square on 11 September 2003; and for what period the street closure was requested. [131410]

Mr. McNulty: None. I understand that the road closure was made under Metropolitan Police powers.

Cycling Safety

Mr. Hancock: To ask the Secretary of State for Transport (1) what steps his Department is taking to promote the wearing of helmets by cyclists; [132082]

(2) what representations he has received about making the wearing of helmets by cyclists compulsory; if he will make it his policy to introduce such legislation; and if he will make a statement; [132083]

(3) what assessment he has made of the benefits of cyclists wearing helmets; and if he will make a statement. [132084]

Mr. Jamieson: We have a large body of material on cycle safety aimed at younger children promoting the use of cycle helmets as well as other cycle safety messages. We have also developed a Cycle Sense campaign, aimed at teenagers, that was launched on 21 May this year. The campaign encourages teenagers to wear cycle helmets and consists of posters and a new cycle sense website.

A study commissioned by the Department to look into the effectiveness of cycle helmets, published in November last year, found that overall, the evidence suggests that cycle helmets are effective at reducing the severity of brain and upper facial injuries for all ages, and especially children. This reinforces our view that helmets should be worn by children.

We have had correspondence from members of the public asking for helmets to be made compulsory, as well as The Bicycle Helmet Initiative Trust and Headway, the brain injury association.

When considering compulsion, we have to take wearing rates into consideration. A survey undertaken by the Transport Research Laboratory measuring wearing rate in 2002 found that the rate for all cyclists on built-up major roads was 25 per cent. The wearing rate is continuing to increase, but at this level, making helmets compulsory could cause enforcement difficulties, and without greater public acceptance, could have an effect on levels of cycling. We will continue to monitor wearing rates and review the option of compulsory wearing from time to time.

Miss McIntosh: To ask the Secretary of State for Transport (1) what recent assessment he has made of the benefits of wearing a bicycle helmet for the prevention of injuries; [132258]

(2) what plans he has to introduce legislation enforcing the wearing of bicycle helmets for those under 16; and if he will make a statement. [132259]

Mr. Jamieson: A study commissioned by the Department to look into the effectiveness of cycle helmets, published in November last year, found that overall, the evidence suggests that cycle helmets are effective at reducing the severity of brain and upper facial injuries for all ages, and especially children. This reinforces our view that helmets should be worn by children.

A survey undertaken by the Transport Research Laboratory measuring wearing rates in 2002 found that the rate for all cyclists on built-up major roads was 25 per cent. The wearing rate is continuing to increase, with the exception of boys under 16, where the rate has reduced from 16 per cent. in 1994 to 12 per cent. in 2002. At these levels, making helmets compulsory would cause enforcement difficulties, and without greater public acceptance, could have an effect on levels of cycling. We are making special efforts to persuade adolescents, and especially boys, to wear helmets. We will continue to monitor wearing rates by all ages and review the option of compulsory wearing from time to time.

Rail Services (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for Transport if he will list the stations in Merseyside *(a)* which will receive improvements through the Strategic Rail Authority's MFAS programme and *(b)* which are expecting improvements via the Local Transport Plan on the Merseytravel Passenger Transport Authority and Executive; and what the nature and cost of the improvements are. [132334]

Mr. McNulty: Merseyside Stations which will receive improvements through the MFAS programme are: Aintree, Aughton Park, Bebington, Birkenhead Central, Bootle New Strand, Bootle Oriel Road, Bromborough, Formby, Freshfield, Green Lane, Hightown, Hillside, Hooton, Moreton, Old Roan, Orrell Park, Sandhills, Spital, Town Green, Waterloo and West Kirby. The improvements are now waiting rooms and Customer Information Systems (CIS) costing £7 million.

At the moment, 40 of the 80 stations are fully accessible. Under the current LTP programme there are plans to upgrade up to 25 more stations, making them fully accessible to all wheelchair users and all other travellers. The plan is then to finish the remaining 15 in the next LTP round. The amount spent on each station depends on the work needed.

Road Deaths

Lynne Jones: To ask the Secretary of State for Transport pursuant to his answer of 15 January 2003, *Official Report*, column 625W, on road deaths, if he will make a statement on *(a)* the progress in monitoring the experiments in the Netherlands to reduce road deaths and *(b)* his Department's work with United Kingdom local authorities. [132140]

Mr. Jamieson: The new traffic arrangements at the various sites in north Holland were not, principally, introduced as casualty reduction schemes. The information that has been provided by the Dutch shows that casualty figures at all the revised sites are at the level of one or none per year. We are happy that, in the context that they are being used in Holland, these ideas do not result in increases in casualties.

The Department for Transport is aware of two authorities in this country that have been considering applying some of the measures used in north Holland, but as redevelopment rather than accident reduction measures. From informal discussions with the authorities, it is understood they are now considering more familiar techniques such as 20 mph speed limit zones. We have not been approached by any authorities planning to remove traffic signals.

Strategic Rail Authority

Miss McIntosh: To ask the Secretary of State for Transport whether additional funding will be made available to the Strategic Rail Authority to support any increase in funding for Network Rail determined by the Rail Regulator. [131362]

Mr. McNulty: The Regulator is due to conclude his Interim Review of Network Rail's track access charges in December 2003. This, along with work that the SRA and my Department are doing on rail financing and output will be considered as part of the Spending Review, the outcome of which will be announced next year.

Transport Infrastructure (Crosby)

Mrs. Curtis-Thomas: To ask the Secretary of State for Transport how much money was spent improving the transport infrastructure in Crosby *(a)* since 1997 and *(b)* from 1992 to 1997. [132335]

Mr. McNulty: I refer my hon. Friend to the answer given on 11 September 2003, *Official Report*, column 374W.

I understand Sefton Borough Council are in the process of compiling this information and will supply it to my hon. Friend as soon as it becomes available.

Walking

Mr. Simon Thomas: To ask the Secretary of State for Transport what action the Government are taking to promote the benefits of walking. [132419]

Dr. Howells: I refer the hon. Member to the answer given on 14 October 2003, (PQ references 132357, 132358, 132359, 132360).

MINISTER FOR WOMEN

Voice of the Women of Iraq Conference

Joan Ruddock: To ask the Minister for Women what follow-up action has taken place in the United Kingdom following the Voice of the Women of Iraq conference on 9 July. [132148]

Ms Hewitt *[holding answer 14 October 2003]:* Since the Voice of Women of Iraq conference that I attended in July, the Government have seconded two gender experts to the Coalition Provisional Authority in Baghdad and Basra. They will take forward the work started in May by the secondee from my Women and Equality Unit, in supporting Iraqi women and to help determine a national policy for women. I continue to meet with a group of Iraqi women to listen to their concerns and experiences, as well as discuss ways to support Iraqi women during this critical phase. I have continued to stress the need to ensure substantial women's representation in all strands of the rapidly evolving political and reconstruction process at the highest level.

Joan Ruddock: To ask the Minister for Women if she will make available the recommendations of the conference Voice of the Women of Iraq, which she attended on 9 July. [132253]

Ms Hewitt: I will make the recommendations of the conference Voice of the Women of Iraq available in the Libraries of the House.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Combined Heat and Power

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the benefits of excess combined heat and power being exported between company sites. [131971]

Mr. Bradshaw *[holding answer 14 October 2003]:* The export of excess good quality combined heat and power between company sites provides benefits to security of supply, carbon emission savings and costs. In 2002, the export of CHP to companies within the same group and to other companies is estimated to have saved up to 1 million tonnes of carbon. The financial benefit provided by exemption from the climate change levy of power outputs for those good quality CHP exports was up to £15 million in 2002.

Pollution

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications for pollution prevention and control permits were received by the Environment Agency in each year from 1996 to date; what the average time taken to determine applications was in each such year; and if she will make a statement. [129350]

Margaret Beckett: The following table gives the number of permit applications made to the Environment Agency since 2000 and the average time taken for them to be issued. No applications were received before that date because the Pollution Prevention and Control (England and Wales) Regulations 2000 ('the PPC Regulations') were not then in force.

Permit applications made to the environment agency

Calendar year	*Number of applications received*	*Number of permits issued*	*Average time to determine permits issued in year*[1] *(months)*
2000	36	0	n/a
2001	285	54	[2]6.4
2002	167	166	10.3
2003	183	141	12.5
Total	671	361	

[1] Total time from receipt until permit issue. No allowance has been made for periods waiting for further information required by Schedule 4 Notices.

[2] The 2001 data is not representative because it shows only permits issued in 2001 when the regime was first introduced.

There has been a slight increase to the average determination time in 2003. The process of PPC is complex, and applications have often lacked necessary information which can create substantial delays if further information is sought from the applicant. In such cases a notice is issued to the operator by the regulator and the determination of the application is effectively suspended until such time as further information is received.

The Environment Agency is aiming to reduce delays to permitting; measures include centrally managed "Strategic Permitting Groups" that have been established to focus resources on the effective determination of applications, and the reviewing and simplifying of the regulatory tools that are used to determine applications.

Renewables

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what contribution renewable energy made to energy consumption in England in the last year for which figures are available; and what the levels were in other EU countries. [131081]

Mr. Timms: I have been asked to reply.

The available information is shown in the table and covers renewable energy as a share of total primary energy supply in the United Kingdom and in each of the other EU member states.

Renewable energy as a share of total primary energy supply, 2001

	Total primary energy supply (Mtoe)	*Of which renewables (Mtoe)*	*Share of renewables Percentage*
France	265.6	18.6	7.0
Sweden	51.1	15.0	29.4
Italy	172.0	9.6	5.6
Germany	351.1	9.2	2.6
Spain	127.4	8.2	6.5
Finland	33.8	7.6	22.4
Austria	30.7	6.6	21.5
Portugal	24.7	3.4	13.7
United Kingdom	235.2	2.5	1.1
Denmark	19.8	2.1	10.4
Greece	28.7	1.3	4.6
Netherlands	77.2	1.1	1.4
Belgium	59.0	0.6	1.0
Ireland	15.0	0.3	1.7
Luxembourg	3.8	0.1	1.6

Source:
International Energy Agency

The UK percentage is lower than other renewables percentages published for the United Kingdom because it is expressed in primary energy supply terms and includes energy used for heat as well as for electricity in both the denominator and the numerator. The percentage of UK electricity sales in 2001 that was accounted for by renewable sources eligible for the Renewables Obligation was 1.5 per cent. rising to 1.7 per cent. in 2002.

Whaling

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to encourage Iceland to stop whaling; and if she will make a statement. [131940]

Mr. Bradshaw: While it is certainly most regrettable, Iceland's decision to undertake a programme of lethal scientific research on whales is perfectly legal and our only recourse is thus to diplomatic protest. I met the Icelandic ambassador to London in September and left him in no doubt as to the UK Government's views on Iceland's unjustified and unnecessary plan to kill 38 minke whales this year; (the actual take turned out to be 36). On 10 September the UK Government, represented by the UK ambassador to Iceland, led a demarche of 23 countries urging the Icelandic Government to reconsider its decision to proceed with so-called "scientific" whaling. A demarche on this scale is significant, and I hope that the Icelandic Government will reflect on it before deciding how to take matters forward for next year.

DEFENCE

Iraq

Paul Flynn: To ask the Secretary of State for Defence pursuant to his written Ministerial Statement of 7 July 2003, *Official Report*, column 41–42WS, on Iraq, whether the full report on operations in Iraq to which he referred will include estimates of the numbers of British and Iraqi military and civilian casualties resulting from recent military operations in Iraq. [125285]

Mr. Hoon: The full report on operations in Iraq will contain details of British fatal casualties only. We have no viable means of ascertaining the numbers of Iraqis killed or injured during the conflict. As of 10 October, 50 United Kingdom armed forces personnel and one member of the Defence Fire Service had died since the start of coalition military operations against Iraq. 12 of these deaths were non-battle fatalities.

Mr. Marsden: To ask the Secretary of State for Defence what steps were taken during the recent conflict in Iraq to encourage mutiny amongst Iraqi armed service personnel. [132291]

Mr. Ingram: In an attempt to keep the conflict short and minimise casualties on both sides, the Coalition encouraged surrender and desertion, though not mutiny, within the Iraqi armed forces. Throughout the conflict daily broadcasts were made and leaflets dropped, peaking on 21–23 March with Iraqi ex-military commanders and clerics making appeals to the Iraqi forces to surrender or desert.

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the results of the investigations into the cause of Marine Maddison's death in Iraq on 30 March; and if he will make a statement. [125986]

Mr. Ingram: The Service Police investigation into the death of Marine Maddison is continuing. No conclusions have yet been drawn and it would be inappropriate to comment further at this stage.

Nuclear Submarines

Mr. Peter Duncan: To ask the Secretary of State for Defence what procedures are in place to ensure safety systems are followed at HM naval bases where private enterprise is involved in the maintenance and repair of nuclear submarines. [131551]

Mr. Ingram: Standards of safety in the maintenance and repair of nuclear submarines are ensured by the appointment of Radiation Protection Supervisors as defined by the Ionising Radiations Regulations 1999 (IRRs99). These Radiation Protection Supervisors ensure that the legally mandated local rules, written by the MOD or site operator as appropriate, are adhered to. The Naval Base Commanders employ Radiation Protection Advisers and Radiation Safety Officers to provide assurance and advice that these safety systems are being observed. In addition, MOD's internal regulatory body provides assurance on nuclear safety to senior functional safety boards and the independent Defence Nuclear Safety Committee. The Health and Safety Executive's Nuclear Installation Inspectorate (NII) also regulates MOD activities under IRRs99.

Mr. Peter Duncan: To ask the Secretary of State for Defence (1) whether personal monitors of the IPM7 type are mandatory for all nuclear submarine radiation workers; [131547]

(2) what plans he has to improve the safety of workers on nuclear submarines; [131548]

(3) when the equipment used to monitor personnel leaving reactor compartments of nuclear submarines was last updated; and if he will make a statement. [131549]

Mr. Ingram: IPM-7 type detectors are not suitable for use onboard submarines due to space constraints. Alternative procedures are therefore in place to ensure all personnel are thoroughly monitored for contamination on completion of their work before going ashore.

The safety regime for workers on nuclear submarines complies fully with legal requirements. Safety arrangements are regularly audited and inspected by naval base assurance personnel and regulated by both MOD's internal nuclear propulsion programme regulator and the Health and Safety Executive's Nuclear Installations Inspectorate (NII). As a responsible employer the MOD acts immediately on any advice or findings from these audits and inspections. The Department strives to adopt best industry practice and continues to invest in improvements in all forms of personal radiation monitoring equipment in order to ensure that all workers exposures are kept as low as is reasonably practicable.

A programme to replace the existing equipment used to monitor personnel leaving reactor compartments of nuclear submarines is currently under way. It is planned to start issuing the new equipment to submarines from October this year. This adds to the modern monitoring equipment that was introduced by the naval bases during the 1990s.

Qualifications

Mr. Peter Duncan: To ask the Secretary of State for Defence what qualifications are required of *(a)* civilian and *(b)* Navy radiation safety personnel working on nuclear submarines. [131550]

Mr. Ingram: Both civilian and Royal Navy radiation safety personnel are required to be qualified to at least City and Guilds Stage 1 in Radiation Safety Practice, which is recognised as the required standard by the UK nuclear industry.

Personal Injury Claims

Mr. McNamara: To ask the Secretary of State for Defence what sums have been made in settlement of personal injury claims filed concerning Army personnel in each year since 1990. [132178]

Mr. Caplin: The Ministry of Defence does not generally record the details of the settlements of personal injury cases brought by members of HM forces by individual service. This information could be obtained only at a disproportionate cost. However, the information sought in relation to members of HM forces since 1990 is shown as follows. The increase in compensation payments reflects the fact that prior to May 1987, service personnel were prevented from pursuing claims for compensation from the MOD by section 10 of the Crown Proceedings Act 1947. The increase in the value of settlements in recent years is mainly attributable to changes in the level of general damages recommended to the courts by the Judicial Studies Board and a change in the multiplier used to calculate future losses as directed by the Lord Chancellor and set out in the Damages Act 1996.

	Value of settlement (£ million)
1990–91	1.67
1991–92	2.39
1992–93	6.52
1993–94	8.29
1994–95	12.0
1995–96	12.6
1996–97	16.2
1997–98	26.8
1998–99	26.7
1999–2000	31.0
2000–01	36.6
2001–02	32.3
2002–03	40.0

EDUCATION AND SKILLS

Academies

Mr. Chaytor: To ask the Secretary of State for Education and Skills for each school which was a city technology college or city college for the technology of the arts on 1 September 2002, whether *(a)* he has agreed under section 68 of the Education Act 2002 that the institution shall be known as an academy, *(b)* an application has been made to him that the school be known as an academy and *(c)* no application has been made to him for the school to be known as an academy; and in the case of *(a)*, when the decision takes effect. [131226]

Mr. Miliband: Section 68 of the Education Act 2002 allows a city technology college (CTC) or city college for the Technology of the Arts (CCTA) to convert into an academy, where the governors agree that the college should take on the characteristics of an academy. To date one CTC, Djanogly in Nottingham, has converted into an academy with effect from August 2003. The Department has also received an expression of interest from Haberdashers CTC in Lewisham to convert into an academy with effect from September 2005. Other CTCs are involved in the academies nine programmes as sponsors or in federation with academies, but have not formally expressed an interest in conversion.

Asbestos

Dr. Cable: To ask the Secretary of State for Education and Skills how much has been spent by his Department and its agencies on *(a)* asbestos surveys and *(b)* the management and removal of asbestos since 1st January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004. [130913]

Mr. Stephen Twigg: My Department has spent an estimated £40,000 on asbestos surveys since January 2001. Costs for the management and removal of asbestos are not available. There is no set budget for future surveys, asbestos management or associated works. However, any remedial and control activities identified in the future as a requirement under the existing and new Control of Asbestos at Work Regulations will be undertaken. As I have said previously in replies to questions on asbestos from the hon. Gentleman,

measures in place already and planned, will result in my Department fully complying with the new regulations by May 2004.

Free School Meals

Mr. Mike Hall: To ask the Secretary of State for Education and Skills how many *(a)* boys and *(b)* girls receiving free school meals reached the required standards in (i) English and (ii) maths at key stage (A) 1, (B) 2, (C) 3 and (D) 4 in each year since 1997, broken down by local education authority. [131466]

Mr. Miliband: The information requested has been placed in the Library.

The tables show, for each local education authority, the number and percentage of boys and girls by free school meals eligibility who reached the expected level in English and Maths in each year available since 1997. The figures shown are based on:

Pupils achieving level 2 or above at Key Stage 1
Pupils achieving level 4 or above at Key Stage 2
Pupils achieving level 5 or above at Key Stage 3
Pupils achieving grades A*-G) at GCSE

Special Educational Needs (Small Programmes Fund)

Jonathan Shaw: To ask the Secretary of State for Education and Skills which organisations received funding from the two new streams under the SEN Small Programmes Fund 2002–03; and what sums each organisation received. [132203]

Mr. Miliband: The SEN Small Programmes Fund is a small pot of money which we use to fund projects taken forward by voluntary bodies working in the field of SEN.

The following organisations received funding from the two streams of the SEN Small Programmes Fund in 2002–03:

Lead organisation name	*Project title*	*Grant bid (£)*
Parents and pupils strand		
Kids Southeast	The Same Difference	25,000
Autism Initiatives	Autistic Spectrum Disorder (ASD) Steps to inclusion for pupils, parents and providers	30,000
AiMP and the North East Regional Partnership	AiMP (Amicus interactive Music Project)	30,000
Carousel	MacKeith Unit After Schools Club	25,997
Contact a Family	Contact a Family, SKILL and network 81 Parent information project	26,686
The Deaf(a x Trust	Training deaf pupils and their parents on the use of communications aid technologies	30,000
East Midlands Regional Partnership	Provision of support to parents/carers of pupils with SLD/complex needs who live in geographically/socially isolated locations within the East Midlands	27,100
Harry's Hydro	North Somerset Hydrotherapy and multi-sensory centre	30,000
The Learning Disabilities Federation	Family and supporter for pupils and parents of children with Autism/ Autistic Spectrum and SEN/SSEN	19,400
Leonard Cheshire South West	Exeter LIVE—Living with Independence, Vocation and Education	30,000
Liverpool Institute for Performing Arts	Crossing the Threshold	18,500
Manchester Council for Community Relations	Parents and Inclusive Education	30,000
The National Children's Bureau	Why listen to me? A Peer Support and Parenting Project	23,900
NSPCC	Attention Difficulties: Developing evidence based practice	23,700
NCH Penhurst School	Development of a pre-verbal communication curriculum for children with profound, multiple learning difficulties	25,000
North Liverpool Parent Support Group	Removing Barriers to Positive Participation	30,000
Pre-School Learning Alliance	Promoting inclusion for pre-school children with SEN	29,925
Orchestra of the Age Enlightenment	Where the Green Grass Grows	9,000
RNIB	Developing social and emotional support strategies for visually impaired children	30,000
Selective Mutism Information and Research Association (SMIRA)	Video on selective mutism in childcare	30,000
Shaftesbury Homes and Arethusa	Improving outcomes	25,000
Shaw Trust	East Lincolnshire Curriculum Project	30,000
St. Aidans Trust Sheffield	StAR provision	30,000
South Central Regional Inclusion Partnership	Developing partnerships with the independent and non-maintained sector	30,000
SEN Regional Partnership (SW)	South West Peninsula ASD Project	30,000
Stockton Autism Support Group	Learning for life—the Stockton ASD Learning Partnership	30,000
Dyslexia Institute	Preston Rd Dyslexia Project	30,000
The National Autistic Society	A multi-agency inclusive network	29,700
The Space Project	PROPP	30,000
The Trident Trust	Preparation and support for SEN students on work experience and work related learning	30,000
Workforce Charitable Trust	Achievement Plus	30,0000
Autism Bedfordshire	LOAF Project	15,658
Child Brain Injury Trust	Things can get better	28,650
NW SEN Regional Partnership	Bringing our Children Back Home	29,850
North West Regional SEN Partnership	A model for the implementation of a regional advocacy service for disabled children	29,963
North West Regional SEN Partnership	A model for effective emotional and social inclusion at Key Stages 3 and 4	30,000

Lead organisation name	Project title	Grant bid (£)
Teachers and Training Strand		
ACE Centre Advisory Trust	Cornwall Alternative and Augmentative Communication Team	27,300
ACE Centre—North	Communication Aid System Picker and Enabling Resources (CASPER)	27,041
Association for Science Education (ASE)	Developing and Inclusive Science Resource	30,000
Barnados	Darlington inclusion alliance inclusive schools award project	26,958
Barnados	Continuing education of excluded pupils in Sunderland (CEEPS)	30,000
BILD (British Institute for Learning Disabilities)	Supporting transition from school to adulthood for pupils with autistic spectrum disorders (ASD)	30,000
BILD (British Institute for Learning Disabilities)	An inclusive whole school approach to challenging behaviour in primary schools	30,000
BILD (British Institute for Learning Disabilities)	Removing barriers to support inclusion in making provision for pupils with SEN within Birmingham's Catholic Partnership	28,000
Chicken Shed Theatre Company	National Inclusive Training and Development Programme—Tower Hamlets Initiative	26,642
CSV for Citizenship	Disseminating Inclusive and innovative approaches to active citizenship and life skills	25,000
Council for Disabled Children	Making it Work	26,900
Down's Syndrome Association	Specialised training pack for teaching staff of pupils with Down's syndrome in special schools	28,130
English Federation of Disability Sport—East Midlands	Breakthrough—Derby and Derbyshire	30,000
Express Link-Up Children's Charity	Digital Brain Education Site Training programme for hospital and home tuition teachers in England	23,000
Fairplay	Inclusion—The Way Forward	29,594
Heads, Teachers in Industry	Removing the Boundaries	30,000
I CAN	Laying the foundations for inclusion of pupils with speech, language and communication difficulties	30,000
Inaura	Managing the transfer of pupils between places of education to maintain a zero exclusion zone in Slough	30,000
INCLUDE	The Model Reintegration Project	30,000
London Sports Forum for Disabled People	Breakthrough	29,175
Mencap	Trans Dynamic	30,000
Merseyside SEN Partnership	Development of a strategic policy and framework for monitoring, review, evaluation, and planning of educational inclusion across Greater Merseyside	30,000
The National Deaf Children's Society	Inclusion Toolkit: Deaf Children in Mainstream schools	22,168
NoRSACA	Combined joint approaches to develop training packages to support the inclusion of children with ASD in maintain settings	21,621
RNIB	The physical and sensory environment for children with visual impairment and additional disabilities. The development of audit and training materials	29,000
RNIB	Development of resources for children who are blind with additional learning difficulties who use Moon	25,540
Swindon Dyslexia Association	Dyslexia Friendly Schools	7,500
The Duke of Edinburgh's Award	Duke of Edinburgh's award SEN Co-ordinator and Materials	30,000
The Dyslexia Institute	Development of effective strategies to meet specific needs of pupils with SpLD/Dyslexia in the classroom	27,200
The Mental Health Foundation	Whole Child, whole school, whole school career	30,000
The Total Learning Challenge	Increasing access for teachers and support staff to training in therapeutic group work	29,877
Youth Sport Trust	Inclusion training in PE and sport	26,000
Within Reach (Sheffield)	Active Futures	18,840
Young Minds	Development and implementation of a training strategy to meet the emotional, behavioural or mental health needs of children in public care	30,000
Wigan and District Dyslexia Association	Development of a Structured Language Programme at Key Stage 3	29,750
Stockton Autism Group	Skills for the development of learning for life	30,000

Gifted Pupils

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 16 September, *Official Report*, column 686W, on gifted pupils, how many *(a)* pupils that took part in the 2003 summer schools and *(b)* pupils with Academy membership are from schools in the West Sussex area. [131956]

Mr. Miliband: There are currently 23 members of the National Academy for Gifted and Talented Youth from schools in the county of West Sussex. Of those, three went to academy summer schools in 2003, another five took part in an Academy Outreach Course in 2002–03 and one is participating in an e-learning maths course. A further three members are from schools in Brighton and Hove.

Key Stage Science Assessments

Mr. Chaytor: To ask the Secretary of State for Education and Skills what proportion of children who attained level 4 in science Key Stage 2 assessment in 1998 achieved level 5 or above in science Key Stage 3 assessment in 2001; and what proportion of children

who attained level 5 in science Key Stage 2 assessment in 1998 achieved level 6 or above in science Key Stage 3 assessment in 2001. [131225]

Mr. Stephen Twigg: The information requested is as follows:

Of those pupils who achieved level 4 or above in the 1998 Key Stage 2 Science tests, the proportion who went on to achieve level 5 or above in the 2001 Key Stage 3 Science tests was 85.3 per cent.

Of these pupils who achieved level 5 or above in the 1998 Key Stage 2 Science tests, the proportion who went on to achieve level 6 or above in the 2001 Key Stage 3 Science tests was 85.1 per cent.

Student Loans

Mr. Boswell: To ask the Secretary of State for Education and Skills what proportion of British undergraduate students used student loan facilities while they have capital sums invested elsewhere in the last year for which figures are available; and what the annual cost is of the interest subsidy on these loans. [129987]

Alan Johnson: The information requested is not collected centrally.

Mr. Boswell: To ask the Secretary of State for Education and Skills pursuant to the Answer of 17 September, reference 129731 what credit is given to the Student Loan Company for delays in transmission of repayments by the Inland Revenue; and what plans he has to minimise such delays. [131572]

Alan Johnson: The Student Loans Company (SLC) manages student loan accounts. However, the loans are funded by and repaid to DfES, once Inland Revenue has collected and accounted for the loan repayments. The flow of loan repayments monies does not affect SLC's financial position in any way. Therefore, the question of credit to SLC for any delays in transmission of loan repayments does not arise.

As mentioned in written answer 129731, recovered loan amounts are accounted for annually in arrears (by analogy with tax collections) and there is little scope for current change. However, from 2005/06, Inland Revenue will require electronic deductions records (in respect of 2004/05) from large employers. These developments should enable earlier transmission of repayments in due course.

Mr. Boswell: To ask the Secretary of State for Education and Skills what the value was of student loans outstanding and attributable to persons who had dropped out from their higher education courses in each of the past three years. [131722]

Alan Johnson: The information requested is not available centrally.

Cadet Training Courses

Mr. Brady: To ask the Secretary of State for Education and Skills what guidelines his Department issues to schools on the release of pupils in full-time education for training courses offered by *(a)* Sea Cadets, *(b)* Army Cadets and *(c)* the Air Training Corps. [131811]

Mr. Ivan Lewis: We recognise the positive impact of participation in training courses offered by the Sea Cadets, Army Cadets, Air Training Corps and other out of school activities on pupils' leadership skills, self esteem and motivation. They also significantly reduce the risk of vulnerable young people drifting into crime as well as improving their school attendance, as I observed when I visited Project Outreach run by the Army Cadet Force Association in February.

It is for schools to consider requests to attend such activities. Requests should be considered on an individual basis taking into account the impact on the continuity of the pupil's learning and the guidance in annex A of the Department for Education and Skills' circular 10/99, School Inclusion: Pupil Support.

University Admissions

Ms Drown: To ask the Secretary of State for Education and Skills (1) what appeal or complaint procedures there are for students refused placements at the University of the West of England on the joint distance learning programme MA in planning; [132138]

(2) what his policy is on whether the administrators of a university registering a student for a joint qualification course may override the decisions of the management board representing all participating universities. [132139]

Alan Johnson: The administration of joint programmes and internal appeals or complaints procedures at universities are matters for the individual institutions, although they should have regard to the Quality Assurance Agency's Code of Practice on these issues. The Secretary of State has no powers to intervene in the internal affairs of higher education institutions.

As both of these questions essentially concern the internal affairs of the University of West of England, I have written to the Vice-Chancellor, Mr. Alfred Morris, asking for a response. I shall send you a copy of his reply and arrange for a copy to be placed in the House of Commons Library.

Parliamentary Questions

Mr. Andrew Love: To ask the Secretary of State for Education and Skills when he will reply to the questions of the hon. Member for Edmonton, Refs *(a)* 120769, *(b)* 120770, *(C)* 120771, *(d)* 120772 and *(e)* 120773, tabled on 19 June. [125007]

Stephen Twigg: Replies were issued on *(a)* 23 September, *(b)* 7 July, *(c)* 14 July, *(d)* 14 July and *(e)* 30 September.

Teenage Pregnancy

Mr. Andrew Love: To ask the Secretary of State for Education and Skills what action is being taken to tackle teenage pregnancy in deprived areas; and if he will make a statement. [120773]

Stephen Twigg: The similar geography of teenage pregnancy and deprivation suggests that whilst there is still much work to do, the encouraging 10 per cent. decline in England's under 18 conception rate from 1998

to 2001 has been largely achieved through targeted work in deprived localities with high numbers of conceptions by:

the allocation of funding to Teenage Pregnancy Partnerships based on teenage pregnancy rates;

the use of research and toolkits to address the needs of vulnerable groups. For example, *Teenage Pregnancy and Neighbourhood Renewal: Learning from New Deal for Communities* which details good practice in New Deal for Community areas and shares the main learning points from that practice;

New Deal for Communities and other Neighbourhood Renewal pathfinder programmes are given support and guidance in tackling teenage pregnancy as an issue through learning events and written guidance;

encouraging local strategies to target wards with a high number of teenage conceptions; and

the development of a programme of work to improve our understanding of the relationship between teenage pregnancy and socio-economic factors.

The association between deprivation and teenage pregnancy is well established and reflected in the under 18 conception rates for local authorities across England. To achieve its national targets of halving the under 18 conception rate and reducing the inequality in rates between wards by at least 25 per cent. by 2010, the Teenage Pregnancy Strategy must focus its work on deprived areas with high conception rates.

Student Visas

Mrs. Anne Campbell: To ask the Secretary of State for Education and Skills which universities have the largest number of students studying on international student visas. [129426]

Alan Johnson: Information on the number of non-European Union students studying at higher education institutions in England for 2001–02 shows that the largest number of these students are studying at the universities listed in the table below. Information is not collected on the visa status of these students.

Institution	*Number*
London School of Economics and Political Science	3,425
Middlesex University	3,348
The University of Oxford	3,265
The University of Cambridge	3,065
The University of Nottingham	3,042
The University of Warwick	3,038
University College London	2,933
The University of Leeds	2,855
The University of Birmingham	2,827
The Victoria University of Manchester	2,795
The University of Sheffield	2,440
The London Institute	2,105
The University of Westminster	2,104
Imperial College of Science, Technology & Medicine	2,014
City University	1,872
King's College London	1,869
University of Luton	1,759
The University of Leicester	1,710
Oxford Brookes University	1,679
The University of North London	1,677

Skills Base

Mr. Barry Gardiner: To ask the Secretary of State for Education and Skills what assessment his Department has made of the effect on the UK skills base of those on low incomes choosing not to seek new employment because of concerns over short term cash flow problems. [129862]

Mr Ivan Lewis: This Department has not made an assessment of the effect on the skills base if those on low incomes choose not to seek new employment. The recent Skills Strategy White Paper sets out a number of measures aimed at ensuring individuals have the skills they need to be employable, and work productively in a flexible labour market. In addition, the Department for Work and Pensions is committed to making work pay for all those who are able to work, and to supporting households, including low-income households, in sustaining employment.

The Department for Work and Pensions believe that most people moving from one job to another will be able to manage until they receive payment from their new job, as wages are paid in arrears. For those in receipt of Working Tax Credit, continuity of payment is maintained when people move from one job to another, as long as the gap between jobs is no more than 7 days. The new Working Tax Credit has been extended to people aged 25 and over without children. If people receive the Child Tax Credit, this continues to be paid direct to the main carer throughout any changes in employment. People in low paid employment may also be entitled to Housing Benefit and Council Tax Benefit.

People who are unable to manage whilst waiting for payment of wages, leading to a serious risk to their own health or safety or that of their family, may be able to get an interest free Crisis Loan. Repayment of a Crisis Loan does not start until the period of crisis is over and the rate of repayment takes account of a person's income and other commitments to avoid hardship.

University Drop-out Rate

Mr. David Amess: To ask the Secretary of State for Education and Skills what the drop-out rate was at universities in England and Wales in each year since 1997. [130377]

Alan Johnson: The latest available figures giving non-completion rates for students starting full-time first degree courses in England and in Wales are as follows:

Non-completion for students starting full-time first degree courses in England and Wales

Students starting courses in:	*Non completion rate (%)*[1]	
	England	*Wales*
1999–2000	16	15
1998–99	16	14
1997–98	16	16

Source:
HEFCE Performance Indicators

[1] Non-completion is regarded as those who do not gain a qualification from their original course or from any other course and do not transfer to another institution.

Figures published in 2003 by the Organisation for Economic Co-operation and Development (OECD) show that the UK as a whole has one of the lowest non-completion rates among OECD countries.

University Places

Mrs. Cheryl Gillan: To ask the Secretary of State for Education and Skills what proportion of A-level students from *(a)* the Chesham and Amersham constituency and *(b)* Buckinghamshire secured a place at university in the last year for which figures are available. [129889]

Alan Johnson: The available information shows that, in 2002, the proportion of 18 year olds resident in Buckinghamshire who obtained two or more A-levels and who were accepted onto a full-time or sandwich undergraduate course in the UK via the Universities and Colleges Admission Service (UCAS) was 65 per cent., compared to the national average of 61 per cent.

Figures are not available at constituency level.

Students (Tynemouth)

Mr. Alan Campbell: To ask the Secretary of State for Education and Skills how many people resident in Tynemouth constituency are *(a)* further and *(b)* higher education students. [130387]

Alan Johnson: Figures are not available at constituency level. The available figures cover North Tyneside LEA.

In 2001–02, 16,445 people resident in North Tyneside LEA attended Further Education (FE) sector colleges.

In 2002–03, 856 people resident in North Tyneside LEA were accepted through the Universities and Colleges Admissions Service (UCAS) onto full-time undergraduate courses.

Higher Education

Mr. Alan Campbell: To ask the Secretary of State for Education and Skills how many people beginning higher education courses in 2002 had previously attended a fee paying school. [130382]

Alan Johnson: The available information is from the Universities and Colleges Admissions Service (UCAS) and covers full-time undergraduate entrants. Figures are in the table.

Accepted applicants through UCAS to undergraduate courses by previous educational establishment, 2002 entry

Previous Educational Establishment	*Numbers*	*Percentage of known*
Maintained school	121,911	46
Independent school	30,293	11
FE colleges	110,083	42
Other	1,480	1
Total known	263,767	100
Unknown	67,958	
Total	331,725	

Source:
UCAS

Further and Higher Education

Mrs. Cheryl Gillan: To ask the Secretary of State for Education and Skills how many people in *(a)* Chesham & Amersham and *(b)* Buckinghamshire are *(i)* further and *(ii)* higher education students. [129891]

Alan Johnson: Figures are not available at constituency level. The available figures cover Buckinghamshire LEA.

In 2001–02, 19,396 people resident in Buckinghamshire LEA attended Further Education (FE) sector colleges.

In 2002–03, 3,316 people resident in Buckinghamshire were accepted through the Universities and Colleges Admissions Service (UCAS) onto full-time undergraduate courses.

Literacy and Numeracy

Mr. Phil Willis: To ask the Secretary of State for Education and Skills if he will list the contractual penalties incurred by contractors responsible for the delivery of primary *(a)* literacy and *(b)* numeracy strategies for failure to meet targets set by the strategies in the last three years. [131342]

Stephen Twigg: The responsibility for the achievement of the primary literacy and numeracy national targets lies solely with the Department for Education and Skills. The contractor responsible for the delivery of the primary literacy and numeracy strategies, CfBT Education Services, provides educational and operational support under the strategic direction of the Department.

HOME DEPARTMENT

Child Protection

Tim Loughton: To ask the Secretary of State for the Home Department how many specialist child protection officers have been employed in each county police force in each of the last five years. [129333]

Ms Blears *[holding answer 11 September 2003]:* Specific information relating to the compliance of police forces with the recommendations of the Victoria Climbie Inquiry Report has been analysed by Her Majesty's Inspectorate of Constabulary, and a summary report of their findings, together with those of Health and Social Services Inspectorates, will be published in October.

Information about the numbers of specialist child protection officers will not be available from this report. The allocation of resources within a force is decided locally by the Chief Constable or, in the case of the Metropolitan Police Service, the Commissioner. Under the National Policing Plan all forces and authorities are expected to review their force policy and local service plans to ensure that child protection is given the appropriate priority.

Communications Data

Harry Cohen: To ask the Secretary of State for the Home Department how many prescribed officers will be able to authorise access to communications data under

(a) Schedule 1, columns 1 and 2 and *(b)* Schedule 2, columns 1 and 2 of the draft Regulation of Investigatory Powers (Communications Data) Order 2003, broken down by organisations authorised to provide access. [131710]

Caroline Flint: This information is not held centrally.

Harry Cohen: To ask the Secretary of State for the Home Department whether a single authorised request for access to communications data can involve all individuals who have contacted an organisation identified in the Schedules of the draft Regulation of Investigatory Powers (Communications Data) Order 2003; and what estimate he has made of the number of people whose communications data will be accessed in a single year. [131712]

Caroline Flint: Under Part I Chapter II of the Regulation of Investigatory Powers Act 2000, any authorisation granted or notice given requiring the disclosure of communications data must be necessary for a purpose set out in section 22(2). Obtaining the data must also be proportionate to what is sought to be achieved by that taking into account the extent of the intrusiveness of what is proposed and the operational need for that. The imposition of a regulatory framework will enable a clearer assessment of how many people lawful acquisition of communications data impacts upon.

Harry Cohen: To ask the Secretary of State for the Home Department how many staff the Interception of Communications Commissioner will have to supervise those who are authorised to gain access to Communications Data under the draft Regulation of Investigatory Powers (Communications Data) Order 2003; and if he will make a statement on the current staffing levels of the Commissioner. [131709]

Caroline Flint: I refer my hon. Friend to the answer given by my hon. Friend the Member for Coventry North East (Bob Ainsworth) on 26 March 2003, *Official Report*, column 264W.

The Interception of Communications Commissioner is considering the number of staff he will require to undertake his statutory duty and how he might additionally undertake some form of third party prior approval of certain requirements for disclosure of communications data. This was proposed in the consultation paper "Access to communications data—respecting privacy and protecting the public from crime", a summary of responses to which has been published[1].

The Commissioner is satisfied that the staffing level in his office is sufficient to meet his current responsibilities.

[1] http://www.homeoffice.gov.uk/docs2/access_comms_data.html

Harry Cohen: To ask the Secretary of State for the Home Department how many authorised requests for access to communications data he has estimated each organisation identified in the Schedules of the draft Regulation of Investigatory Powers (Communications Data) Order 2003 will make in a year. [131711]

Caroline Flint: In the consultation paper 'Access to communications data—respecting privacy and protecting the public from crime' the Government estimated public authorities have approximately half a million requirements for disclosure of communications data annually and, where kept, gave figures for specific public authorities. The imposition of a regulatory regime for acquisition of communications data will require proper record keeping by each public authority exercising powers under Part I Chapter II of the Regulation of Investigatory Powers Act 2000.

Harry Cohen: To ask the Secretary of State for the Home Department whether the police, having gained access to communications data, have the powers to disclose such data to the Inland Revenue for the purposes of collection of tax or duty; and what plans he has to withdraw the draft Regulation of Investigatory Powers (Communications Data) Order 2003 to make specific reference to section 22(2)(f) of the Regulation of Investigatory Powers Act 2000. [131713]

Caroline Flint: The draft Regulation of Investigatory Powers (Communications Data) Order 2003 makes specific reference to section 22(2)(f) of the Regulation of Investigatory Powers Act 2000. It provides that only the Commissioners of Customs and Excise and the Commissioners of Inland Revenue may grant an authorisation or give a notice requiring disclosure of communications data for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a Government Department. The police having obtained communications data for another purpose have no power to disclose that data to the Inland Revenue for the purposes of collecting tax or to Customs and Excise for the purposes of collecting duty.

Criminal Cases Review Commission

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps the CCRC is taking to *(a)* ensure clear communication and *(b)* promote awareness and understanding among its stakeholders. [128884]

Paul Goggins: The Commission's communications strategy concentrates on promoting awareness and understanding among its stakeholders. It disseminates widely an information pack and other materials that clarify its role and powers. These include press releases and feature articles, an audiotape and videotape ("Open to Question", which has received an international award). It also operates the website http://www.ccrc.gov.uk and a 24-hour media inquiry service. Commission staff frequently give lectures and presentations on the Commission, and visit other agencies in the criminal justice system. A second workshop for selected stakeholders was held in July 2003.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what pieces of new legislation have been stimulated by the CCRC's casework. [128848]

Paul Goggins: To 31 March 2003, the Commission's casework has stimulated only one piece of new legislation: the Criminal Cases Review (Insanity) Act 1999.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps are being taken by the CCRC to improve the effectiveness and efficiency of the case review process. [128850]

Paul Goggins: Efforts are continually being made by the Commission to improve the effectiveness and efficiency of the case review process, without compromising its commitment to reviewing each case thoroughly. For case review, as for any of its processes, the Commission's goals must satisfy five distinct criteria. They must be:

specific, i.e. define a precise process modification to be made, or numerical performance standard to be reached;

payoff-oriented, i.e. be defined to achieve improvements in effectiveness, efficiency and/or economy;

intrinsically rewarding, otherwise staff will not be motivated to achieve them; realistic, otherwise staff are likely to be demotivated by them; and

observable, i.e. it must be possible to determine unambiguously whether or not they have been achieved.

These are stringent requirements, and imply that the necessary planning, resource allocation and monitoring processes are implemented to achieve and observe them. Much of the Commission's routine managerial effort is directed to continuous improvement of its processes by the definition and implementation of process goals. Whenever special process review seems appropriate, the Chairman convenes an internal Process Improvement Group (PIG), which may then set up specific Process Improvement Projects (PIPs).

Criminal Justice and Public Order Act

Mr. Gerrard: To ask the Secretary of State for the Home Department how many stops and searches have been carried out by each police force under section 60 of the Criminal Justice and Public Order Act 1994 in each year since 1998–99, broken down by ethnic origin of those stopped and searched; and how many of these involved the searching of vehicles. [131587]

Ms Blears: The information requested on stop and searches of persons under Section 60 of the Criminal Justice and Public Order Act 1994 that has been published in "Statistics on Race and the Criminal Justice System" is given in the tables for each financial year from 1998–99 to 2001–02 inclusive. Also included in the tables which have been placed in the Library, is information on the number of vehicles searched. This information is not routinely published. Data are not yet available for the 2002–03 financial year.

Dr. Ali Dizaei

Peter Bottomley: To ask the Secretary of State for the Home Department for what reasons Section 8 warrants were applied for in relation to Dr Ali Dizaei. [131365]

Ms Blears: The Commissioner of Police of the Metropolis informs me that the reasons for the 12 warrants applied for and issued under Section 8 of the Police and Criminal Evidence Act 1984 on 15 January 2001 were to allow officers to search for documents and correspondence which may have shown a criminal relationship between Ali Dizaei and two named individuals and computer and electronic storage devices on which such documents and correspondence may have been created and stored.

The section 8 warrant applied for and issued on 20 January 2001 was to allow officers to search for documents and correspondence.

Forensic Science Laboratory (Chorley)

Mr. Hoyle: To ask the Secretary of State for the Home Department which police forces in England and Wales contract work to the Forensic Science Laboratory in Chorley; how many staff are employed at the Chorley site; and what representations he has received in response to his statement of 17 July 2003, *Official Report*, column 61WS, from *(a)* the workforces, *(b)* trade unions, *(c)* police forces, *(d)* hon. Members and *(e)* other bodies. [131497]

Ms Blears: Chorley Forensic Science Laboratory provides services to the police forces in its North West region, which are Cumbria, Lancashire, Merseyside, Greater Manchester, Cheshire, and North Wales. The Laboratory also provides services to police forces in Nottinghamshire and Staffordshire.

These services are based on Service Level Agreements and not legally binding contracts.

At 31 August, there were 228 individuals employed at Chorley Forensic Laboratory.

To date, representations in response to my right hon. Friend the Home Secretary's statement of 17 July about the future of the Forensic Science Service have been received from *(a)* two FSS employees, *(b)* two trade unions, Prospect and PCS, and from Brendan Barber, General Secretary of the TUC, *(c)* no police forces or police authorities, *(d)* 89 hon. Members and *(e)* no other bodies.

Jamaican Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department what plans he has to introduce alternatives to prosecutions for drugs mules from Jamaica. [132416]

John Healey: I have been asked to reply.

None. All those detected attempting to smuggle drugs into the UK should expect to face prosecution in the UK. However, HM Customs and Excise has seen a 75 per cent. reduction in the number of cocaine couriers from Jamaica arrested in the UK since they began to provide support to the Jamaican authorities in June 2002 to intercept couriers prior to boarding planes in Jamaica.

Terrorism Act

Adam Price: To ask the Secretary of State for the Home Department on how many occasions police officers used powers provided by the Terrorism Act 2000 during protests at *(a)* RAF Fairford and *(b)* the Mining Bomb Store at Welford, Berkshire. [130344]

Ms Blears: Gloucestershire Police inform me that, during the period 6 March to 27 April 2003, the stop and search powers conferred by authorisations under section 44 of the Terrorism Act 2000 were used on a total of 2,132 occasions in the vicinity of RAF Fairford. The police also used their powers under section 45(2) to seize articles from 28 of those who were stopped. One arrest was made under section 41 of the Act. I understand that none of the other powers in Part V of the Act were used.

Thames Valley Police inform me that during the period 1 March to 22 April 2003, the stop and search powers conferred by authorisations under section 44 of the Act were used on 41 occasions in the vicinity of the Mining Bomb Store at Welford, Berkshire. One arrest was made under section 41 of the Act. I understand that none of the other powers in Part V of the Act were used.

Mr. Pike: To ask the Secretary of State for the Home Department how many notices under section 44 of the Terrorism Act 2000 he has signed this year relating to *(a)* London and *(b)* the rest of England; and if he will make a statement. [131300]

Mr. Blunkett: So far this year the use of section 44 powers has been confirmed on 20 occasions within London. The power has been confirmed on 125 occasions for the rest of England.

This is an important power and the Government are adamant it must be used appropriately and proportionately.

National Probation Directorate

Simon Hughes: To ask the Secretary of State for the Home Department how many persons *(a)* are employed and *(b)* act as consultants for the National Probation Directorate. [131165]

Paul Goggins: The information requested is as follows:

Collected Staff in Post figures indicate that as of August 2003 there were 430 staff in post within the National Probation Directorate.

Of these staff currently, there are 42 consultants in post.

Police Identification

Simon Hughes: To ask the Secretary of State for the Home Department what the statutory basis is for the requirement that police officers must display an identifying number on their uniform. [131655]

Ms Blears: There is no statutory requirement for police officers to display an identifying number on their uniform.

Police Internal Investigations

Simon Hughes: To ask the Secretary of State for the Home Department how many police officers are subject to *(a)* internal investigations and *(b)* disciplinary proceedings. [131766]

Ms Blears: Information concerning the numbers of police officers subject to *(a)* internal investigations and *(b)* disciplinary proceedings is not held centrally and could be obtained only at disproportionate cost.

Policing

Simon Hughes: To ask the Secretary of State for the Home Department what *(a)* proportion and *(b)* total amount of (i) total Government spending and (ii) gross domestic product was spent on policing in each of the last five years; and what the projected proportion of total Government spending is in the next two years. [121967]

Ms Blears: The information available for the United Kingdom is set out in the table.

Year	*Total managed expenditure (TME) £ billion*	*Money GDP £ billion*	*UK public spend on police functions £ billion*	*Spend on police as a proportion of TME Percentage*	*Spend on police as a proportion of money GDP Percentage*
1998–99	333.3	868.6	8.9	2.7	1.0
1999–2000	343.6	918.2	9.2	2.7	1.0
2000–01	366.8	962.6	9.7	2.6	1.0
2001–02	389.6	1,005.0	11.2	2.9	1.1
2002–03	421.0	1,056.2	[1]12.1	2.9	1.1
2003–04	455.7	1,108.4	n/a	n/a	n/a

[1] Estimated outturn

Sources:

Public Expenditure Statistical Analyses 2003 and Treasury.

Prison Population

Mr. Grieve: To ask the Secretary of State for the Home Department what his projection is for the prison population for mid-year 2006; and what the *(a)* highest and *(b)* lowest estimated figures are. [124854]

Paul Goggins *[holding answer 10 July 2003]:* The most recent projections of the prison population are presented in the April 2003 Prison Population Monthly Brief issued in September 2003. These present four scenarios (scenarios a—d) for the short term projection (up to March 2005) and two scenarios (central scenarios b and c) for the long term projection (up to 2009). There are no new higher and lower scenarios for these most recent long term projections.

The projections cover a range of possible trends in sentencing and court workloads and include estimates for policy initiatives.

The two central scenarios would lead to prison populations of between 87,200 and 88,000 by mid-year 2006.

Probation Services

Simon Hughes: To ask the Secretary of State for the Home Department what the completion rates were for offenders commencing Probation Service accredited programmes in *(a)* 2001–02 and *(b)* 2002–03, broken down by programme type. [131167]

Paul Goggins: In 2001–02 the percentage of offenders completing Probation Service accredited programmes, as a proportion of starts, was 37 per cent. This figure reached 48 per cent. in 2002–03. The proportion of starts to completions, as a percentage, per programme type is

shown in the final two columns of the table. These are national figures and are subject to variation from area to area.

It should be noted that the nature of programmes and the delivery structure means that offenders who start a programme in a given year do not necessarily complete the programme in that year. 2001 was the first year of implementation of programmes, and the rollout of programmes is continuing through 2003–04.

Accredited programme completion rates 2001–02 and 2002–03

Programme	*Percentage completions/ starts (2001–02)*	*Percentage completions/ starts (2002–03)*
Think First	39	55
Enhanced Thinking Skills (ETS)	33	55
Reasoning & Rehabilitation (R&R)	29	33
Priestly 1:1	32	39
Addressing Substance Related Offending (ASRO)	33	32
Programme for Addressing Substance Misuse (PRISM)[1]	100	8
Sex Offender Group Programme (SOGP)	110	23
Aggression Replacement Training (ART)	0	30
Drink/Drive	17	43
Domestic Violence	2	55
Focus on Violence for Males (FOVM)	58	78
Focus on Violence for Females (FOVF)[1]	89	89
Real Women[1]	n/a	43
Cognitive Skills Booster[1]	n/a	133
All	37	48

[1] The numbers starting these programmes are very small. Real Women and Cognitive Skills Booster are still at the pilot stage.

Project Reflex

Simon Hughes: To ask the Secretary of State for the Home Department how many *(a)* arrests and *(b)* convictions have resulted from the work of Project Reflex in each month since its inception. [131763]

Beverley Hughes: Between April 2001 and April 2002, Reflex launched 82 operations and disrupted 14 organised crime groups. 67 facilitators were arrested, resulting in 21 convictions. Between June 2002 and April 2003, there were 98 arrests. The total number of convictions to date is not yet available, as some cases are continuing.

Arrests and convictions in this Reflex year, since April 2003, are as follows.

	Arrests	*Convictions to date*
April	4	1
May	5	0
June	16	3
July	22	20
August	10	3
September	—	—
October	10	—
Total	67	27

Note:
Arrests and convictions are not necessarily related to each other.

In addition, under the first phase of Maxim, a joint operation between the Metropolitan police and Immigration Services, there were 47 arrests including possessing false documents. In the second phase of Maxim, there were 23 arrests, including those holding false documents.

Publicity and Advertising

Mr. Laws: To ask the Secretary of State for the Home Department how much *(a)* his Department and *(b)* each agency and non-departmental public body sponsored by his Department spent on (i) publicity and (ii) advertising in each year from 1995–96 to 2002–03 (estimated); and if he will make a statement. [92228]

Fiona Mactaggart: Home Office expenditure, and expenditure by its sponsored bodies on advertising and publicity is made in accordance with departmental guidance.

Details of expenditure are set out in the table.

£

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Publishing								
Home Office	—	3,290,000	2,786,000	2,496,000	5,431,000	9,237,000	7,603,000	7,017,000
NDPBs	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
CDF	—	—	—	—	—	—	—	—
CRE	595,000	738,000	527,000	539,000	942,000	715,000	885,000	642,000
CCRC	—	—	95,000	108,000	89,000	69,000	67,000	71,000
CICA	—	—	—	—	—	—	—	—
CICAP	—	—	—	—	—	—	—	—
IMB	—	—	—	—	—	—	9,000	11,000
PB	—	—	—	33,000	67,000	45,000	45,000	121,000
PCA	160,000	98,000	95,000	53,000	74,000	77,000	79,000	163,000
YJB	—	—	—	—	108,000	303,000	336,000	340,000
Centrex[1]	—	—	—	—	—	—	—	268,000
OISC[1]	—	—	—	—	—	176,000	298,000	310,000
NCIS[1]	—	—	—	—	—	—	—	585,000
NCS[1]	—	—	—	—	—	—	—	739,000
Total	755,000	836,000	717,000	733,000	1,280,000	1,385,000	1,719,000	3,250,000
Agencies	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
Prison Service[1]		407,000	480,000	772,000	925,000	966,000	1,331,000	2,206,000

£

	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
UKPA[1]	260,000	198,000	66,000	103,000	1,264,000	337,000	549,000	737,000
CRB[1]	—	—	—	—	—	—	822,000	590,000
Total	260,000	605,000	546,000	875,000	2,189,000	1,303,000	2,702,000	3,533,000
Grand Total	1,015,000	4,731,000	4,049,000	4,104,000	8,900,000	11,925,000	12,024,000	13,800,000

[1] NDPBs and agencies with combined advertising and publishing costs.

£

	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
Advertising								
Home Office	—	348,000	199,000	3,760	—	180,000	1,105	463,000
NDPBs	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
CDF	310	395	46	100	369	274	318	338
CRE	246,000	305,000	218,000	223,000	291,000	244,000	258,000	146,000
CCRC	—	—	145,000	80,000	67,000	160,000	142,000	64,000
CICA	—	—	—	—	—	—	—	—
CICAP	—	—	—	—	—	—	—	—
IMB	—	—	—	—	—	—	3,000	10,000
PB	—	—	—	—	—	500	500	500
PCA	—	—	—	—	—	—	—	—
YJB	—	—	—	—	—	—	—	—
Centrex[1]	—	—	—	—	—	—	—	—
OISC[1]	—	—	—	—	—	—	—	—
NCIS[1]	—	—	—	—	—	—	—	—
NCS[1]								
Total	246,310	305,395	363,046	303,100	358,369	404,774	403,818	220,838
Agencies	1995–96	1996–97	1997–98	1998–99	1999–00	2000–01	2001–02	2002–03
Prison Service[1]	—	—	—	—	—	—	—	—
UKPA[1]	—	—	—	—	—	—	—	—
CRB[1]	—	—	—	—	—	—	—	—
Total	246,310	653,395	562,046	306,860	358,369	584,774	404,923	683,838

[1] NDPBs and agencies with combined advertising and publishing costs.

Under-age Drinkers

Bob Spink: To ask the Secretary of State for the Home Department (1) what advice has been given to the police regarding the confiscation of unopened containers of alcohol from underage drinkers following the reintroduction of regulations under the Licensing Act 2003; [131561]

(2) how police should dispose of unopened containers of alcohol confiscated from underage drinkers, following re-introduction of regulations under the Licensing Act 2003. [131691]

Ms Blears: Section 155 of the Licensing Act 2003 came into force on 10 September 2003. It extended existing police powers relating to the confiscation of alcohol from people who are drinking and causing nuisance in public places, allowing for the confiscation of sealed containers in addition to opened containers, in defined circumstances.

Home Office Circular 45/2003 issued to police forces on 10 September 2003 sets out the details of how they should apply the new powers. The Circular updates Home Office Circular 38/1997 which explains that a constable can dispose of any alcoholic drink surrendered to him in such a manner as he considers appropriate. In most instances, this is likely to involve immediately pouring the drink away. In some cases it may be more appropriate to remove the drink from the scene and dispose of it later.

Home Office Circulars can currently be obtained from the website: http://www.knowledgenetwork.gov.uk/ho/circular.nsf/ViewTemplate%20For%20HOCircularsWeb?OpenForm

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his Answer of 20 January 2003, *Official Report*, column 85W, on Iraq, what the outcome has been of the vigorous investigations into United Kingdom companies named in Iraq's declaration to the United Nations; and if he will make a statement. [131698]

Mr. MacShane: The analysis of the Iraqi declaration showed that there was no new information on British companies that merited action being taken against

them. All the British companies that were named in the declaration were already known to the relevant authorities, and their activities had already been investigated. Where appropriate, legal proceedings were pursued at the time.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of each memorandum he sent to the Prime Minister, on the situation in respect of Iraq, between 16 and 19 March this year. [131109]

Mr. Rammell: Any such material is withheld in accordance with the Code of Practice on access to Government Information, Part II paragraphs l(a), l(b) and 2.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Iraq. [131803]

Mr. Rammell: The Secretary of State for Foreign and Commonwealth Affairs has no plans to visit Iraq at present, but will keep the situation under review.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy on the role of the United Nations in Iraq. [132237]

Mr. Rammell: UNSCR 1483 unanimously adopted on 22 May welcomes the appointment of the UN Special Representative on Iraq and resolves that the United Nations should play a vital role in humanitarian relief, the reconstruction of Iraq and the restoration and establishment of national and local institutions for representative governance.

The Government would support an increased UN role and the Security Council is currently considering a draft resolution which would encourage further participation by the UN and the international community including in the political processes leading to the formation of a representative government.

Conflict Prevention

Mr. Randall: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies have been printed of the booklet entitled, "A joint UK Government approach to reducing conflict"; and what the costs were of its production and printing. [131870]

Mr. Rammell: 10,000 copies of this booklet on the Global Conflict Prevention Pool (GCPP) have been printed. Each booklet cost approximately £2.45 to produce (production and printing).

It is important to publicise the Global Pool, particularly to NGOs, international organisations and others who might act as project deliverers, or with whom we might be able to join forces in this important field. Copies have been sent to all UK Embassies and High Commissions overseas for this purpose. Members of the public have also shown an interest in conflict prevention issues, and HMG has a duty to inform the public on how we are using public funds to improve UK efforts on conflict prevention.

The booklet has been well received since its launch on 9 September, and the Conflict Prevention Unit has received significant new interest in the GCPP since this time.

A copy of the booklet has been placed on the FCO website (www.fco.gov.uk) accessible under Global Issues-International Organisations-UN-Conflict Prevention, which should help minimise the requirement for hard copies.

Bribery

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the guidance issued by his Department to the diplomatic posts with regard to what action they should take if they suspect bribery by a UK company to be taking place, or receive an allegation that such bribery is taking place; and what measures they should take to prevent bribery by UK companies. [132368]

Mr. MacShane: The FCO issued internal guidance on this issue to all posts shortly before the Anti-Terrorism Crime and Security Act (ATCSA) came into force and this has been regularly refreshed. The guidance includes advice to posts about their responsibilities under the Act and instructions on how to report bribery allegations. Posts have also been asked to circulate the guidance to representatives of other government departments within their region.

Guidance on reporting bribery allegations is included in training courses for all Commercial Officers going on overseas postings. The FCO has also provided speakers to reinforce the message at seminars for British businesses in the UK and overseas. An information leaflet produced in conjunction with the Home Office and the Department of Trade and Industry is distributed at these events. Copies of this leaflet will be deposited in the Library of the House.

This specific guidance following the passage of the ATCSA complements that provided to all Crown Servants in the "Giving Evidence or Information about Suspected Crimes—A Guide for Crown Servants". This report was placed in the Library of the House on 20 March 1997 under reference dep/3/4876. It can also be accessed at website http://www.cabinet-office.gov.uk/../../central/2001/crownser.pdf

Departmental Budget

Tony Baldry: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of his Department's budget for the current financial year is spent on *(a)* information technology systems, *(b)* its estate and *(c)* staff salaries and allowances; and what the percentage was in 2000–01. [131093]

Mr. Rammell: During the year 2000–01, the FCO spent the following proportion of its budget on information technology systems, the estate and staff salaries and allowances:

	Percentage
IT systems	2.9
Estate (capital)	7.0
Staff salaries and allowances	31.0

Including costs for locally engaged staff in overseas posts

For 2003–04, the FCO has allocated the following proportions of its budget to the same areas of expenditure:

	Percentage
IT Systems	2.2
Estate (capital)	4.0
Staff salaries and allowances	24.0

The figures for estate comprise capital spending only. Responsibility for non-capital maintenance spending on the overseas estate is devolved to posts. Details of the proportion of post budgets allocated to estate maintenance are not held centrally. Gathering this information from all 230 posts could only be done with considerable effort. Total expenditure can only be determined once the financial year is over and post budget information is consolidated with other FCO expenditure.

Guinea-Bissau

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the coup in Guinea-Bissau on 14 September; what recent discussions representatives of the UK have had with representatives of *(a)* the former regime and *(b)* the new regime; and if he will make a statement. [131532]

Mr. Mullin: We condemn any assumption of power by unconstitutional means, and support a swift return to constitutional rule in Guinea-Bissau. We welcomed the quick and peaceful handover of power to the Transitional Council, and the positive role played by the Economic Community of West African States (ECOWAS) in this process. There are plans to hold legislative elections by March 2004, and presidential elections by the following year. It will be important to address Guinea-Bissau's deep economic and social problems as part of wider effort to restore stability.

We have held discussions with EU and UN partners, the UNSG's Special Representative and ECOWAS about the coup. We have had no recent discussions with representatives of either the old or new regimes in Guinea-Bissau.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* members of his Department have had with representatives of (i) the Government of Portugal, (ii) the Governments of other EU member states, (iii) the US Government, (iv) the Government of South Africa, (v) the United Nations and (vi) the Organisation of West African States since 14 September concerning developments in Guinea-Bissau. [131533]

Mr. Mullin: Following the 14 September coup in Guinea Bissau, officials held discussions with the Portuguese, with other EU partners, and with Security Council partners and other United Nations officials. We supported the statements issued by the UN Security Council on 15 September and by the EU on 18 September. Neither my right hon. Friend the Foreign Secretary nor officials have held separate talks on Guinea Bissau with the US Government or with the South African Government. Officials have been briefed on developments by the Economic Community of West African States (ECOWAS).

Immigration and Asylum

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent consultation he has had with the new EU states about immigration and asylum. [132238]

Mr. MacShane: My right hon. Friends the Foreign Secretary and the Home Secretary (who has lead responsibility for asylum and immigration matters), and other Government Ministers have regular discussions with their counterparts in the new member states on issues of asylum and immigration. These discussions take place within formal bilaterals as well as in the margins of other meetings.

Sri Lanka

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK citizens are residing in Sri Lanka. [131834]

Mr. Mike O'Brien: There are currently 856 British Citizens and their families registered with the British High Commission in Colombo as resident in Sri Lanka.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans were implemented by his Department since 1997 to resolve the conflict in Sri Lanka through negotiations between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam; and if he will make a statement. [131889]

Mr. Mike O'Brien: We support the Sri Lankan peace process both politically and practically, and welcome the remarkable progress that has been made since February 2002 when the current ceasefire came into effect.

The Foreign and Commonwealth Office, DFID and MOD work together to promote peace under a "Peace Building and Reconciliation Strategy", which aims to strengthen the incentives for peace and reconciliation through an integrated programme of activities by all three departments. Funding for this strategy is in part provided from the Global Conflict Prevention Pool (jointly administered by FCO/DFID/MOD).

While we do not have a formal role in the peace process, we are working with the Tokyo Donors' Conference co-chairs (Japan, Norway, EU and US) to implement the conference's recommendations. The peace process is first and foremost an internal affair for the Sri Lankan people to resolve. We hope that the LTTE will shortly be tabling proposals that will enable all parties to return to the negotiating table.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs when representatives of his Department raised the conflict in Sri Lanka in *(a)* the EU Council of Ministers and *(b)* the United Nations since 1997; what the outcome of discussions was; and if he will make a statement. [131890]

Mr. Mike O'Brien: At the November 2002 meeting of the General Affairs and External Relations Council (GAERC—the foreign affairs sub-council of the EU

Council), the Council reiterated its support for the Sri Lankan peace process and said that any EU engagement would be closely co-ordinated with other international efforts. In June, the EU co-chaired the Tokyo Conference on Reconstruction and Development in Sri Lanka.

Foreign and Commonwealth Officials meet regularly with the Heads of the UN agencies and their representatives. Most recently the Head of DFID Colombo met with the UN Acting Resident Co-ordinator on 6 October in Colombo.

UN Bodies (Membership)

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries that have in the past 30 years been voted out of *(a)* the United Nations Economic and Social Council's Human Rights Commission and *(b)* the UN Advisory Committee on Administrative and Budgetary Questions; and if he will make a statement. [131628]

Mr. Rammell: The membership of these UN bodies is decided on the basis of regular elections that are contested by member states. States serve for three years and must stand in elections if they wish to be re-appointed. There is no procedure to vote countries out.

Over the last 30 years, many member states have been unsuccessful in their bids for election or re-election to UN bodies. I would refer the hon. Member to a list of member states' tenures on the Commission on Human Rights and on the Advisory Committee on Administrative and Budgetary Questions over the past 30 years copies of which will be deposited in the Library of the House.

CULTURE, MEDIA AND SPORT

Competitive Sports

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport what proportion of schoolchildren undertake competitive sports. [132301]

Mr. Caborn: Data collected from School Sport Co-ordinator partnerships during the autumn term 2002 indicated that one pupil in five in their schools was involved in inter-school competitions and events and one pupil in two in intra-school competitions and events.

Lottery Funds

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on *(a)* the action she is taking to ensure the equitable allocation of good cause Lottery money and *(b)* the use of Lottery funds for sport-related activities. [131939]

Estelle Morris: The Government are keen to see all areas and groups receive a fair share of Lottery money. Reforms introduced under the 1998 National Lottery Act, the revised policy directions issued to distributors in the same year, and the introduction of targeted programmes such as the Fair Share initiative were designed to help ensure the equitable allocation of Lottery funding. The National Lottery Funding Decision Document, published in July of this year, contained further proposals to make it easier for communities to access funding.

Lottery investment in sport aims both to foster World Class achievers and promote physical activity at all levels. It does so by providing funds directly to elite athletes and to Sports Governing bodies, and also by giving funding for equipment, coaching and facilities infrastructure in communities across the UK.

HEALTH

Cancer Patients (Fertility Services)

Dr. Gibson: To ask the Secretary of State for Health (1) what services are available to newly diagnosed cancer patients of reproductive age to preserve their reproductive options, with particular reference to *(a)* advice and information, *(b)* sperm storage and *(c)* egg storage, in each cancer network in England and Wales; [126963]

(2) what fertility services are provided to patients of reproductive age suffering from fertility problems following treatment for cancer in each primary care trust; [126964]

(3) what funding arrangement he makes to provide fertility services for cancer patients; [126965]

(4) what plans he has to develop guidelines for newly diagnosed cancer patients of reproductive age to preserve their reproductive options. [126966]

Miss Melanie Johnson: Information on the provision of infertility services and treatments to national health service patients by primary care trusts (PCTs) is not held centrally. It is for PCTs, in partnership with strategic health authorities, to determine how best to use their funds to meet national and local priorities. The Government's overall approach is to devolve greater freedom to frontline staff and organisations to give them the freedom to innovate and improve care for patients, based on local needs and circumstances.

The National Institute for Clinical Excellence (NICE) is expecting to issue clinical guidelines on NHS fertility treatment services in February 2004. NICE has also been asked to produce service guidance on cancers affecting children and adolescents. The scope of this guidance includes specialist follow-up for late effects of treatment including fertility. NICE is expected to consult on the first draft of this guidance in summer 2004. It is anticipated that this guidance will inform decisions about adults who may experience infertility through treatment for cancer.

Cervical Screening

David Davis: To ask the Secretary of State for Health how many patients in Hull and the East Riding in *(a)* 2002 and *(b)* 2003 have had smear tests; and for how long they waited. [132397]

Miss Melanie Johnson: Coverage of the target age group, aged 25–64, for cervical screening in the East Riding was 85.2 per cent. in 2001–02. Figures for 2002–03 have not yet been published.

Across the whole of the Northern and Yorkshire region, 48 per cent. of women received the results of their test within six weeks in 2001–02.

Non-smoking Areas

Mr. Paul Marsden: To ask the Secretary of State for Health what proportion of *(a)* public houses and *(b)* restaurants (i) are smoking free and (ii) have an area set aside for non-smokers. [132212]

Miss Melanie Johnson: This information is not held centrally.

WORK AND PENSIONS

Carer's Allowance

Dr. Starkey: To ask the Secretary of State for Work and Pensions how many people in Milton Keynes are in receipt of carer's allowance. [131427]

Maria Eagle: The numbers of people entitled to Carers Allowance in Milton Keynes are set out in the table. Figures have been given for all people with an entitlement to Carers Allowance and for people with Carers Allowance in payment. Those with entitlement only, are not in receipt of payment because of overlapping benefit rules.

Carers Allowance recipients in Milton Keynes

Parliamentary Constituencies as at May 2003	*Total with entitlement*	*Those in payment*
Milton Keynes North East	635	495
Milton Keynes South West	830	645

Note:
Figures are rounded to the nearest 100 per cent. sample
Source:
IAD Information Centre, 100 per cent. sample

Child Support Agency

Mr. Bill O'Brien: To ask the Secretary of State for Work and Pensions if he will make a statement on the reasons for *(a)* taking into consideration tax credit payments for absent parents and *(b)* not taking into consideration tax credit payments to the parents with care when assessing maintenance payments through the Child Support Agency. [131409]

Mr. Pond: The Government has sought, as far as possible, for the rules providing for the treatment of tax credits in child support to be consistent, simple to understand and to operate fairly for *(a)* non-resident parents *(b)* parents with care. The arrangements carried forward into the new child support scheme in relation to new tax credits continue the principles first introduced under Family Credit.

Mr. Todd: To ask the Secretary of State for Work and Pensions if he will phase in assessments under the new Child Support Agency system for those who have closed cases with continuing payment obligations under the old system. [131425]

Mr. Pond: No. The phasing arrangements apply to cases which are converted directly from the old scheme to the new scheme. They do not apply to outstanding payments from cases which have previously been closed. Where a fresh application is made and there are such outstanding payments, the Child Support Agency is willing to discuss how the arrears are to be paid.

Disability Living Allowance

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions if he will estimate the *(a)* cost and *(b)* number of beneficiaries of increasing the upper age limit on claiming disability living allowance to (i) 70, (ii) 75 and (iii) 80 years; and what take-up assumptions are made in this calculation. [132377]

Maria Eagle: I refer the hon. Member to the written answer I gave my hon. Friend the Member for Peterborough (Helen Clark) on 15 May 2003, *Official Report*, column 407–08W. The figures cannot reliably be broken down further by age groups because of the increased uncertainty of modelling entitlement from smaller sample sizes in the available survey data.

Motability Scheme

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions what assessment he has made of the need for people disabled after their 65th birthday to benefit from the Motability scheme. [132374]

Maria Eagle: The Motability scheme helps severely disabled people who are physically unable, or virtually unable, to walk to obtain vehicles on favourable terms by using their payments of the Disability Living Allowance higher rate mobility component, or a War Pensioners Mobility Supplement paid by the Veterans Agency of the Ministry of Defence, to service a leasing or hire-purchase agreement.

The vast majority of people can expect to have some restrictions on their mobility as they get older and it is reasonable to expect them to make provision for this. However, disability is more financially disruptive, in terms of lost opportunity to earn and save, for people who have the very considerable disadvantage of being severely disabled relatively early in life. This is why the Disability Living Allowance mobility component is available only to severely disabled people who claim help with their disability-related extra costs before age 65.

The Government believe that these arrangements are fair and sensible and, in particular, that it is right to give the most help to those who are severely disabled early in life and who may face limited opportunities to work and save. We therefore have no plans to change the upper age limit for claims to Disability Living Allowance.

Specialised Vehicles Fund

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions *(a)* how many grants and *(b)* how much grant was given to people aged (i) under 65 years and (ii) 65 years and over from the Specialised Disability Fund in the last 12 months; and what plans he has to enable people disabled after the age of 65 years to receive money under the fund. [132375]

Maria Eagle: There is no Specialised Disability Fund. However, the Department for Work and Pensions sponsors the Specialised Vehicles Funds and the Independent Living Funds.

The charity Motability administers the Specialised Vehicles Funds on behalf of the Department. The funds provide grants towards the cost of specially adapted vehicles for disabled people who are eligible to apply to the Motability Scheme. The information requested is in Table 1.

The two Independent Living Funds make cash payments directly to severely disabled people for the purchase of personal assistance or help with domestic duties to enable them to continue to live in the community. The Extension Fund is a closed fund. However, the 1993 Fund, which applies to all new claims made since April 1993, makes payments to people aged 65 or under at the date of claim. The information requested is in Table 2.

There are no plans to extend any of the funds beyond their current provision.

Specialised vehicles funds—1 October 2002 to 30 September 2003

Table 1 — *£ million*

	Aged under 65 years	*Aged 65 years and over*
Number of grants	1,110	76
Total amount of grants[1]	9.0	0.4

[1] Rounded to the nearest £100,000

Table 2 — *£ million*

	Aged under 65 years	*Aged 65 years and over*[1]
Number of clients receiving grants	15,387	1,868
Total amount of grants[2]	164	15

[1] Over age 65 calculated as at date of payment
[2] Rounded to the nearest £ million

DEPUTY PRIME MINISTER

Affordable Housing

Ms Oona King: To ask the Deputy Prime Minister what measures he is taking to ensure that affordable housing made available through planning gain is family-sized accommodation. [132086]

Keith Hill: Planning policies for affordable housing are set out in Planning Policy Guidance note 3, "Housing", and in Circular 6/98, "Planning and Affordable Housing". This sets out how local authorities should plan to meet the housing requirements of the whole community, including those in need of affordable housing and family-sized accommodation. These requirements can be met through several routes, including planning obligations.

On 17 July, the Office of the Deputy Prime Minister published for consultation "Influencing the size, type and affordability of housing", which set out proposed changes to the current policies on planning for affordable housing. The aim of these updates is to improve the match between the housing planned and the needs of the community. The consultation period closes on 31 October.

Draw-down Funding

Jonathan Shaw: To ask the Deputy Prime Minister when his Department will advise Medway Council about the arrangements for drawing down the funding which he announced on 30 July. [132205]

Keith Hill: Officials from the Office of the Deputy Prime Minister wrote to the Chief Executive of Medway Council, on 7 October setting out detailed arrangements on the next steps for implementing the programme of projects agreed in principle on 30 July.

English Partnerships

Mr. Dawson: To ask the Deputy Prime Minister (1) what estimate he has made of the impact of English Partnerships decision to focus their resources on housing renewal pathfinder areas and large strategic projects on the regeneration of Luneside East, Lancaster; [131622]

(2) what estimate he has made of the impact on the Government's regeneration and anti-poverty strategies of English Partnership's decision to focus their resources on house renewal pathfinder areas and large strategic projects; [131623]

(3) what discussions he has had with English Partnerships about their decision to focus their resources on housing renewal pathfinder areas and large strategic projects. [131624]

Keith Hill: I understand that my Hon. Friend the Member for Lancaster and Wyre recently met the Chief Executive of English Partnerships, along with representatives of Lancaster City Council and the North West Development Agency, to discuss regeneration needs in both Lancaster and Morecambe. English Partnerships is committed to helping the Council secure the regeneration of the most deprived parts of the City. At the Luneside site, the public sector partners will now be working together to draw up revised plans encompassing the acquisition and remediation of the site, and considering at the same time how private sector developers can be drawn into the equation, so that the development strategy can take their aspirations into account. In addition, EP has agreed to fund an initial study focussed on the needs of the West End of Morecambe. It would also be prepared in principle to work with the City Council in supporting a local management team whose aim would be to renew the area through the demolition or upgrading of derelict and vacant housing.

Neighbourhood Renewal Fund

Vera Baird: To ask the Deputy Prime Minister what criteria were used to allocate the recent Neighbourhood Renewal Fund monies to local authorities with high levels of deprivation. [131221]

Yvette Cooper: The residual Neighbourhood Renewal Fund (NRF) resources of £175 million will be allocated to 26 of the existing 88 local authority areas currently receiving NRF resources. These 26 areas have been

selected because they are ranked in the lowest 10 areas against two or more indicators that act as a proxy for the achievement of key national floor targets, i.e. they have the furthest distance to travel in order to meet these floor targets. The eligible areas are listed as follows with their allocations for 2004–05 and 2005–06.

Allocations of residual neighbourhood renewal fund (NRF) resources for 2004–05 and 2005–06

£

Current NRF recipients also eligible for residual NRF	*2004–05 Allocation*	*2005–06 Allocation*
Bolsover	417,624	1,044,060
Bristol, City of	1,013,689	2,534,224
Camden	1,199,468	2,998,670
Derwentside	421,456	1,053,639
Easington	1,260,484	3,151,[illegible]
Greenwich	1,103,589	2,758,97[illegible]
Hackney	3,345,184	8,362,95[illegible]
Halton	1,116,940	2,792,350
Haringey	1,516,814	3,792,035
Hartlepool	892,071	2,230,177
Islington	1,782,715	4,456,788
Kingston upon Hull, City of	2,134,495	5,336,238
Knowsley	2,101,419	5,253,547
Lambeth	688,542	1,721,356
Liverpool	5,724,205	14,310,513
Manchester	5,855,669	14,639,173
Middlesbrough	1,492,501	3,731,252
Newham	3,790,592	9,476,480
Nottingham	2,628,822	6,572,056
Salford	1,546,952	3,867,381
Sandwell	2,288,967	5,722,418
South Tyneside	1,530,285	3,825,713
Southwark	2,249,671	5,624,176
Tower Hamlets	3,020,552	7,551,380
Wansbeck	392,176	980,441
Wear Valley	485,117	1,212,793
Total	50,000,000	125,000,000

Vera Baird: To ask the Deputy Prime Minister by what criteria the Borough of Redcar and Cleveland was excluded from the new allocation of monies from the Neighbourhood Renewal Fund. [131222]

Yvette Cooper: The Borough of Redcar and Cleveland is not among those 26 of the existing 88 Neighbourhood Renewal Fund (NRF) areas that will receive allocations from the residual NRF resources of £175 million for 2004–05 and 2005–06. This is because Redcar and Cleveland is not ranked in the lowest 10 areas against two or more indicators that act as a proxy for the achievement of key national floor targets, i.e. the Borough is not one of the 26 areas that have the furthest distance to travel to meet these floor targets and tackle multiple deprivation.

Vera Baird: To ask the Deputy Prime Minister when there will next be an allocation of funds from the Neighbourhood Renewal Fund to local authorities with high levels of deprivation. [131223]

Yvette Cooper: The £175 million of residual Neighbourhood Renewal Fund (NRF) resources announced on 16 September 2003 is the final part of the £975 million provided for by Spending Review 2002 (SR2002) for 2004–05 and 2005–06.

The provision of any new funding will be a matter for consideration as part of Spending Review 2004 (SR2004).

Regeneration (Liverpool)

Mrs. Ellman: To ask the Deputy Prime Minister how much funding was allocated for regeneration in Liverpool in each of the last six years; and how much funding he expects will be allocated in the 2003–04 financial year. [131295]

Yvette Cooper: Liverpool has received funding allocations from the following regeneration programmes (all sums rounded to £000).

Project	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Single Regeneration Budget	8,424	12,786	15,480	12,692	13,500	2,271	848
Community Empowerment Fund	0	0	0	0	261	261	261
Community Chest	0	0	0	0	332	499	917
Community Learning Chest	0	0	0	0	0	133	199
Neighbourhood Renewal Fund	0	0	0	0	10,100	15,100	20,134
Neighbourhood Wardens	0	0	0	57	127	457	451
Estates Renewal Challenge Fund	3,800	7,784	23,828	17,960	0	0	0
ERDF	42,502	31,396	65,406	0	24,080	29,678	0
New Deal for Communities	0	50	200	1,062	4,171	5,668	5,014
Housing Action Trust	20,800	25,000	21,500	17,800	20,600	33,310	33,150

Note:
European Regional Development Fund, the funding allocation is calculated by calendar year, figures for 2003–04 are not available.

Liverpool has also benefited during this period from City Challenge as well as the Estate Action and Merseyside Development Corporation programmes. It has not been possible to obtain information for these programmes in the available time.

Social Housing

Mr. Best: To ask the Deputy Prime Minister what steps the Government is taking to assist in increasing the provision of social housing in Leeds North West. [132232]

Keith Hill: The Sustainable Communities plan, published earlier this year, set out our plans for increasing investment in housing up to 2005–06. It also identified the actions that we will take to improve the availability and quality of social housing, including the establishment of Regional Housing Boards with responsibility for the production of Regional Housing Strategies and to advise Ministers on the allocation of resources to meet regional priorities.

The Office of the Deputy Prime Minister is currently considering the Regional Housing Strategy for Yorkshire and the Humber, and its accompanying

Investment Framework, and hope to make an announcement later this month. The provision of sufficient new homes, creating mixed income and sustainable communities is one of its objectives. This is reflected in the Investment Framework, which in addition to meeting Housing Corporation commitments and pre-allocations, proposes commissioning a £51 million two-year programme from the Housing Corporation, in which one of the priorities is affordable housing in the 'Golden Triangle' of Leeds, Harrogate and York. There is also a further £10 million for the board to commission 'transformational proposals' relating to all the strategy priorities in 2005–06 from sub-regional partnerships.

Teacher Salaries

Mr. Michael Foster: To ask the Deputy Prime Minister when he last assessed the level of teacher salaries paid by local authorities; and if he will make a statement. [131369]

Mr. Miliband: I have been asked to reply.

The salaries of school teachers, including those of unattached teachers, are set in the School Teachers' Pay and Conditions Document, following the recommendations of the independent School Teachers' Review Body (STRB). It is for LEAs to determine which provisions of the document should apply to unattached teachers. The STRB is currently considering a range of evidence on unattached teachers.

TRADE AND INDUSTRY

Small Businesses

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what plans she has to reduce regulatory burdens on small businesses. [131298]

Nigel Griffiths *[holding answer 14 October 2003]:* The number of regulations passed by Parliament has fallen by nearly 800, we have cut form-filling and red tape for 700,000 small businesses with the new flat rate VAT scheme; we have abolished automatic penalties for late filing of VAT and we now have the best VAT threshold in Europe for business.

The recent OECD review of EU countries shows the UK has almost the lowest administration cost and few regulations for entrepreneurs than any other EU country.

We are seeking further improvements through Regulatory Impact Assessments, 'Think Small First' and Small Business Europe which promotes better regulation.

Alsthom

Dr. Cable: To ask the Secretary of State for Trade and Industry what representations she has made to the *(a)* French authorities and *(b)* European Commission on French state aids in the case of Alsthom. [131968]

Ms Hewitt *[holding answer 14 October 2003]:* None. The European Commission has announced that it is launching a formal investigation into France's proposals. The Commission will in due course provide member states arid third parties with an opportunity to comment. We will consider the position further when the Commission has published full details.

Coal-fired Power Stations

Mr. Grogan: To ask the Secretary of State for Trade and Industry at what load factor each coal-fired power station operated in each year from 1997 to 2003. [132403]

Mr. Timms: Information for each power station is not readily available. In total coal fired power stations in the United Kingdom owned by major power producers together operated at the following load factors:

	Percentage
1997	48.8
1998	50.6
1999	43.8
2000	50.8
2001	55.9
2002	55.9

Source:

Calculated from figures given in the Digest of UK Energy Statistics 2003

Customs and Excise

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much money has been recovered by Her Majesty's Customs and Excise over the last six years for the costs associated with seizing and storing imported goods for inspection *(a)* from importers subsequently found to be legitimately importing genuine goods and *(b)* from businesses which are subsequently found to be importing counterfeit and illegal goods. [129387]

John Healey: I have been asked to reply. Customs have not recovered any money in either case. However, the relevant port authorities may levy such charges.

Export Credits Guarantee Department

Dr. Cable: To ask the Secretary of State for Trade and Industry how much debt owing to the UK has been written-off by the Export Credits Guarantee Department in the last five years; and if she will list the countries for which the written-off debt was due, and the amounts written off for each country. [130912]

Mr. Mike O'Brien: During the period from 1 April 1998 to 31 August 2003, ECGD has written off a total of £848 million debt. The amounts written off are broken down by financial year and by market in the following table.

Amounts written off by ECGD last five financial years plus current financial year to 31 August 2003

£

Market	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*Total*
Bolivia	6,160,137	0	0	11,671,383	0	0	17,831,520
Bosnia and Herzegovina	3,021,121	0	0	0	0	0	3,021,121
Burkina Faso	0	0	0	0	1,851,737	0	1,851,737
Cameroon	5,189,345	6,046,275	7,387,463	8,761,599	8,202,179	3,542,446	39,129,307
Central African Republic	172,072	28,157	27,651	13,429	0	0	241,309
Côte d'Ivoire	2,445,306	0	0	0	9,873,984	553,721	12,873,011
Democratic Republic of Congo	0	0	0	0	113,037,774	947,807	113,985,581
Ethiopia	0	287,854	532,481	213,245	125,638	66,185	1,225,403
Ghana	0	0	0	0	27,496,319	3,703,403	31,199,722
Guinea	0	0	707,668	1,106,413	772,224	255,998	2,842,303
Guyana	0	11,915,740	0	0	0	0	11,915,740
Madagascar	0	0	523,114	1,254,431	1,126,626	219,756	3,123,927
Malawi	0	0	0	90,920	84,559	40,543	216,022
Mali	0	0	0	0	4,215,974	0	4,215,974
Mauritania	54,307	763,553	545,964	523,831	5,305,546	0	7,193,201
Mozambique	5,692,529	13,484,210	0	71,538,564	0	0	90,715,303
Nicaragua	0	0	0	156,212	105,515	23,812	285,539
Niger	386,665	192,552	1,170,852	1,203,292	1,084,263	532,403	4,570,027
Senegal	1,528,862	0	26,253	39,523	48,681	28,049	1,671,368
Serbia and Montenegro	0	0	0	270,067,645	0	0	270,067,645
Sierra Leone	0	0	0	225,022	44,805	6,275	276,102
Tanzania	5,126,063	4,477,751	17,525,512	92,700,686	19,167	0	119,849,179
Togo	81,421	0	0	0	0	0	81,421
Uganda	0	0	5,724,537	0	0	0	5,724,537
Zambia	0	21,863,232	16,790,093	28,654,900	27,384,399	9,518,120	104,210,744
Totals	29,857,828	59,059,324	50,961,588	488,221,095	200,779,390	19,438,518	848,317,743

All of the recipients of the debt reduction, with the exception of Serbia and Montenegro, have received the debt relief under the Heavily Indebted Poor Countries Initiative.

Everything But Arms Agreement

Mr. Gibb: To ask the Secretary of State for Trade and Industry pursuant to her answer of 25 September 2003, question ref 130694, what plans she has to make an assessment of the impact of the Everything But Arms agreement on the number of people who have lived or are predicted to live on $1 a day between 1990 and 2015 in sub-Saharan Africa. [132282]

Mr. Mike O'Brien: Since the Everything But Arms (EBA) agreement came into effect in February 2001, there has been a rise in exports from countries in sub-Saharan Africa. This increase in export opportunities should help the growth of these countries and lead to a reduction in poverty. It is however, difficult to quantify the actual effect EBA will have on poverty, given the many factors that can influence changes in poverty levels.

Modern Languages

Mr. Gibb: To ask the Secretary of State for Trade and Industry pursuant to her answer of 25 September 2003, question number 130710, what her plans are to commission specific research on the commercial effects of the decline in uptake of modern languages; and what representations she has received on this subject from United Kingdom businesses with foreign market interests. [132283]

Ms Hewitt: The DTI do not at present have any plans to commission specific research on the commercial effects of a decline in the uptake of modern languages; and we have received no formal representations from business on this matter. The DfES are working with a range of partners, including ourselves, the Sector Skills Development Agency and the Learning Skills Council to monitor this issue and to develop strategies to deal with it should it appear to become a significant problem.

TREASURY

Census 2001

Dr. Starkey: To ask the Chancellor of the Exchequer what discussions the Office for National Statistics has had with *(a)* the local authority and *(b)* the Primary Care Trust in Milton Keynes on the reliability of the 2001 Census results for Milton Keynes. [132172]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Dr. Phyllis Starkey, dated 15 October 2003:

As National Statistician and Registrar General for England and Wales, I have been asked to reply to your recent question asking about what discussions the Office for National Statistics (ONS) has had with *(a)* the local authority and *(b)* the Primary Care Trust in Milton Keynes on the reliability of the 2001 Census results for Milton Keynes. (132172)

To date we have not had any face to face discussions with Milton Keynes Council or the Primary Care Trust concerning the results for Milton Keynes; but during the period 9 May to 16 September there has been extensive correspondence with these organisations. We have also corresponded with the Thames Valley Strategic Health Authority.

In our detailed responses we have covered all the points raised and we have also explained that a further analysis suggested by Milton Keynes local authority would be considered in the work that ONS is planning to take forward following the review report "A demographic statistics service for the 21st Century" published on 9 July.

ONS are willing to meet representatives from Milton Keynes Council and the Primary Care Trust to discuss their concerns and explain the One Number Census methodology to aid their understanding of how their Census estimates were derived.

Cigarettes

Mr. Hancock: To ask the Chancellor of the Exchequer what assessment he has made of *(a)* the scale of tobacco smuggling into Britain and *(b)* the success of the law enforcement agencies in tackling it; what plans he has for further measures to tackle tobacco smuggling; and if he will make a statement. [132137]

John Healey: Estimates of the scale of tobacco smuggling into the UK, and details of the successful strategy being applied to combat it are contained in "Tackling Tobacco Smuggling" (March 2000), "Tackling Indirect Tax Fraud" (November 2001) and "Protecting Indirect Tax Fraud" (November 2002), copies of which are available in the Library of the House.

Details of progress in 2002–03 will be reported around the time of the pre Budget Report.

Employment Statistics

David Davis: To ask the Chancellor of the Exchequer how many people were unemployed in Haltemprice and Howden in *(a)* the last month for which figures are available and *(b)* each of the preceding 12 months. [132327]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to David Davis, dated 15 October 2003:

As National Statistician, I have been asked to reply to your recent question regarding the number of people who were unemployed in Haltemprice and Howden in the last month for which figures are available and each of the preceding 12 months. (132327)

The Office for National Statistics (ONS) compiles statistics of unemployment from the Labour Force Survey (LFS) following the internationally standard International Labour Organisation definition. However the survey sample size is too small to provide estimates for the Haltemprice & Howden Parliamentary Constituency. ONS also compiles statistics of those claiming Jobseeker's Allowance (JSA) for Parliamentary Constituencies.

Attached is a table which gives the number of JSA claimants in the Haltemprice and Howden Parliamentary Constituency for the period August 2002 to August 2003. The data are not seasonally adjusted. Claimant count statistics for September 2003 will be released on the 15th October 2003.

Number of JSA claimants in Haltemprice & Howden Parliamentary Constituency

	Number
2002	
August	796
September	768
October	757
November	753
December	740
2003	
January	799
February	797
March	784
April	745
May	751
June	741
July	755
August	754

Firearms

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 14 July 2003, *Official Report*, column 133W, how many firearms were detected by HM customs officers in the possession of passengers disembarking from aircraft at Farnborough, Hampshire *(a)* in 1999, *(b)* in November 1999 and *(c)* on 30 November 1999. [132184]

John Healey: There were no attempts to smuggle firearms detected by Customs at Farnborough Airport in 1999. In the same year Customs controlled four importations of firearms which were properly declared. In respect of these I refer the hon. Gentleman to my earlier answer.

Inland Revenue Officers

Mr. Gray: To ask the Chancellor of the Exchequer what the destination offices were of Inland Revenue officers posted from International Division, Business Tax Group, in the year ended 31 March 2001. [132185]

Dawn Primarolo: Between 1 April 2000 and 31 March 2001, 11 Inland Revenue employees were transferred from International Division to a variety of other business units, including other Head Office Divisions and local offices.

Investment Fund

Mr. David Stewart: To ask the Chancellor of the Exchequer if he will make a statement on the implications of the Futurebuilders Investment Fund for voluntary organisations. [131355]

Mr. Boateng *[holding answer 14 October 2003]:* The Futurebuilders Fund will provide resources for voluntary and community organisations and social enterprises in England, to increase the scale and scope of their delivery of public services. It will enable individual organisations to invest for the future, through modernising their operations and undertaking research and development. Most importantly, it will lead to improved services for users and show how that success can be replicated.

Ministerial Visits

David Davis: To ask the Chancellor of the Exchequer if he will list the *(a)* foreign and *(b)* UK visits made by the Chief Secretary to the Treasury since 1 April 2003; what the cost was to public funds of each trip; who he met; and what gifts were received. [126887]

Mr. Boateng: The Government publish the overall costs of all Ministerial overseas travel and a list of all visits overseas by Cabinet Ministers costing in excess of £500 on an annual basis. For the period up to 31 March

2003 I refer the right hon. Gentleman to the answer given by the Prime Minister to the hon. Member for Warwick and Leamington on 16 July 2003, *Official Report*, column 327W. The next list, for the period 1 April 2003 to 31 March 2004, will be published at the end of the financial year.

In respect of gifts received, I refer the right hon. Member to the answer given by the Prime Minister on 17 July 2003, *Official Report*, column 445W.

In the UK: the Chief Secretary visited Oxford University in April at no cost; the Baptist Assembly, Cardiff in May at no cost; Social Services, Cambridge in May at no cost; Cambridge University in May at no cost; ICSB World Conference, Northern Ireland in June at a cost of £262.30; CPYU Ministerial Listening Tour, Bristol in June at a cost of £145.00; Festival of Science, Leicester in June at no cost; Sieff Conference, Windsor in September at no cost; Council Congress Dinner, Brighton in September at a cost of £21.10; and the Pensions and Savings Summit, Edinburgh in September at a cost of £318.90.

All ministerial travel is undertaken in accordance with the Ministerial Code and Travel by Ministers, copies of which are available in the Library of the House.

Motability Scheme

Mr. Simon Thomas: To ask the Chancellor of the Exchequer how many cars receive road tax exemption through the Motability scheme; how much this exemption costs; what the financial value is of this exemption; how many of the exempted cars are registered to people aged 65 years and over; what plans he has to extend the exemptions to adapted cars brought by people disabled after their 65th birthday; and if he will estimate the cost of extending the exemptions. [132373]

John Healey: This exemption cost the Exchequer an estimated £111 million in 2001–02.

At the end of September 2003 there were 371,000 agreements for Motability cars (either contract hire or hire purchase). 26 per cent. of these were in the 65+ age group.

The Chancellor keeps all taxation policy under review and any changes are announced in the context of his Budget statement after considering relevant economic, social and environmental factors.

Pricing and Dissemination Policies

Mrs. Helen Clark: To ask the Chancellor of the Exchequer (1) what assessment he has made of the extent to which the recommendations of the Cross-Cutting Review of the Knowledge Economy published in December 2000 have been implemented; and if he will make a statement; [132168]

(2) what steps he has taken to implement Recommendation 15 of the Cross-Cutting Review of the Knowledge Economy published in December 2000; and if he will make a statement; [132169]

(3) what representations he has received on the economics of information pricing within the public sector. [132170]

John Healey: Recommendations relating to the pricing and dissemination policies of Government Departments, agencies and trading funds have been implemented via the application of the following new policy guidance from HM Treasury to public bodies:

Selling into Wider Markets: A Policy Note for Public Bodies, December 2002; and

Charging for Information: When and How—Guidance for Government Departments and other Crown bodies, July 2001.

Recommendations relating to the development of a new class licence for facilitating the re-use of Crown copyright material with the minimum of administration have been implemented and the Click-Use Licence was launched in April 2001. The Government consulted on an enhanced role for Her Majesty's Stationery Office as the regulatory authority for Government information, working closely with the private sector, and subsequently a new Information Fair Trader Scheme was launched last year. The first accreditation of a trading fund member of the Scheme was announced in May 2003.

The new Advisory Panel on Crown Copyright, a non-departmental public body, was established on 14 April 2003 by the Cabinet Office. Its role is:

to advise Ministers on how to encourage and create opportunities in the information industry for greater re-use of Government information;

to advise the Controller of Her Majesty's Stationery Office about changes and opportunities in the information industry, so that the licensing of Crown copyright information is aligned with current and emerging developments; and

to advise on the impact of the complaints procedures under the Information Fair Trader Scheme.

Botswana

Angus Robertson: To ask the Secretary of State for Trade and Industry how many applications for export credit guarantees were received by her Department in each year since 1997 with regard to Botswana; how many were successful; and if she will make a statement. [131626]

Mr. Mike O'Brien: ECGD has received the following inquiries relating to applications for export credit guarantees with regards to Botswana:

Year	*Number of Inquiries*
1997	2
1998	2
1999	0
2000	4
2001	1
2002	0
2003	1

None of these have led to the issue of an ECGD guarantee.

Broadband

Mr. Ruffley: To ask the Secretary of State for Trade and Industry how much Government funding has been allocated for broadband rollout in each year since 2000, broken down by English region. [131845]

Mr. Timms: Government funding for broadband to each English region falls under three main areas:

(a) £30 million UK Broadband Fund:

£ million

Region	*Total*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
East Midlands	2.090	—	0.315	0.800	0.975
Yorks and Humber	3.100	—	0.465	1.300	1.335
South East	2.900	—	0.025	1.975	0.900
West Midlands	2.082	—	0.312	0.910	0.860
East England	3.220	—	0.483	1.200	1.537
North East	1.460	—	0.220	0.615	0.625
South West	3.780	—	0.567	1.600	1.613
North West	2.679	—	0.210	0.299	2.170
London	0.113	—	0.019	0.045	0.049
Total	21.424	0	2.616	8.744	10.064

(b) RDA Single Pot funding

The latest available figures indicate that each RDA has allocated the following amounts to a range of broadband projects from their single pot budgets:

£ million

Region	*Total*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004/05/06*
East Midlands	0.560			0.200	0.360	
Yorks and Humber	2.132		0.296	0.478	0.658	0.700
South East	6.300			1.300	5.000	
West Midlands	21.149			1.145	8.252	11.752
East England	12.530			4.300	3.350	4.880
North East	48.165	2.000	2.780	3.385	40.000	
South West	0.370				0.370	
North West	142.777			1.777	141.000	
London	1.700				1.700	
Total	235.683	2.000	3.076	12.585	218.022	

(c) Public Sector Aggregation

The Government intend to spend £1 billion on broadband connectivity for its own needs over the next three years. The Broadband Aggregation Project will set up nine Regional Aggregation Bodies (RABs), which will be publicly owned companies and which will aggregate and procure public sector demand for broadband. In so doing they will obtain better prices through bulk buying, and thus better value for money, and also encourage broadband service providers to invest in creating more broadband infrastructure which they can use to provide a service to the public. Figures on the breakdown by region of this funding are not available.

Coal-fired Power Stations

Mr. Grogan: To ask the Secretary of State for Trade and Industry what discussions she has had with *(a)* the UK mined coal industry and *(b)* trades unions about the likely impact of the Large Combustion Plants Directive implementation options proposed in the current consultation. [132408]

Mr. Timms: This issue has been among the topics I have discussed in recent meetings with the Coal Authority and UK Coal Ltd. These and other bodies and organisations with an interest in UK coal mining have also responded formally to the Government's recent consultation paper on implementation. The Government will take a decision on the most appropriate approach after considering the responses to the consultation.

Export Credits Guarantee Department

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many allegations of corruption have been reported to the head of internal audit at ECGD; how many of these allegations have been passed on to NCIS; and whether these are in relation to contracts that have already received support from the ECGD, or to contracts on which the ECGD is being asked for support. [132372]

Mr. Mike O'Brien: ECGD has signed a Memorandum of Understanding with NCIS, relating to the Anti-Terrorism, Crime and Security Act 2001. This Act came into force in February 2002. Since that time

the Head of Internal Audit and Assurance has dealt with five allegations of corruption, all of which have been referred to NCIS.

It would not be appropriate for me to provide any information in relation to the cases concerned as there is a risk that this may encourage speculation or allow the identification of individual cases, which may prejudice any possible action by the relevant investigatory agencies.

Independent Schools Price Fixing

Mr. Willis: To ask the Secretary of State for Trade and Industry if she will make a statement on the investigation into price fixing of fees in independent schools. [132061]

Mr. Sutcliffe: No. This is a matter for the OFT.

Post Office Card Account

Mr. Ruffley: To ask the Secretary of State for Trade and Industry what assessment she has made of the take-up of the Post Office card account in *(a)* Suffolk, *(b)* Norfolk and *(c)* Essex; and what the UK national average take-up is. [131840]

Mr. Timms: None. However, the Department for Work and Pensions regularly place data on Direct Payment of benefits and pensions in the Libraries of the House. This includes figures on how many people have said they want to open a Post Office card account.

I understand from the Department for Work and Pensions that as of 3 October 2003, 1.25 million customers had requested a Post Office card account. I understand from the Post Office that some 787,000 Post Office card accounts had been opened by that same date.

Information is not available in the format requested.

Royal Mail

Keith Vaz: To ask the Secretary of State for Trade and Industry when she last met the Chairman of the Royal Mail. [131720]

Mr. Timms: As shareholder of Royal Mail Holdings plc, my right hon. Friend the Secretary of State for Trade and Industry meets the chairman several times a year. Her last meeting with Allan Leighton was on 4 September 2003.

Store Cards

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what assessment she has made of the effects of the interest rates charged by store cards on consumers. [131357]

Mr. Sutcliffe *[holding answer 14 October 2003]:* The Department has had no specific discussions regarding the interest rates levied on, or the terms and conditions associated with, store cards.

However, the DTI is reaching the conclusion of its review of the Consumer Credit Act 1974. Government proposals in this area will be set out in a White Paper planned for publication in the autumn. This will address issues such as the transparency of credit products including how they are sold to consumers, advertising and the form and content of credit agreements.

Through discussions and focus groups, we have been particularly careful to involve key stakeholders from consumer groups, business and enforcement agencies at all stages of the review.

In terms of consumer protection, the objective is to increase transparency and understanding throughout the UK credit market, empowering consumers to make informed financial decisions.

You may also be aware that the Department of Trade and Industry recently appeared to give evidence at a Treasury Committee inquiry into the transparency of credit charges.

Timeshares

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what steps the Government is taking to protect timeshare owners where their facilities provider was transferred from one company to another following a change in their management contract. [132321]

Mr. Sutcliffe: There are currently no plans to amend domestic or European timeshare legislation to cover timeshare facility providers transferring clients from one company to another.

The Unfair Terms in Consumer Contracts Regulations can provide protection for timeshare owners but it depends on the circumstances of the case.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Abandoned Cars

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned cars each local authority in England and Wales stated they had removed in their submissions to the most recent municipal waste survey. [131286]

Mr. Morley: The question on how many abandoned vehicles removed by local authorities in England and Wales was most recently asked in the 2001–02 Municipal Waste Management Surveys for England and Wales. Data recorded by district show that 320 local authorities out of a total of 376, responded to the abandoned vehicles question. The authorities and the numbers of abandoned vehicles removed and destroyed reported are listed as follows:

Authority	*Number of vehicles*
Adur	854
Allerdale	87
Alnwick	23
Amber Valley	243
Ashfield	641
Ashford	686
Aylesbury Vale	876
Babergh	718
Barnet	4,431
Barnsley	549
Barrow-in-Furness	83

Authority	Number of vehicles
Basildon	1,746
Basingstoke and Deane	985
Bassetlaw	348
Bath and North East Somerset	590
Bedford	1,455
Berwick-upon-Tweed	32
Bexley	1,776
Birmingham	5,257
Blackburn with Darwen	231
Blackpool	134
Blaenau Gwent	861
Blyth Valley	130
Bolsover	208
Boston	284
Bournemouth	1,420
Bracknell Forest	865
Bradford	1,607
Braintree	715
Breckland	307
Brent	4,115
Brentwood	500
Bridgend	540
Bridgnorth	49
Brighton and Hove	2,519
Broadland	196
Bromley	4,215
Broxbourne	544
Broxtowe	437
Burnley	105
Caerphilly	1,832
Calderdale	802
Camden	1,897
Cannock Chase	50
Canterbury	974
Caradon	317
Cardiff	590
Carlisle	232
Carmarthenshire	517
Carrick	242
Castle Morpeth	66
Ceredigion	182
Charnwood	256
Chelmsford	700
Cheltenham	648
Cherwell	705
Chester	365
Chesterfield	134
Chester-le-Street	18
Chichester	1,081
Chiltern	325
Chorley	274
Christchurch	156
City of Bristol	1,353
City of Kingston-upon-Hull	1,254
City of London	0
Colchester	579
Congleton	65
Conwy	310
Copeland	118
Corby	1,200
Cotswold	154
County of Herefordshire	460
Coventry	1,210
Craven	119
Crawley	1,037
Croydon	4,376
Dacorum	1,300
Dartford	706
Daventry	613
Denbighshire	286
Derby	996
Derbyshire Dales	73
Derwentshire	89
Doncaster	1,313

Authority	Number of vehicles
Dover	683
Dudley	272
Ealing	4,916
Easington	24
East Cambridgeshire	277
East Dorset	282
East Hampshire	311
East Hertfordshire	393
East Lindsey	359
East Northamptonshire	257
East Riding of Yorkshire	316
East Staffordshire	240
Eastleigh	225
Eden	35
Enfield	6,347
Epsom and Ewell	360
Erewash	324
Exter	1,317
Fareham	238
Flintshire	256
Forest Heath	680
Forest of Dean	360
Fylde	45
Gateshead	143
Gedling	838
Gloucester	896
Gosport	545
Gravesham	942
Great Yarmouth	400
Greenwich	4,200
Guildford	934
Gwynedd	873
Hackney	4,066
Halton	189
Hambleton	40
Hammersmith and Fulham	1,473
Harborough	480
Haringey	4,560
Harlow	1,310
Harrogate	262
Harrow	2,249
Hart	648
Hartlepool	87
Hastings	1,148
Havant	900
Havering	3,126
Hertsmere	650
High Peak	82
Hillingdon	3,128
Hinckley and Bosworth	429
Horsham	333
Hounslow	3,118
Hyndburn	128
Ipswich	1,327
Isle of Anglesey	81
Isle of Wight	345
Isles of Scilly	0
Islington	3,643
Kennet	146
Kensington and Chelsea	232
Kerrier	357
King's Lynn and West Norfolk	457
Kingston upon Thames	2,159
Kirklees	310
Lambeth	3,775
Lancaster	124
Leeds	1,707
Leicester	1,434
Leicestershire	—
Lewisham	4,671
Lichfield	—
Lincoln	227
Luton	4,876
Macclesfield	141

Authority	Number of vehicles
Maidstone	1,386
Manchester	1,102
Mansfield	410
Medway	2,512
Melton	20
Mendip	396
Menthyr Tydfil	750
Merton	2,140
Mid Bedfordshire	620
Mid Devon	339
Mid Suffolk	205
Mid Sussex	370
Middlesbrough	470
Milton Keynes	1,987
Mole Valley	497
Monmouthshire	270
Neath Port Talbot	688
New Forest	1,246
Newark and Sherwood	246
Newcastle upon Tyne	389
Newcastle-under-Lyme	150
Newham	8,117
North East Derbyshire	84
North East Lincolnshire	327
Newport	1,040
North Devon	192
North Hertfordshire	587
North Kesteven	139
North Lincolnshire	192
North Norfolk	138
North Shropshire	134
North Somerset	884
North Tyneside	168
North Warwickshire	150
North West	326
Northampton	2,061
Norwich	590
Nottingham	1,066
Oswestry	56
Oxford	1,560
Pembrokeshire	723
Pendle	392
Peterborough	2,309
Plymouth	2,040
Poole	978
Powys	172
Preston	135
Purbeck	194
Reading	1,563
Redbridge	2,219
Redditch	519
Reigate and Banstead	558
Restormel	389
Rhondda, Cynon, Taff	1,052
Ribble Valley	35
Richmond upon T hames	1,201
Richmondshire	33
Rossendale	174
Rother	288
Rotherham	410
Runnymede	659
Rushcliffe	147
Rushmoor	571
Rutland	40
Ryedale	100
Salisbury	400
Sandwell	5,247
Scarborough	620
Sedgefield	90
Sedgemoor	619
Sefton	194
Sevenoaks	532
Sheffield	1,421
Shepway	859

Authority	Number of vehicles
Shrewsbury and Atcham	110
Slough	1,665
Solihull	341
South Bedfordshire	1,800
South Buckinghamshire	435
South Cambridgeshire	547
South Derbyshire	325
South Gloucestershire	1,185
South Hams	235
South Holland	175
South Kesteven	221
South Lakeland	403
South Norfolk	171
South Oxfordshire	441
South Ribble	36
South Shropshire	13
South Somerset	589
South Staffordshire	82
South Tyneside	420
Southampton	5,000
Southend-on-Sea	2,296
Southwark	2,848
Spelthorne	669
St. Albans	622
St. Edmundsbury	854
St. Helens	48
Stafford	73
Staffordshire Morelands	21
Stevenage	1,052
Stockton-on-Tees	64
Stoke-on-Trent	200
Stratford-on-Avon	73
Stroud	257
Suffolk Coastal	181
Sunderland	186
Sutton	2,166
Swale	976
Swansea	1,598
Swindon	1,300
Thameside	1,155
Tandridge	586
Taunton Deane	352
Teesdale	30
Teignbridge	1,591
Tendring	1,538
Test Valley	658
Tewkesbury	150
Tanet	1,271
The Vale of Glamorgan	299
Three Rivers	802
Thurrock	2,400
Tonbridge and Malling	632
Torbay	648
Torfaen	856
Tunbridge Wells	695
Tynedale	28
Uttlesford	372
Vale of White Horse	386
Waltham Forest	3,466
Wandsworth	2,794
Wansbeck	165
Warwick	300
Watford	777
Waveney	339
Waverley	382
Wealden	637
Wellingborough	750
Welwyn Hatfield	887
West Berkshire	772
West Devon	85
West Dorset	528
West Lancashire	94
West Oxfordshire	346
West Somerset	79

Authority	Number of vehicles
Westminister	333
Weymouth and Portland	48
Winchester	246
Windsor and Maidenhead	490
Wirral	955
Woking	448
Wokingham	405
Wolverhampton	1,800
Worcester	464
Wrexham	385
Wycombe	1,169
Wyre	73
Wyre Forest	73
York	475

Animal Welfare (Greyhounds)

Mr. Best: To ask the Secretary of State for Environment, Food and Rural Affairs if she will include provisions to increase protection for greyhounds within the greyhound racing industry in the Animal Welfare Bill. [132231]

Mr. Bradshaw: Yes. Defra officials are discussing possible measures to improve welfare with the racing industry and welfare organisations.

Biodiversity

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs who will represent the Department at the 7 Meeting of the Conference of the Parties to the Convention on Biological Diversity in Kuala Lumpur, in February 2004. [131978]

Mr. Morley: The composition of the delegation has yet to be decided. It will be determined in the light of the agenda. I am planning to attend the High Level Segment from 18 to 19 February 2004.

Climate Change

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much carbon dioxide was produced per person in the UK in 2002. [131063]

Mr. Morley: The average production of carbon dioxide per person in the UK, due to activities such as electricity generation and use, travel and industrial production, is estimated to have been almost 10 tonnes in 2001, the year for which latest published data on greenhouse gas emissions is available.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to reduce the emissions of carbon dioxide from industry into the atmosphere. [131079]

Mr. Morley: Reductions in emissions of carbon dioxide from industry are being achieved through the Climate Change Levy, Climate Change Agreements the UK and EU Emissions Trading Schemes and the Integrated Pollution Prevention and Control (IPPC) regime.

The Climate Change Levy applies to energy used in the non-domestic sector. Revenues are recycled to levy payers via a 0.3 percentage point cut in employers' National Insurance Contributions, and receipts from the levy, administered by the Carbon Trust, provides additional support for energy saving measures.

Climate Change Agreements enable energy intensive business sectors to receive an 80 per cent. discount on the climate change levy in return for agreeing to meet challenging targets for improving energy efficiency or reducing greenhouse gas emissions. 44 sectors have signed agreements with the Government, including major energy intensive sectors like steel, chemicals, paper and non-ferrous metals.

The UK Emissions Trading Scheme (ETS) enables target holders in this voluntary participation scheme to meet their emissions reductions targets through their own efforts, by buying surplus emissions allowances from those who have found it cheaper to reduce emissions, or if they over achieve, by selling their surplus allowances. 32 organisations are committed to delivering reductions of 1.1 MtC by the final (fifth) year of the scheme. Climate Change Agreement holders are also able to use the UK ETS to achieve their targets.

An EU Emissions Trading Scheme is due to start in January 2005 and will be mandatory for certain industrial sectors.

The Integrated Pollution Prevention and Control (IPPC) regime introduced by a 1996 EC Directive, and which is being phased-in through regulations produced under the Pollution Prevention and Control Act 1999, applies an integrated environmental approach to the regulation of certain industrial activities. In determining the conditions of an IPPC permit the designated regulator must take energy efficiency into account, which in turn contributes to reducing carbon dioxide emissions.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the research being undertaken on the effects of carbon dioxide on environmental sustainability. [131090]

Mr. Morley: Carbon dioxide emissions threaten environmental sustainability since they are the main cause of climate change. Defra funds a significant programme of research on climate change worth approx. £12.7 million in 2002–03. This figure includes £8.4 million for the Climate Prediction Programme at the internationally leading Hadley Centre, which underpins the UK's research on assessment of the potential impacts of climate change on the UK, partly through the provision of a consistent set of climate change scenarios published in April 2002.

Research on the effects of climate change is also commissioned by the Department, other Government Departments and the Research Councils. Defra provides a focus for such research in the UK through the ground-breaking UK Climate Impacts Programme, which provides a link between researchers and stakeholders in industry and the public sector to enable them to assess the risks to their activities from climate change and to develop adaptation strategies to minimize such risks.

Defra also funds research on the global effects of climate change and is developing a programme to assess the effects of different levels of greenhouse gases in

the atmosphere. This will help us to contribute to the debate on identifying levels which avoids dangerous anthropogenic change and thereby contribute to environmental sustainability.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's plans to tackle climate change. [131066]

Mr. Morley: Tackling climate change is a high priority for the Government which will continue to show international leadership by taking effective action to reduce emissions of greenhouse gases.

Policies outlined in the UK Climate Change Programme (CCP) will ensure that the Government are on course to meet its Kyoto commitment to reduce greenhouse gas emissions by 12.5 per cent. below base year levels by 2008–12 and move towards the domestic goal of reducing carbon dioxide emissions by 20 per cent. below 1990 levels by 2010. The Government are committed to monitoring the effectiveness of the policies and measures in the CCP and will be reviewing it formally in 2004. In addition, as announced in the Energy White Paper, the UK is putting itself on a path to cut its carbon dioxide emissions by some 60 per cent. by 2050, with real progress by 2020.

The UK works closely with international partners to ensure that effective efforts to combat climate change are taken by all Parties to the United Nations Framework Convention on Climate Change and that the Kyoto Protocol enters into force as soon as possible.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what the average temperature in England was in *(a)* August 1993 and *(b)* August 2003. [131067]

Mr. Morley: Observations analysed by the Met Office show that the average Central England temperature was 14.6°C in August 1993, and 18.0°C in August 2003. The average Central England temperature in August during the period 1971–2000 was 16.2°C and over that period the average trend in August temperatures has been a rise of about 0.3°C per decade.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs by how much she aims to cut greenhouse gas emission by 2010. [131091]

Mr. Morley: The UK's commitment under the Kyoto Protocol is to reduce emissions of a basket of six greenhouse gases by 12.5 per cent. below base year levels by 2008–12. Base year levels are 1990 for carbon dioxide, methane and nitrous oxide, and 1995 for the F-gases (hydrofluorocarbons, perflorocarbons and sulphur hexafluoride).

The UK has also set itself a domestic goal to reduce carbon dioxide emissions by 20 per cent. below 1990 levels by 2010.

Data for emissions of the basket of six greenhouse gases for 2001, submitted to the United Nations Framework Convention on Climate Change (UNFCCC) in April 2003, show that emissions fell by 12.3 per cent. between the base year and 2001. Provisional data for 2002 shows that emissions fell by around 14 to 15 per cent. between the base year and 2002.

Flooding

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the number of homes damaged by flooding between January and June; what measures are in place to prevent flooding; and if she will make a statement on her objectives for flood defence. [131061]

Mr. Morley: I understand that 1,209 properties have been flooded in the period between January and June 2003 based on Environment Agency figures. In the most serious flooding incident in the Thames Valley over the new year, it is estimated that some 400 properties were protected from flooding and disruption to a further 1,000 properties was prevented by the Jubilee River flood alleviation scheme. In other areas of the country, flood defences have of course also reduced flooding.

The Department's policy is to reduce risks to people, property and the environment from flooding and coastal erosion through the provision of defences, flood forecasting and warning systems, increased flood resilience of property, beneficial land management changes and discouragement of further development on the floodplain. The Government invests significant sums of money each year to reduce risk and this investment profile is rising steeply with plans to spend approximately £1.5 billion between 2003–04 and 2005–06.

Defra has agreed Service Delivery Agreement (SDA) targets with Treasury to implement the outcome of the Funding Review and reduce risk to houses, infrastructure and environmental assets from the Department's capital programme over the spending review 2002 period. Delivery plans for these targets are available from the Defra website: http://www.defra.gov.uk/environ/fcd/policy/aim.htm. We are also developing a new Strategy for Flood Management and Coastal Protection which will be a cross-Government update to our 1993 Strategy. A Stakeholder Forum is being established, partly to inform this Strategy work.

Defra's flood management programme includes High Level Targets for operating authorities, encouragement of Shoreline Management Plans and Coastal Groups, a joint research and development programme with the Environment Agency and funding of the Agency's flood plain maps, Catchment Flood Management Plans, Public Awareness Campaigns and the National Flood and Coastal Defence Database and associated risk assessment methodology.

GM Crops

Mr. Paul Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the locations of current GM crop trials in Shropshire. [132303]

Mr. Morley: There are currently no GM crop trials in the UK.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter from the hon. Member for Totnes concerning genetically-modified food dated 3 July 2003, Defra ref: 183640. [131544]

Mr. Morley *[holding answer 14 October 2003]:* My officials wrote to the hon. Member on 18 July 2003, stating that the letter had been transferred to Food Standards Agency (FSA) for reply.

The FSA report to Parliament through Health Ministers, and I understand that my hon. Friend the Parliamentary Under-Secretary for Public Health (Miss Melanie Johnson) wrote to the hon. Member on 21 September 2003.

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of GM-free zones; and what plans she has to allow GM crops to be planted alongside conventional crops. [132116]

Mr. Morley: We will consider the terms on which GM and non-GM crops might co-exist when we have received a report on this subject from the Agriculture and Environment Biotechnology Commission. This is due shortly. We are also considering our broader policy on GM crops in the light of all the available information, including the report of the GM public debate. It is not clear how compulsory GM-free zones would be consistent with European Union law. However, the European Commission has suggested that voluntary GM-free areas might be acceptable in circumstances where, for practical reasons, it is very difficult to achieve satisfactory co-existence arrangements.

Bear Products

Mr. Challen: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the restrictions on importation and sale of products derived from farmed bears. [131418]

Mr. Morley: Under animal health controls the importation into England of products derived from bears is only permitted on the basis of a valid import licence issued by Defra. Each application for a licence is assessed on its own merits and in deciding whether or not a licence should be issued consideration is given to any animal health risk the product may present. In addition, the international trade in all bear species and their parts and derivatives is regulated by the Convention on International Trade in Endangered Species (CITES). The Government implements strict policies on trade to conserve endangered species and maintains a precautionary approach banning all commercial trade in bear bile or gall bladders irrespective of whether or not they come from captive bred specimens, on the grounds that this trade is likely to be detrimental to the species. International trade in other products derived from farmed bears listed in the Appendices to CITES is subject to regulation to ensure that it stays below the level at which species might become endangered.

International Whaling Commission

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the effectiveness of the International Whaling Commission; and if she will make a statement. [131941]

Mr. Bradshaw: The IWC has to operate within the terms of its parent treaty (the International Convention on the Regulation of Whaling), which dates from 1946. Within the very real constraints of that treaty (which aims to facilitate the orderly development of the whaling industry and which also provides for unregulated whaling under "Special Permit" for scientific purposes), the IWC has done well to introduce and maintain, for almost 20 years, a moratorium on commercial whaling, to which all members, except Norway, subscribe. Changes to the terms of the parent treaty require the unanimous agreement of all; there is thus no prospect of securing desirable change while keeping pro-whaling countries within the ambit of the treaty.

Junk Mail

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the proportion of junk mail which can be recycled; what estimate she has made of the proportion of paper waste represented by junk mail in the last year for which figures are available; and what steps the Government are taking to reduce the volume of junk mail. [131104]

Mr. Morley: Between 500,000 and 600,000 tonnes of paper was used in direct mail and promotions in the UK in 2002. In terms of total tonnage, this is a relatively small proportion of the overall paper waste stream. For example, the paper packaging waste flowing into the waste stream in 2002 was 3.7 million tonnes. However, junk mail is largely disposed of in the household waste and it should be possible to collect much of this paper for recycling.

The current level of recycling of junk mail is estimated to be some 13 per cent. We have, therefore, recently agreed a voluntary producer responsibility scheme with the industry to increase recycling of junk mail. Under this Agreement, the Direct Marketing Association (DMA) has undertaken to meet specific targets for the recycling of junk mail in the UK. The targets are:

30 per cent. by the end of 2005;

55 per cent. by the end of 2009; and

70 per cent. by the end of 2013.

The Agreement also requires the DMA and its members to continue to contribute to waste minimization by improving the targeting of distribution of direct mail and by making full use of, and publicizing, available services that allow householders to opt out of being sent direct mail, such as the Mailing Preference Service.

We believe that this Agreement will both increase the recycling of junk mail and reduce the amount of direct mail sent to homes.

Living Places Consultation

Mr. Truswell: To ask the Secretary of State for Environment, Food and Rural Affairs when she intends to publish proposals for action arising from the "Living Places" consultation document and responses. [131535]

Mr. Morley: We are at present considering the various legislative options available. However, we will make an announcement regarding our plans at the earliest opportunity.

Pollution

Mrs. Anne Campbell: To ask the Secretary of State for Environment, Food and Rural Affairs whether she plans to increase penalties for environmental pollution to create a greater incentive for companies to improve environmental performance. [129032]

Mr. Morley: There are currently stiff penalties available under the Environmental Protection Act 1990. These offences on summary conviction can carry the statutory maximum, and on conviction on indictment, a prison sentence of up to two years or a fine or both. Defra is currently considering whether to introduce a sliding scale of penalties under section 33 to reflect the seriousness of fly-tipping offences. If magistrates do not consider their maximum fine to be high enough, a case can be referred to the Crown Court, who have unlimited powers. Penalties for environmental pollution can therefore be awarded to any level under the current system.

Several steps have been taken with regard to sentencing and penalties. At the end of 2002, the Magistrates Association, in association with Defra, issued a guidance pack entitled "Costing the Earth" to all its members, highlighting the seriousness and costs of environmental crime.

Defra also increased the amount for fixed penalty notices for litter and dog fouling offences to £50 on 1 April 2002, and through the Anti-social Behaviour Bill, proposes similar fixed penalty notices for minor offences of graffiti and fly-posting. We are also considering a possible role for the use of fixed penalty notices to help enforce duty of care legislation.

Defra is also funding research looking at sentencing in environmental cases. This research should provide a robust basis with which to inform future discussion and policy-making.

Quarries

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the implications of the new licensing arrangements on long-term investment and job security at quarries in the Vale of York. [132269]

Mr. Morley: There has not been a specific assessment on the new licensing arrangements on long-term investment and job security at quarries in the Vale of York.

The Environment Agency has a duty to consider social and economic, as well as environmental aspects of sustainable development in its licensing policies. As part of the Environment Agency's assessment of any new licence application, it will take into account any relevant considerations. Quarry and mine operators will have the same opportunities as other abstractors to submit a business case to the Environment Agency in support of their licence applications, which can address any social or economic issues including long-term investment needs and effects on employment.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to allow *(a)* a quarrying abstraction licence to be tied to the life of the planning permission for a quarry and *(b)* a right of appeal and compensation where a licence is refused or curtailed. [131977]

Mr. Morley: It is not appropriate for the length of abstraction licences to be tied to the life of planning permissions, as consideration of each address very different issues. The Environment Agency will determine the length of an abstraction licence on a case-by-case basis, using guidance that it has developed and taking into account relevant considerations.

If a licence application is refused or curtailed, there is a right of appeal to the Secretary of State under the Water Resources Act 1991.

If a licence is varied or revoked during its term, there are provisions under the Water Resources Act 1991 to pay compensation for any loss or damage.

In addition, the Water Bill provides that there can be compensation for loss or damage where a licence cannot be granted to any previously exempt abstraction, such as quarry dewatering, when it becomes subject to licensing.

Ragwort

Mr. Pickthall: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about the spread of American ragwort; what measures are being employed to check the spread; what incidents of damage to livestock have been reported to her Department in the past 12 months; and what research has been conducted into the possible passage of ragwort toxins into the food chain. [131871]

Alun Michael: We have not been able to find a reference to American Ragwort in the literature, and without the Latin name, cannot identify the plant species concerned. Research on possible human exposure to ragwort toxins through the contamination of milk and honey was conducted by the then Ministry of Agriculture, Fisheries and Food in the 1990s. Further, in 1994 the MAFF Working Party on Naturally Occurring Toxicants in Food considered the evidence for human exposure to ragwort toxins through contamination of food and concluded that exposure via these routes is unlikely to pose a risk to health.

Recycling

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase the number of kerbside collection recycling schemes. [131082]

Mr. Morley: The Government has set statutory targets for local authorities to increase the recycling and composting of waste. Some local authorities have chosen to introduce doorstep collection of recyclates to help meet those targets. In 2001–02 58 per cent. of households in England were served doorstep collection schemes. This had increased from 51 per cent. in 2000–01.

The Government is also supporting the Household Waste Recycling Bill introduced by my hon. Friend, the member for Lewisham. The Bill provides, with some exceptions, that all local authorities in England must offer doorstep collection of at least two recyclates by 2010.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much household waste was recycled in 2002; and whether the Government are on track to achieve their 2005 target of recycling 25 per cent.of household waste. [131084]

Mr. Morley: The Defra Municipal Waste Management Survey records that in 2001–2, England achieved a household waste recycling rate of 12.4 per cent., in line with average annual increases of 1 per cent. This makes targets for 2003–04 and 2005–06 look challenging. However, there is evidence that measures the Government is taking are having an impact, with Local Authority projections suggesting the 2003–04 target of 17 per cent. will be met. We plan to continue this momentum towards 2005–06.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the incentives given to the UK population to recycle household waste. [131085]

Mr. Morley: The Government and Devolved Administrations fund waste awareness and education programmes to inform the population about the environmental benefits of recycling. There are no financial incentives for the population to recycle household waste.

In its response to the Strategy Unit Report 'Waste Not, Want Not' recommendation that local authorities in England should be able to take forward incentive schemes to reduce waste and increase recycling if they wish to do so, Government undertook to work with stakeholders to consider the practicalities of operating such schemes and how the potential disadvantages might be overcome.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the sources of household waste included in local authority recycling schemes. [131086]

Mr. Morley: The Municipal Waste Management Survey for 2001–02 showed the following tonnages of materials collected for recycling and composting from household sources by local authorities:

Material	*Thousand tonnes*	*Percentage*
Paper and card	959	31
Glass	428	14
Compost[1]	940	30
Scrap matal/white goods	370	12
Textiles	42	1
Cans	26	1
Plastics	8	0
Co-mingled	217	7
Other (including oils, batteries etc.)	150	5

[1] Includes organic materials (kitchen and garden waste); not home composting

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs for what reasons home-composted garden waste is not included in the Government's recycling targets. [131087]

Mr. Morley: Home-composted garden waste is not included in the local authority Best Value Performance Indicators due to the difficulty in accurately measuring the amount of waste that is composted by householders. However, the use of home composting is a key tool in reducing the amount of waste that local authorities collect and so is reflected indirectly in the Performance Indicators.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effects of changes in the type of ink used by newspaper producers on the recycling of newspapers; and if she will make a statement. [131105]

Mr. Morley: About 10 per cent. of the UK's newsprint is printed using flexographic presses which, at this level, is not sufficient to compromise the quality of recycled pulp produced for newsprint manufacture. We are aware that with current reprocessing technologies, a significant increase in these printing processes would have the potential to compromise the quality of recycled paper, and we have held discussions with the industry on this issue.

The Waste and Resources Action Programme will be taking forward work to assess the technical issues associated with the de-inking of flexographic inks.

Sewerage

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* individuals and *(b)* organisations who responded to the consultation paper, "Review of Existing Private Sewers and Drains in England and Wales"; and if she will place a summary of the responses in the Library. [131214]

Mr. Morley *[holding answer 14 October 2003]:* The consultation period of the paper, published on 1 July, extends until 26 September. We will place responses from organisations or individuals, that are not marked confidential, in the Library and a summary of responses when ready.

Timber Procurement

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on how the Government's *(a)* sustainable development, *(b)* fair trade and *(c)* environmental objectives are being pursued in timber procurement. [131569]

Mr. Morley: The Government's timber procurement policy is actively to seek to buy timber and timber products from sustainable and legal sources. This policy encapsulates environmental and social objectives that are relevant to sustainable forest management.

Fair trade as a concept is not specifically addressed by this policy. There is no Government-wide approach to the procurement of Fairtrade products. Each Government Department is responsible for making its own decisions on such products, against the background of the Government's value for money policy, the EC procurement rules and the Department's objectives. However, the Government are committed to supporting ethical trading wherever possible and provide significant support to the Fairtrade Foundation's efforts in promoting the supply and marketing of Fairtrade products.

Central Government Departments and their agencies have been provided with a model contract clause that sets out the Government's specific requirements for legal and sustainable timber. This includes a demand for independent verification of the claims made by suppliers for the source of the timber acquired. For existing contracts Departments are discussing the policy with their contractors to raise awareness and identify opportunities for obtaining timber from assured sources wherever feasible and mutually acceptable.

Central Departments are required to report annually on their timber purchases and a summary is published in the annual report Sustainable Development in Government—http://www.sustainable-development.gov.uk/sdig/reports.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the guidance given to government officials on legal and sustainable timber procurement and on the regulatory framework. [131631]

Mr. Morley: Guidance on timber procurement and on the regulatory framework is available on the Government's website for sustainable development in Government—http://www.sustainable-development.gov.uk/sdig/improving/contextf.htm

Central Government departments and their agencies have been provided with a model contract clause that sets out the Government's specific requirements for legal and sustainable timber. The text of this clause and covering information note issued by the Office of Government Commerce in December 2002 is annexed to this reply.

The Government intends to create a central point of expertise on timber procurement (CPET) to help public sector buyers specify their requirements with more clarity and assess the credibility of supplier's claims for the sources of their timber. The CPET is planned to begin its work later this year.

Waste Management

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on alternatives to landfill and incineration for waste disposal. [131614]

Mr. Morley: Government's policy for waste is set out in Waste Strategy 2000[1]. This is underpinned by the waste hierarchy which sets out the order in which options for waste management should be considered, based on their presumed environmental impact. This prioritises waste minimisation in the first instance, followed by re-use, followed by recycling, composting and energy from waste. Disposal by incineration and landfill are at the bottom of the hierarchy. These should only be used when all of the other options have been considered.

The Strategy, together with Government's response to the Strategy Unit report, "Waste Not Want Not", which reviewed progress in its implementation, have led to the introduction of a wide range of measures to move waste management up the waste hierarchy. These include significant increases in the Landfill Tax, from 2005–06; the introduction of Best Value Performance Standards (or statutory targets) for recycling and composting for local authorities; and the creation of the Waste and Resources Action Programme, which was launched in November 2000 to create stable and efficient markets for recycled materials and products, and to remove the barriers to waste minimisation, re-use and recycling.

The Waste and Emissions Trading Bill, currently going through Parliament, proposes a system of tradable allowances, reducing year on year, for the amount of biodegradable municipal waste local authorities may landfill. This system would enable local authorities to meet their targets for reducing the amount of biodegradable municipal waste going to landfill in the most cost effective way taking account of their local circumstances.

[1] "Waste Strategy 2000: England and Wales"—Department for Environment, Transport and the Regions, May 2000

http://www.defra.gov.uk/environment/waste/strategy/cm4693/index.htm

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs what investigations she has undertaken on the installation of anaerobic digestion systems for waste disposal; and if she will make a statement. [131615]

Mr. Morley: None. However, Government will shortly be issuing a consultation paper on how anaerobic digestion can be treated as a contributor to both composting and energy recovery for the purpose of Government indicators. This follows representations to Government from the waste management industry and local authorities regarding anaerobic digestion, which is currently classified by Government as a form of energy recovery from waste. Changing the classification should make it a more attractive waste management option for local authorities.

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs how many anaerobic digestion systems for waste disposal there are in the UK; how many have been *(a)* built and *(b)* closed in each of the past five years for which figures are available; how many are planned to be built in the (i) current financial year and (ii) following year; and if she will make a statement. [131616]

Mr. Morley: These figures are not available. My Department is aware that anaerobic digestion is employed for a number of commercial and industrial waste streams and that some local authorities are considering pilot plants for the treatment of biodegradable municipal waste. Later this year we expect to launch a programme which will support authorities investing in new waste processing technologies and which will provide impartial advice and funding for demonstrations of new and innovative processes. Some aspects of anaerobic digestion may be eligible.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what measures have been put in place to deal with changes in levels of household waste since 1996–97; [131073]

(2) what target was set for household waste recycling in England and Wales in the Government's 2000 Waste Strategy. [131083]

Mr. Morley: The Government has put a number of measures in place to deal with the problems of the on average 3 per cent. per year increase in household waste. "Waste Strategy 2000: England and Wales"[1] was published in May 2000, and sets out the Government's strategy for managing waste and resources better and the changes needed to deliver more sustainable development.

The strategy included targets for increasing levels of recycling and composting of household waste to 17 per cent. by 2003–04 and 25 per cent. by 2005–06. Progress towards achieving these targets can be found in this year's Departmental Report[2].

In November 2002 government published the Strategy Unit report "Waste Not, Want Not", which reviewed progress in implementing government obligations mainly on municipal waste and recommended a range of measures to drive up performance. The Government response[3] sets out a package of strategic measures that will help to boost the minimisation, re-use and recycling of municipal waste, and move waste management up the waste hierarchy.

[1] "Waste Strategy 2000: England and Wales"—Department for Environment, Transport and the Regions, May 2000 http://www.defra.gov.uk/environment/waste/strategy/cm4693/index.htm

[2] "Defra Department Report 2003"—Defra, May 2003—http://www.defra.gov.uk/corporate/deprep/default.htm

[3] Government response to Strategy Unit report "Waste Not, Want Not"—Defra, May 2003 http://www.defra.gov.uk/environment/waste/review/index.htm

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on waste minimisation projects. [131060]

Mr. Morley: The Government have announced, in response to the SU report, that WRAP (Waste & Resources Action Programme) would be taking forward the following four waste minimisation initiatives:

a national home composting programme, following established best practice in other countries, using sustained training and communication methods to establish greater household participation. The programme, which is currently under development, is likely to be delivered through local authorities in a bidding process, linked to the provision of other support services (on waste awareness and kerbside best practice);

development of re-useable nappy services, with a programme of support for SMEs and new entrants to business for start-up support for new nappy laundering businesses;

a retailers initiative, seeking to work with major retailers—both challenging them and supporting them to play their part in waste minimisation;

a waste minimisation innovation fund to provide resources to support innovation by retailers and others—in areas such as minimising material use in consumer products, design for minimum material use and maximum recyclability.

WRAP (the Waste & Resources Action Programme) has recently undertaken an extensive dialogue on the waste minimisation initiatives with local authorities, NGOs, businesses, academics, community organisations and others. The results of this exercise are now being used to finalise how best these new programme areas should be delivered.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the use of anaerobic digestion of waste. [131074]

Mr. Morley: Anaerobic digestion is currently classified by Government as a form of energy recovery from waste. Energy recovery is a less desirable option than recycling and composting in the Government's hierarchy of waste management options. However, following representations from the industry and local authorities, we have agreed that anaerobic digestion should be treated as a contributor to both composting and energy recovery. We will shortly be issuing a consultation paper on how this could be done.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding local authorities received for sustainable waste managing schemes in the last year for which figures are available. [131075]

Mr. Morley: The information is as follows:

EPCS

The main source of funding for local authority waste services is through the Environmental, Protective and Cultural Services (EPCS) Standard Spending Assessment (SSA).

The EPCS SSA provides for a wide range of local authority services including libraries, local transport and flood defence, as well as waste. In total, the provision for the block is:

EPCS SSA

	£ million
2002–03	8,961
2003–04	9,435

Provision for waste services is not separately identified within the total.

Waste Minimisation and Recycling Fund

We have provided £50 million additional funding for 2002–03 and £90 million for 2003–04 through a £140 million Waste Minimisation and Recycling Fund to encourage local authorities to expand recycling operations in their area.

Information on the final totals for all financial claims made under round 1 (2002–03) of the National Waste Minimisation and Recycling Fund including the separate arrangement for London is as follows:

Waste Minimisation and Recycling Fund

Capital Spend Allocated 2002–03 (£ million)	38.58
Actual Capital Spend 2002–03 (£ million)	30.74
Proportion Spent (%)	80
Revenue Spend Allocated 2002–03 (£ million)	11.42
Actual Revenue Spend 2002–03 (£ million)	10.47
Proportion Spent (%)	92

The underspend on the capital budget is due mainly to delays in the procurement of capital items such as vehicles and boxes. The Department is seeking end-year flexibility to carry forward the remaining capital budget (7.8 million) so it can be spent by Local Authorities in 2003–04.

The Waste Private Finance Initiative (PFI)

Waste PFI funding is allocated on a project specific basis. Since the introduction of the September 2000 criteria recycling has been at the forefront of all schemes approved by the department.

In the last 12 months six projects have been approved at outline stage and another three at final stage, which are now signed and operational. The following table shows the allocations for each scheme:

Authority	*Financial Year Project signed*	*Approval stage*	*PFI Credit allocation (m)*
ELWA	2002–03	Final	47
East Sussex, Brighton and Hove	2002–03	Final	49
Leicester City	2003–04	Final	30.8
Central Berkshire	N/A	Outline	37
West Sussex	N/A	Outline	25
Gloucestershire	N/A	Outline	25.105
West Berkshire	N/A	Outline	23.74
Cornwall	N/A	Outline	25
Nottinghamshire	N/A	Outline	31.93

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what measures the Government will put in place to achieve the 2005 target to reduce industrial and commercial waste sent to landfill to 85 per cent. less than in 1998. [131076]

Mr. Morley: Waste Strategy 2000: England and Wales[1] was published in May 2000, and sets out the government's strategy for managing waste and resources better and the changes needed to deliver more sustainable development.

The Strategy set a target to reduce the amount of industrial and commercial waste sent to landfill to 85 per cent. of the 1998 level by 2005.

In November 2002 government published the Strategy Unit report 'Waste Not, Want Not', which reviewed progress in implementing government obligations and recommended a range of measures to drive up performance including some related to industrial and commercial waste. The government response[2] identifies a package of strategic measures to take forward these recommendations, and move waste management up the waste hierarchy.

[1] "Waste Strategy 2000: England and Wales"—Department for Environment, Transport and the Regions, May 2000 http://www.defra.gov.uk/environment/waste/strategy/cm4693/index.htm

[2] Government response to Strategy Unit report "Waste not, Want not"—Defra, May 2003 http://www.defra.gov.uk/environment/waste/review/index.htm

Water Pricing

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Water Price Review 2004. [131071]

Mr. Morley: The Director General of Water Services (Ofwat) is responsible for setting water price limits.

My right hon. Friend the Secretary of State made a statement to the House on 21 January 2003, *Official Report*, column 5WS, this year when publishing her Initial Guidance on the periodic review to the Director General. A joint statement, explaining what the review is, setting out how and when decisions will be taken, and inviting views, was issued in August by Government and the environmental and quality regulators and Defra was a signatory.

The Secretary of State's Principal Guidance to the Director General will be published in early 2004 and she will make a further Ministerial Statement to the House at that time.

Water Quality

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the quality of UK *(a)* inland and *(b)* coastal water; and what research she has conducted on levels in other EU countries. [131070]

Mr. Morley: Monitoring and assessment of inland and coastal waters in Scotland and Northern Ireland, and with respect to the devolved functions in Wales are matters for the Scottish Executive, the Northern Ireland Executive and the National Assembly for Wales.

In England, in 2002, the Environment Agency surveyed about 7,000 freshwater sites, representing 35,000 kilometres of rivers and canals, for their chemical quality and around 2,000 of these for biological quality. The results of this most recent assessment of inland water quality can be found on the Agency's website www.environment-agency.gov.uk from Tuesday 23 September 2003.

Our national monitoring programme provides regular data on the environmental quality of the marine environment, including coastal waters. A National Marine Monitoring Programme, consisting of 109 stations monitored by six agencies, has been set up to detect long-term trends in physical, biological and chemical variables at selected estuarine and coastal sites. In 2000, the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic produced a set of Quality Status Reports for the region, which evaluated the effectiveness of measures taken,

planned for the protection of the marine environment and set priorities for the region. This was agreed by all the contracting parties, including the UK. Other regional seas programmes have produced similar assessments for other European waters.

The UK participates fully in the activities of the European Environment Agency, which compiles and disseminates information for Europe on a wide range of environmental topics, including inland and coastal water quality, through its website, its Environmental Signals reports and other publications.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what the five *(a)* best and *(b)* worst performing regions of England in chemical quality of water were in the last year for which figures are available. [131072]

Mr. Morley: The following table shows results from the Environment Agency's 2002 General Quality Assessment of rivers and canals in each of the Agency's seven regions. These were published by DEFRA on 23 December 2003 on their website (http://www.defra.gov.uk/environment/statistics/index.htm).

Chemical quality is one of a range of indicators of the overall quality of a water body and is affected by human activity, natural geography and weather.

The table is presented in order of the percentage of river lengths which are of 'Good and Fair' chemical quality, however this is an arbitrary choice and the order would vary if it was based on a different range of grades.

Percentage of river lengths by grade for each region, 2002

	Grade				
EA region	*Good (Grades A + B)*	*Fair (Grades C + D)*	*Poor (Grade E)*	*Bad (Grade F)*	*Good and Fair (Grades A + B + C + D)*
South West	83.2	14.0	2.6	0.2	97.2
Thames	67.8	27.7	4.5	0.0	95.5
Midlands	63.0	31.1	5.5	0.3	94.2
North East	67.6	25.6	6.1	0.8	93.1
Southern	43.5	48.4	8.1	0.0	91.9
Anglian	54.5	37.2	8.3	0.0	91.7
North West	62.0	29.4	7.7	0.7	91.5
England	65.5	28.3	5.8	0.4	93.8

Note:
The regions shown are Environment Agency regions. The Midlands and the North West regions cross the Welsh political border, however the overall England results do reflect the English political boundary.

LEADER OF THE HOUSE

Video-conferencing

Huw Irranca-Davies: To ask the Leader of the House what assessment he has made of the *(a)* demand and *(b)* capacity for video-conferencing and web-cameras for honourable Members' use. [132117]

Mr. Hain: I am aware that some hon. Members would like to see additional provision for video-conferencing and web-cameras. I suggest that my hon. Friend approach the Speaker's Advisory Panel on this. The Information Committee has also taken an interest in this.

TREASURY

Private Sector Health Care

15. **Mr. Love:** To ask the Chancellor of the Exchequer what representations he has received regarding the provision of a subsidy through the tax system towards the cost of health care in the private sector. [132070]

Dawn Primarolo: We receive many representations regarding many issues of tax policy.

I remain unconvinced that reducing the NHS budget by £1 billion to subsidise the private health insurance payments of those who already can afford it is an effective use of taxpayers money funds.

Economic Growth

16. **Mr. Hunter** To ask the Chancellor of the Exchequer if he will make a statement on the projections for United Kingdom growth made by *(a)* the Treasury and *(b)* independent forecasters at the time of the (i) 2002 and (ii) 2003 budget. [132071]

Ruth Kelly: Between the 2002 and 2003 Budgets, both the Government and independent forecasters revised down their GDP growth forecasts for 2003, reflecting a fragile global economic environment and heightened international uncertainties.

At the time of the 2003 Budget, the average of independent forecasts for GDP growth in 2003 was consistent with the Budget forecast, with over 70 per cent. of forecasters included in HM Treasury's 'Comparison of independent forecasts' either within of above the Budget forecast range.

Financial Mutual Organisations

17. **Mr. Bailey** To ask the Chancellor of the Exchequer what his policy is on support for financial mutual organisations; and if he will make a statement. [132072]

Ruth Kelly: The Government welcomes the contribution of the mutual sector to providing greater choice and diversity in the market and in tackling financial exclusion. The Government will continue to work closely with the sector.

Tax Allowances

18. **Lynne Jones:** To ask the Chancellor of the Exchequer if he will make it his policy to index-link personal tax allowances at least in line with inflation. [132073]

Dawn Primarolo: The level of personal allowance for 2004–5 will be announced, as usual, at the Pre Budget report.

Budget Forecasts

19. **Mr. Boswell:** To ask the Chancellor of the Exchequer when he next plans to meet the new Governor of the Bank of England to discuss the Chancellor's Budget forecasts on the public sector deficit for 2004–05. [132074]

Ruth Kelly: The Chancellor meets the Governor of the Bank of England regularly to discuss various issues concerning the British economy, including the public finances. In addition, a representative from HM Treasury attends each of the monthly meetings of the Monetary Policy Committee.

Eurozone

20. **Mr. Rosindell:** To ask the Chancellor of the Exchequer what assessment he has made of the recent change in the budget deficits *(a)* in Germany, *(b)* in France and *(c)* on average in the eurozone. [132075]

Ruth Kelly: In 2002, the general Government deficit reached 3.1 per cent. of GDP in France, 3.5 per cent. of GDP in Germany and 2.3 per cent. of GDP in the euro area.

Youth Unemployment

21. **Mr. Jim Cunningham:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of the level of youth unemployment on the economy; and if he will make a statement. [132076]

Ruth Kelly: Youth unemployment is particularly detrimental to the long-term health of the economy.

That is why this Government have made a priority of reducing it. With the help of the New Deal for Young People, we have reduced long-term youth unemployment by 133,000 or three-quarters since 1997.

Climate Change Levy

Mr. Tynan: To ask the Chancellor of the Exchequer what the receipts were to the Exchequer in 2002–03 under the climate change levy. [132054]

John Healey: In 2002–03, the climate change levy raised £829 million for the Exchequer. This figure was published by the Office for National Statistics in "Financial Statistics" (Table 2.1 D) in August 2003.

Iraq

Mr. Dalyell: To ask the Chancellor of the Exchequer if he will publish a monthly estimate of the costs incurred by the Government as a result of its presence in Iraq. [131995]

Mr. Boateng: I refer the hon. Member to my answer I gave the hon. Member for Blaenau Gwent (Llew Smith) on 14 October 2003, *Official Report*, column 144W.

Pensions

Mr. Viggers: To ask the Chancellor of the Exchequer what amount in taxation he has levied from pension funds in the last five years. [132077]

Ruth Kelly: Approved pension funds do not normally pay tax on their investments. The only exceptions are where a pension fund is involved in an activity outside the terms of its tax approval or makes a taxable payment to a scheme employer or member. The amount of tax paid by pension funds under these circumstances in the last five years is not held centrally.

CULTURE, MEDIA AND SPORT

British Branding Overseas

Mr. McNamara: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the cost of promoting British branding and identity in culture, media and sport overseas in the last year for which figures are available; and what element of this expenditure promotes *(a)* Welsh, *(b)* Scottish and *(c)* Irish branding and identity as a distinct component of that of the United Kingdom as a whole. [131945]

Mr. Caborn: There are a number of Government Departments which promote British branding abroad. DCMS provides £35.5 million per annum to VisitBritain (formerly the British Tourist Authority) to promote Britain overseas as a tourist destination. In 2002–03 an additional £20 million was provided from the Reserve in order to help tourism recover from the impact of the foot and mouth outbreak and the terrorist attacks of 11 September 2001. Funds are not allocated for individual regions of Britain. Britain is promoted as a whole in a way which maximises the impact of VisitBritain's campaigns in individual markets overseas. Tourism is a devolved matter and is the responsibility of the respective administrations in Scotland, Wales and Northern Ireland.

Childhood Obesity

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the impact of advertising on childhood obesity; and if she will make a statement. [131937]

Estelle Morris: The Department has a responsibility only in relation to broadcast advertising. It has made no separate assessment of the impact of advertising on childhood obesity but will participate in consideration of the Food Standards Agency's recent report on the promotion of foods to children. The Department is fully supportive of Government initiatives to tackle the problem of child obesity, and is working closely with the Department of Health and the Department for Education and Skills on these as well as developing its own health initiatives relating to increased physical activity, particularly in children.

Euro Entry

Mr. Stephen O'Brien: To ask the Secretary of State for Culture, Media and Sport how much has been spent in each year by her Department in preparing for UK entry to the euro; how much her Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates she has made of the total costs to her Department of changeover to the European Single Currency. [131591]

Mr. Caborn: I refer the hon. Member to the answer given to him by my hon. Friend the Financial Secretary to the Treasury on 14 October 2003, *Official Report*, column 142W.

Ministerial Events Attendence

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport if she will list the *(a)* sports events, *(b)* arts events, *(c)* broadcasting events, *(d)* tourism events and *(e)* museums and galleries she has attended since 1 November 2002. [118007]

Tessa Jowell: The number of events attended since 1 November 2002, is given in the following list:

Sporting:

8 December 2002 BBC Sports Personality of the Year

1 January 2003 Arsenal v Chelsea @ Highbury

12 February 2003 England v Australia @ Upton Park

16 March 2003 World Indoor Athletics Championships

13 April 2003 London Marathon Opening

Arts:

19 November 2002: A Streetcar Named Desire

10 November 2002: Twelfth Night @ Donmar Warehouse

15 December 2002: Mahler 2 @ Royal Festival Hall

21 December 2002: The Wind in the Willows @ Linbury Studio

23 December 2002: The Merry Wives of Windsor @ RSC Swan Theatre

28 January 2003: The Rite of Spring @ Treptow Arena

10 February 2003: The Vortex @ Donmar Warehouse

15 May 2003: Henry V @ National Theatre

20 May 2003: Winters Tale @ Roundhouse

28 June 2003: The Lady from the Sea @ The Almeida Theatre

Broadcasting:

6 February 2003: Launch of BBC 3

23 February 2003: BAFTAS

13 May 2003: Thirty Club Dinner

16 May 2003: Cannes Film Festival: Calendar Girls

Tourism:

7 November 2002: Tourism Forum @ Tate Modern

4 February 2003: Cumbria: CBI Dinner

5 February 2003: BTA Breakfast

22 May 2003: Tourism Breakfast @ Claridges

Museums and Galleries:

17 December 2002: The [illegible] of the Homeless @ Museum of London

3 February 2003: Constable to Lacroix @ Tate Britain

17 March 2003: Durer Exh. @ British Museum

25 March 2003: Titian Exhibition @ The National Gallery

17 March 2003: Roundhouse Theatre Event

3 April 2003: British Empire and Commonwealth Museum

28 April 2003: Built Heritage Foundation, Shoreditch

28 April 2003: Elizabeth @ National Maritime Museum.

The list includes events attended up to the start of the summer parliamentary recess 2003.

Tourism

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on *(a)* the domestic tourist industry and *(b)* the measures she is taking to encourage in-bound tourism. [131938]

Mr. Caborn: England's tourism industry is worth £62 billion a year. £52 billion of which is generated by domestic tourism. In 2002 British residents took 135 million tourism trips in England. Statistics for this summer will be available by the end of November. Early indications from the industry are that it was a strong season. In April this year, VisitBritain launched a £4 million 'Enjoy England' campaign to promote domestic tourism in England. Following a consultation exercise over the summer, VisitBritain will shortly be publishing its three-year domestic marketing strategy for England.

VisitBritain receives £35.5 million a year to promote Britain overseas as a tourist destination. It has 27 offices overseas and it runs on-going campaigns using advertising, PR, direct mail, the internet and other marketing tools. Major campaigns this year have included partnership campaigns with the industry in the United States and, in Europe, a £4 million "City Breaks" campaign to promote short breaks in Britain.

HOME DEPARTMENT

Civil Emergency

Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to hold an exercise in a major United Kingdom city to test the preparedness of the relevant services in the event of a biological terrorist attack. [131656]

Mr. Blunkett: My Department has plans for, or involvement in, a number of exercises over the coming months as part of a regular programme of counter-terrorism exercises. The programme has been in place well before 11 September 2001.

Other Departments such as the Department of Health as well as local government and local emergency services also run exercises to test procedures and equipment across agencies. Some are based in cities such as the recent exercise at Bank Station, others are planned for areas where procedures can be practised with minimal disruption to the public, as well as through tabletop exercises.

As I announced in July 2003, we are embarking on a broader programme of exercises, and, where in the past such exercises were usually conducted in private, we aim to put as much information in the public domain as we can without providing information that may be useful to terrorists. Further information about counter-terrorism

exercises is available on the Home Office website at www.homeoffice.gov.uk/terrorism/govprotect/resilience/counterterr.html.

It is important to note that the Government, emergency services and others regularly train and practise their responses to all kinds of major incidents, including natural disasters and accidents, not just those caused by terrorist acts, in order to increase national resilience to a range of threats.

Crime (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many young offenders were successfully prosecuted in April 2003; and what the average sentence *(a)* given and *(b)* served was in (i) England and Wales and (ii) Crosby. [129476]

Paul Goggins: Statistics of court proceedings for 2003 will be published in the autumn of 2004.

Illegal Firearms

Mr. Ruffley: To ask the Secretary of State for the Home Department what assessment he has made of the number of illegal firearms in circulation in each year since 1997 in *(a)* the UK, *(b)* Suffolk, *(c)* Norfolk, *(d)* Essex, *(e)* Cambridgeshire and *(f)* Bury St Edmunds. [131843]

Caroline Flint: There are no reliable estimates of the number of firearms held illegally either on a national basis or in particular areas. The overall level of crime involving guns is low but we are developing a range of measures in conjunction with all interested parties to address the recent unacceptable rise in firearms offences.

Passports

Patrick Mercer: To ask the Secretary of State for the Home Department whether the United Kingdom will meet the 1 October 2004 deadline imposed by the United States which requires biometric technology to be embedded in United Kingdom passports so that the bearers do not need to apply for a visa. [128662]

Beverley Hughes: As we have previously said, biometrics on UK passports will begin to be implemented in 2005.

The Foreign and Commonwealth Office is organising representations to the United States Government with the aim of ensuring UK passport holders retain visa waiver status, on the basis that realistic programme and implementation plans will be in place by the US deadline.

Terrorist Munitions

Patrick Mercer: To ask the Secretary of State for the Home Department (1) what measures have been taken to prevent terrorist munitions being smuggled into the UK via container traffic; [128659]

(2) what measures have been taken to prevent weapons of mass destruction being smuggled into the United Kingdom. [128660]

Mr. Blunkett: Since the terrorist attacks in the United States on 11 September 2001, the Government have conducted a thorough and comprehensive review of all preventative measures to counter terrorism to better protect this country from the threat from international terrorism.

We have taken major steps to enhance the security of the UK's borders. There are extensive powers for counter-terrorist policing at our ports and our border agencies work closely together in sharing intelligence and operations.

We are also working closely with our international colleagues to implement a range of measures to improve port security and reduce the likelihood of the illicit movement of materials.

The Home Office leads on countering the potential threat from CBRN material. I refer the hon. Gentleman to my statement of 3 July 2003 in which I spoke about the introduction of routine screening of port traffic for the illicit movement of radiological materials (to reduce the threat from nuclear or radiological attack). This technology will greatly improve our existing capacity to detect and prevent the illicit importation of material into the UK. This is a significant part of the £330 million additional counter terrorism money announced in the Budget.

It has never been government policy to release details of our contingency plans for security reasons but, as I told the House on 20 March 2003, we have taken precautionary measures to deal with the events we can anticipate. We cannot guarantee 100 per cent. security but we deal rapidly with change and will keep all aspects of our planning under review and will keep Parliament, and the public, informed of any significant developments.

DEFENCE

Council Tax

Mr. Paul Marsden: To ask the Secretary of State for Defence (1) how many armed service personnel serving abroad in the last 12 months for which figures are available paid council tax contributions; [132305]

(2) what the average council tax contribution paid by armed services personnel was while serving abroad in the last 12 months for which figures are available. [132306]

Mr. Caplin: Service personnel living in service accommodation pay a contribution in lieu of council tax (CILOCT) in circumstances where they are liable for payment of an accommodation charge. As at 1 April 2003, of those serving abroad some 11,500 service personnel were paying CIEOCT for service families accommodation, and some 6,000 for single living accommodation. Armed service personnel serving abroad may also be liable for council tax on their own property within Great Britain. No information is held on the number of people who fall into this category.

The average daily contribution in lieu of council tax (CILOCT) paid overseas by service personnel, based on 2003–04 charges for the most commonly occupied service accommodation as at 1 April 2003 are:

£3.27—Officers Service Families' Accommodation

£2.56—Other Ranks Service Families' Accommodation

£0.21—Officers Single Living Accommodation, and

£0.06—Other Ranks Single Living Accommodation.

Iraq

Paul Flynn: To ask the Secretary of State for Defence pursuant to his answer of 24 September on deployment of military personnel in Iraq, reference 129882, how much the logistical help provided in Multinational Division South East will cost. [132415]

Mr. Ingram: The Ministry of Defence identifies the costs of operations in terms of the net additional costs it has incurred. The costs which the MOD would have incurred had the operation not been undertaken—expenditure on wages and salaries or on conducting training exercises, for example—are deducted from the total costs of the operation.

For the most part, the costs incurred will be those arising from the deployment and activities of the United Kingdom's force elements in Iraq. The same principle will apply to other nations contributing forces. There may be occasions when other nations draw food or fuel from UK sources. On such occasions, those drawing the supplies will be charged at an appropriate rate to recover UK's costs. Therefore the provision of this service will not incur additional cost. There may be other occasions where other nations make use of UK transport facilities where spare capacity exists. In such circumstances, a charge will not be levied. These are all reciprocal arrangements intended to make the most effective use of resources while not disadvantaging any of the troop contributing nations. Any attempt to apportion costs for this arrangement would be impractical.

It is too early to estimate the costs likely to arise from UK military operations in Iraq in 2003–04. Once these are known, additional funding will be sought in the normal way through Supplementary Estimates.

War Pensioner's Mobility Supplement

Mr. Simon Thomas: To ask the Secretary of State for Defence how many people *(a)* of all ages and *(b)* aged over 65 years are in receipt of war pensioner's mobility supplement. [132376]

Mr. Caplin: As at 30 June 2003, the total number of war pensioners of all ages in receipt of war pensioners mobility supplement was 18,340. Information is not available for those aged over 65 years and could be provided only at disproportionate costs.

Afghanistan

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the United Kingdom's military operations in Afghanistan. [132127]

Mr. Ingram: The United Kingdom's military operations in Afghanistan are focused primarily upon the International Security Assistance Force in Kabul. We also lead the Provincial Reconstruction Team in Mazar-e Sharif and provide staff officers to support the coalition headquarters at Bagram.

Army Personnel (Self-harm)

Mr. Hancock: To ask the Secretary of State for Defence (1) pursuant to his answer of 16 September, *Official Report*, column 703W, on Army personnel (self-harm), if he will place the information in the Library as soon as it becomes available; [131935]

(2) pursuant to his answer of 16 September 2003, *Official Report*, column 703W, on self-harm, if he will place the information in the Library when it becomes available. [132488]

Mr. Caplin: The work to trial the collection and analysis of the existing information on incidents of deliberate self harm in the Army has only just begun. The purpose of the work is to develop the Department's understanding of the scale of the problem and to inform the development of policies and practices within the armed forces. There is no current intention to place this information in the Library of the House.

Defence Attaches

Mr. Keetch: To ask the Secretary of State for Defence what the cost was of *(a)* defence attachés and *(b)* the Defence Export Services Organisation in each financial year since 1997–98. [132153]

Mr. Ingram *[holding answer 14 October 2003]:* Costs readily available for Defence Attachés in each financial year since 1997–98 are as follows:

Financial year	*Costs identified (£ million)*
1997–98	30.6
1998–99	31.7
1999–2000	32.4
2000–01	34
2001–02	37.2
2002–03	37.1

Operating costs for DESO in each year since financial year 1997–98 are as follows:

£ million

Financial year	*Expenditure*	*Receipts*	*Net operation costs*
1997–98	—[1]	—[1]	14.380
1998–99	45.359	-29.342	16.017
1999–2000	46.473	-34.977	11.496
2000–01	55.81	-41.430	14.380
2001–02	48.930	-37.853	11.077
2002–03	56.944	-44.407	12.537

[1] Full details of costs in this year are no longer available.

The net operating costs are more than offset by benefits to the Defence budget arising from DESO's activities. Main sources of offsetting income from DESO are three Government-to-Government project offices, where the customer country pays Ministry of Defence costs, and the Disposal Services Agency, where costs are met from revenue.

Defence Spending

Mr. Rosindell: To ask the Secretary of State for Defence by how much he plans to increase defence spending over the next five years. [132157]

Mr. Ingram: Plans for defence spending in 2004–05 and 2005–06 are set out in the Government's Expenditure Plans for the Ministry of Defence, a copy

of which can be found in the Library of the House. Plans for defence spending beyond 2005–06 will be set in the 2004 and 2006 Spending Reviews.

Depleted Uranium

Lynne Jones: To ask the Secretary of State for Defence if his Department will phase out the use of depleted uranium. [132312]

Mr. Ingram: United Kingdom forces have two types of depleted uranium (DU) ammunition: 20 mm rounds used by the Royal Navy's Phalanx Close-in Weapon System (a missile defence system); and 120 mm anti-tank rounds (CHARM 3), fired by the Army's Challenger II (CR2) tanks.

The Royal Navy's Close-in Weapon System does not require anti-armour properties and in recent years, a new tungsten round has been developed for it. Since 1996, all replacement ammunition for the Phalanx system has been of the tungsten variety. Some ships still carry the 20 mm DU round, however, and would fire it should the operational need arise.

There is currently no plan to replace the DU penetrator in the CR2 Main Armament Weapon System although a programme is being commissioned over the next three years to determine the most cost-effective means of maintaining CR2's capability. This will investigate the replacement of the rifled barrel with a smoothbore barrel, which in turn, may offer alternative munitions. DU replacement is not the primary aim of this programme.

To date, DU has consistently outperformed all equivalents as a kinetic penetrator when employed in anti-armour weapon systems: its use, therefore, currently offers the best operational effectiveness in this role.

Service Personnel (Debt Management)

Mr. Wray: To ask the Secretary of State for Defence what special assistance is given to *(a)* service and *(b)* ex-service personnel who are facing financial difficulties; and if he will make a statement. [121520]

Mr. Caplin: Service personnel are expected to manage their financial affairs responsibly. However, individuals facing financial difficulties can be assisted by way of advice at unit level within the chain of command. Commanders, along with others in the unit, including administrative and welfare staffs and chaplaincy services, can provide help and assistance in dealing with individual financial difficulties and will facilitate liaison between the individual and credit organisations.

Each service produces self-help publications on debt and debt management, and RAF personnel receive instruction on the need for integrity in their personal and financial affairs, with recruits instructed on basic money matters, including how to operate a bank account, balance a cheque book and use a credit card. Personnel are also made aware of the support available through the Citizens' Advice Bureau, SSAFA-Forces Help, professional credit advice organisations and respective benevolent funds.

At the Veterans Agency there is a Veterans Advice Unit which aims to provide 'one-stop-shop' guidance to former armed forces personnel or their families on where to seek professional help on a wide range of issues including financial difficulties.

Ex-service Personnel

Mr. Wray: To ask the Secretary of State for Defence what plans he has to encourage ex-service personnel to rejoin the armed forces; and if he will make a statement on the value of ex-service personnel to the armed forces. [121521]

Mr. Caplin: Ex-Service personnel are routinely encouraged to consider rejoining the armed forces. All three services ensure that regular contact is maintained with former service personnel from the moment of discharge (and in many instances in the weeks leading up to the discharge date), when their continued value to the armed forces is fully explained to them, and for a period of time thereafter. Such has been the nature of these initiatives that in financial year 2002–03, a total of 762 ex-service personnel rejoined the armed forces and for the first five months of 2003–04 a further 345 former service personnel have rejoined.

The armed forces greatly value ex-service personnel. Those who rejoin the regular forces bring their past experience and expertise with them which is particularly useful when individuals join branches or trades currently experiencing a shortfall. Many who rejoin do not have to repeat the full re-selection process and many of those formerly on the trained strength do not have to repeat initial training. This is a considerable saving on time and resources.

Ex-regular personnel have played, and continue to play, a vital role in recent operations in both Afghanistan and Iraq.

Firearms

Mr. McNamara: To ask the Secretary of State for Defence what rules govern the handling of firearms in a made ready condition; and in what circumstances made ready firearms may be carried inside an Army barracks. [131985]

Mr. Ingram: For the purposes of answering this question, it has been assumed that the hon. Member is referring to the non-operational use of firearms by Army personnel. The relevant rules maintain that unless an individual is ordered to make the weapon ready, or he/she is about to fire, the weapon is always to be made safe; that is no live round is to be carried in the breech, and, in the case of automatic weapons, the working parts are to be forward.

Under normal circumstances, a soldier would only carry a made ready weapon inside the barrack area when they are ordered to do so; for instance when training on a range, or if there was an imminent threat to life.

HMS Bulwark

Mr. Hancock: To ask the Secretary of State for Defence what the original in-service date was for

landing platform dock Bulwark; what the current in-service date is; what the reasons are for the changes; and if he will make a statement. [131933]

Mr. Ingram: The original in-service date for the landing platform dock Bulwark was March 2003. The current planned in-service date is March 2005. There have been a number of manufacturing, project management and productivity difficulties experienced at the BAe Systems Barrow shipyard which caused slippage to HMS Bulwark's sister ship, HMS Albion. Resources were concentrated in HMS Albion in order to minimise the delays. This caused a consequential delay to HMS Bulwark programme.

There are opportunities to improve upon the ISD of March 2005 and the Ministry of Defence will continue to work hard with BAe Systems with the aim of accelerating the programme and achieving ISD some weeks earlier than currently forecast.

Colombia (Military Aid)

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy to stop giving military aid to Colombia; and if he will make a statement. [132079]

Mr. Ingram: British military assistance to Colombia is focused primarily on Explosive Ordnance Disposal training, and provision of British military education. We believe that it provides clear benefits to the Colombian Armed Forces, and the country as a whole, by reducing the number of deaths (civilian and military) from explosive devices, and by introducing Colombian military personnel to British defence concepts in key areas such as the democratic and accountable control of the armed forces and Rules of Engagement. As a matter of policy, we therefore do not intend to cease providing military assistance to Colombia.

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the benefits of giving British military aid to Colombia; and if he will make a statement. [132080]

Mr. Ingram: British military aid to Colombia is focused on providing assistance primarily in the fields of Explosive Ordnance Disposal (EOD) and military education and training. Mines and other explosive devices are responsible for a significant proportion of deaths among the Colombian armed forces, and also have a devastating effect on the civilian population. Provision of British military training and education is designed to help Colombia develop more professional armed forces, and to introduce personnel to British defence concepts, including the importance of accountable and democratic control of the armed forces, and the use of Rules of Engagement.

The nature of other aspects of military advice and assistance provided to Colombia is confidential between Governments, and I am withholding details under Exemption 1 of the Code of Practice on Access to Government Information, which covers information where disclosure would be harmful to national security, defence or international relations.

Mr. Hancock: To ask the Secretary of State for Defence how much military aid Britain has given to Colombia in each of the last five years; and if he will make a statement. [132175]

Mr. Ingram: Details of military assistance to Colombia from January 2000 onwards are in the list. Information on assistance before this date is not held centrally, and could be obtained only at disproportionate cost. The nature of other aspects of military advice and assistance provided to Colombia is confidential between Governments, and I am withholding details under Exemption 1 of the Code of Practice on Access to Government Information, which covers information where disclosure would be harmful to national security, defence or international relations.

18–28 January 2000: One officer visited Colombia to discuss with the Colombian armed forces the disposal of terrorist explosive devices and to advise on the maintenance and replacement of EOD equipment. The total cost of this visit was £3,252.08.

2–14 September 2000: One officer visited Colombia to advise the Colombian authorities on improving the protection of police stations against terrorist attack. The total cost of this visit was £3,480.00.

26 March-6 April 2001: A team of five UK military personnel visited Colombia to provide EOD training support to the Colombian authorities. I am afraid that we have been unable to locate records of the cost of this visit.

28 January-2 February 2002: One officer visited Colombia on a remit to scope further aspects of EOD training required by Colombia. The total cost of this visit was £893.61, exclusive of flight costs. In the event, the planned further training did not take place due to UK resource constraints.

19–24 March 2003: Two EOD personnel participated in a counter terrorist seminar in Colombia organised by the Metropolitan police, at a total cost of £7,225.

30 August-5 September 2003: Three EOD personnel visited Colombia on a scoping visit. Final costs associated with this visit are not yet available.

2003–04: The Foreign and Commonwealth Office's Human Rights Project Fund is supporting a project to raise awareness in the Colombian armed forces on their role in prevention and protection of the rights of internally displaced people, at a cost of £14,723.54.

In addition, Britain has funded the following UK-based military training and education courses:

A Colombian officer attended the MSc in Global Security course (August 2002-August 2003), at an approximate cost of £26,760.

A Colombian officer attended the Royal College of Defence Studies course from January 2002-January 2003, at an approximate cost of £48,296.

A Colombian officer is attending the Advanced Command and Staff College, which began in September 2003, at a projected cost of £77,934.

Two Colombians are currently attending the CT Bomb Disposal Course at the Army School of Ammunition at a total projected cost of £15,220.

Mr. Hancock: To ask the Secretary of State for Defence what steps he is taking to ensure that military aid to Colombia is not being used by *(a)* the Colombian army and *(b)* paramilitary death squads against civilians; and if he will make a statement. [132176]

Mr. Ingram: When considering bilateral military assistance to Colombia, the UK takes account of the need to avoid funds being used in any way which would

not be compliant with United Nations human rights recommendations. Mechanisms are in place to check that, at the time military assistance is given, the military units involved are not implicated in human rights violations, internal repression, or collusion with paramilitary organisations.

Personal Injury Claims (Army)

Mr. McNamara: To ask the Secretary of State for Defence how many personal injury claims concerning Army personnel have been lodged in each year since 1990; and how many and what percentage were *(a)* settled out of court, *(b)* dismissed and *(c)* found against the Department. [132177]

Mr. Caplin: The Ministry of Defence does not generally record the details of personal injury cases brought by members of HM forces by individual Service. This information could be obtained only at a disproportionate cost. The vast majority of cases are settled amicably. Three per cent. of cases proceed to trial. The information contained in the following table is in relation to personal injury claims received from members of HM forces since 1990. There is no direct correlation between the numbers of claims received in-year and claims settled and repudiated in the same year because of the time lapsed between receipt and investigation of the claim.

Financial year	*Claims received*	*Claims settled*	*Claims repudiated*
1990–91	582	126	144
1991–92	672	136	135
1992–93	750	195	356
1993–94	1,004	210	230
1994–95	1,312	314	227
1995–96	1,014	235	125
1996–97	924	344	224
1997–98	1,038	391	211
1998–99	738	412	165
1999–2000	752	504	344
2000–01	924	948	397
2001–02	819	351	253
2002–03	666	733	322

Sea King Helicopters

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will make a statement on Sea King replacement at RNAS Yeovilton. [132400]

Mr. Ingram: The support amphibious and battlefield rotorcraft programme is designed to replace the capability provided by the Sea King Mk4 early in the next decade. The project is in its early stages and we have yet to decide how the capability requirement will best be met.

Absence Without Leave

Mr. McNamara: To ask the Secretary of State for Defence how many soldiers went AWOL in the past 12 months. [132181]

Mr. Caplin: The total number of soldiers reported AWOL during the period 1 October 2002 to 30 September 2003 inclusive was 1,69[illegible]

Terrorism (Israel)

Mr. Rosindell: To ask the Secretary of State for Defence what recent discussions he has held with the Israeli Government on the defence of Israeli citizens from terrorist attacks; and what advice he gave. [132120]

Mr. Hoon: My right hon. Friend the Prime Minister met with Israeli Prime Minister Sharon on 14 July 2003 and discussed the current situation in Israel and the Occupied Territories, including terrorism and security issues. Officials also met with last month their Israeli counterparts on matters of mutual interest. I am withholding the content of these talks under Exemption 1 of the Code of Practice on Access to Government Information.

September 11

Jim Knight: To ask the Secretary of State for Defence how many tri-Service personnel have been activitated in response to the 11 September terrorist attacks. [132272]

Mr. Ingram: No members of the United Kingdom armed forces were engaged in the immediate response to the events of 11 September 2001 in New York, Washington and Pennsylvania. Since that date, however, a large number of Service personnel have been involved in a variety of military operations designed to counter the threat from international terrorism.

UK Military Hospitals

Jim Knight: To ask the Secretary of State for Defence how many military hospitals there are in the UK. [132271]

Mr. Caplin: There is now only one military hospital in the United Kingdom, the Duchess of Kent's Psychiatric Hospital at Catterick, which is expected to close by 31 March 2004 when alternative facilities are in place.

INTERNATIONAL DEVELOPMENT

Iraq

Andrew Selous: To ask the Secretary of State, Department for International Development, by when he expects electricity will be fully available throughout the British occupied sector of Iraq [132049].

Hilary Benn: Power supplies in the South of Iraq have shown progressive improvements in recent weeks due to a steady increase in generating and transmission capacity combined with lower demand as a result of cooler weather.

The average person in Basra now has access to electricity for about 20 hours per day, although grid failures can lead to longer local outages. Outside Basra the situation is more variable. In other urban areas power is now available for an average of four hours out of six. Some isolated communities remain without access to power, as they were before the conflict.

The provision of full electricity supply will require significant additional investment in the medium to long term. [132049]

Kazakhstan

Angus Robertson: To ask the Secretary of State for International Development how much the Department contributed to multilateral organisations active in Kazakhstan in 2002–03; how much is allocated for 2003–04; and if he will make a statement. [131646]

Mr. Gareth Thomas: The information is not readily available for the years 2002–03 and 2003–04. The most recent available figure is for calendar year 2000 where the UK's attributed share of multilateral assistance to Kazakhstan was £1.47 million broken down as EC £0.86, UN £0.25 million and other £0.36 million.

Turkmenistan

Angus Robertson: To ask the Secretary of State for International Development how much the Department contributed to multilateral organisations in Turkmenistan in 2002–03; how much has been allocated for 2003–04; and if he will make a statement. [131798]

Mr. Gareth Thomas: The information is not readily available for the years 2002–03 and 2003–04. The most recent available figure is for calendar year 2001 where the UK's attributed share of multilateral assistance to Turkmenistan was £0.64 million broken down by EC £0.42 million and UN £0.22 million.

WORK AND PENSIONS

Means-tested Benefits

Mr. Gibb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 15 September 2003, *Official Report*, column 556W, on means-tested benefits, what percentage of the population aged 60 years and over was in receipt of income support in each year between 1993 and 2002. [131951]

Malcolm Wicks: The answer is in the table.

Income Support Pensioner Beneficiaries aged 60 or over as a percentage of the population: Great Britain—May 1993 to May 2002

	Income Support MIG Beneficiaries aged 60 and over (000s)	*Percentage of the population aged 60 and over*
1993	1,967	16.8
1994	1,998	17.1
1995	1,980	16.9
1996	1,957	16.7
1997	1,903	16.2
1998	1,830	15.5
1999	1,789	15.1
2000	1,784	15.0
2001	1,907	16.0
2002	1,945	16.2

Notes:

1. Jobseeker's allowance replaced income support for the unemployed from October 1996, therefore to enable comparisons to be made, figures prior to May 1997 exclude the unemployed.

2. Beneficiaries of a benefit unit are the sum of claimants and their partners.

3. Percentage for population has been calculated using the revised ONS population estimates for age group 60 and over, for 1993 to 2002.

4. Figures are based on a 5 per cent. sample and therefore subject to sampling variation.

5. Claimant figures have been rounded to the nearest hundred and quoted in thousands, percentage population figures to one decimal place.

Source:

IAD Information Centre, 5 per cent sample.

Pensions

Mr. Gibb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 9 September, *Official Report*, column 303W, on pensions, what percentage of stakeholder pension sales went to working individuals earning between *(a)* £10,000 and £20,000, *(b)* £20,000 and £30,000, *(c)* £30,000 and £40,000, *(d)* £40,000 and £50,000 and *(e)* £50,000 and £60,000; and if he will make a statement. [131953]

Malcolm Wicks: The information requested is in the following table giving a breakdown of stakeholder pension sales for the 2001–02 tax year by earnings of policyholders:

Annual earnings of stakeholder pension policy holders	*Percentage of total stakeholder pension sales*
Under £10,000	24
£10,000 to £20,000	40
£20,000 to £30,000	19
£30,000 to £40,000	5
£40,000 to £50,000	2
£50,000 to £60,000	1
£60,000 and above	2

Notes:

7 per cent. of sales were to people not in work (e.g. children, spouses, the unemployed and pensioners).

Earned income data are derived from the Survey of Personal Incomes (SPI) and consists of all income chargeable under Schedule E (mainly pay, private and occupational pensions, retirement annuities and state retirement pensions) Schedule D Cases I and II (self-employment income), and miscellaneous other earnings.

The SPI is a representative sample of nearly 200,000 individuals, drawn from the Revenue's Self Assessment, Pay As You Earn and Claims systems. Where we have been able to match these individuals to the SPI, primarily those with earned income, the totals in the tables are based on this sample.

Around two-thirds of stakeholder pensions taken out in their first year on the market have been by people on moderate incomes (earning under £20,000 a year). This demonstrates the encouraging start that stakeholder pensions have made in offering people, particularly modest earners, a new opportunity to save for their retirement.

Source:

Inland Revenue data for 2001–02 tax year

Mr. Michael Jabez Foster: To ask the Secretary of State for Work and Pensions what the percentage increase was in the basic state retirement pension between April 1997 and April 2003; and what the increase in the Retail Price Index is that would have applied under the previous formula. [132326]

Malcolm Wicks: The information is in the table.

	Percentage increase in basic state pension on previous year	Retail prices index (percentage in September of previous year)
1997–98	2.1	2.1
1998–99	3.6	3.6
1999–2000	3.2	3.2
2000–01	1.1	1.1
2001–02	7.4	3.3
2002–03	4.1	1.7
2003–04	2.6	1.7

Section 150 of the Social Security Administration Act 1992 provides for the Secretary of State to review the amount payable in respect of pensions and to increase them in line with the general level of prices.

Over the last three years basic state pension has been increased by more than the Retail Prices Index (RPI). We have announced that we will increase the basic State Pension by 2.5 per cent. or RPI, whichever is the higher, for the remainder of this Parliament.

SOLICITOR-GENERAL

Asbestos

Dr. Cable: To ask the Solicitor-General pursuant to her answer of 17 July 2003, *Official Report*, column 589W, on asbestos, how many Crown Prosecution Service buildings have been identified as containing asbestos; if she will place copies of the asbestos registers for each building in the Library; and what steps she has taken to compile a central register. [130942]

The Solicitor-General: The Crown Prosecution Service have approved the appointment of an asbestos inspector via an Office of Government Commerce call off contract. A programme of inspection surveys has been agreed. The inspections and all the written survey reports are to be returned to the Crown Prosecution Service prior to the 21 May 2004 in compliance with Regulation 4 of the Control of Asbestos at Work Regulation 2002.

A central asbestos register on the surveys will be held and managed by the Crown Prosecution Service and the asbestos register will be placed in the Library.

Departmental Hospitality

Mr. Lidington: To ask the Solicitor-General how much was spent on food by the Department and by each agency for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance she has issued to encourage the procurement of home-grown food; and if she will make a statement. [129385]

The Solicitor-General: Expenditure on food in the Crown Prosecution Service is generally limited to official hospitality provided by the Crown Prosecution Service and a canteen subsidy. Records of spend on food provided at some external conferences and like events are not kept centrally and so cannot be included.

In 2001–02 the Crown Prosecution Service recorded expenditure of £23,000 on hospitality and £110,000 on a canteen subsidy. The figures for 2002–03 were £20,000 and £83,000 respectively.

Information made available by the canteen service providers indicates that on average 30 per cent. of the food they procure is produced in the United Kingdom. It is not possible to assume a monetary value of UK food supplied to the Crown Prosecution Service indirectly through the subsidy because the subsidy contributes to items other than food.

Expenditure on food by HM Crown Prosecution Service Inspectorate is generally limited to official hospitality and meeting refreshments. HMCPSI does not provide any canteen facilities.

HMCPSI did not purchase any unprepared food supplies during 2001–02 or 2002–03. Expenditure on meeting refreshments and meals, supplied by external caterers, was £1,600 in 2001–02 and £1,700 in 2002–03. There was additional relevant expenditure in financial year 2002–03 attributable to a reception to launch the HMCPSI Annual Report and two seminars hosted by the Inspectorate.

HMCPSI does not record what proportion of its food supplies are UK produced.

Expenditure on food by the Serious Fraud Office is generally limited to official hospitality and meeting refreshments. The SFO does not provide any canteen facilities. Total expenditure within these categories for each of the two years was £19,000 in 2001–02 and £20,000 in 2002–03. The further breakdown to amounts spent on food and its place of production is not available.

Expenditure on food in the Treasury Solicitor's Department and the Legal Secretariat to the Law Officers is limited solely to hospitality. There is no staff canteen. There is, therefore, no regular purchase of food.

The amounts spent in 2001–02 and 2002–03 on hospitality were less than £10,000 in both years.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Solicitor-General how much was paid to Microsoft in licensing fees by the Law Officer's Department and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130673]

The Solicitor-General: CPS Headquarters spent the following on Microsoft licences (approximately):

2000–01—£2.5 million

2001–02—£1.2 million

2002–03—nil

The CPS has no specific budget for Microsoft licences for 2003–04 and 2004–05.

Since 2002, all IT services have been outsourced to LogicaCMG who purchase and manage Microsoft licences on behalf of the Crown Prosecution Service.

There may have been some expenditure on Microsoft licences by the Crown Prosecution Service locally, however figures could be obtained only at disproportionate cost.

Although HMCPSI is not a part of the CPS, it benefits from being part of the CPS IT network. Information relating to payments to Microsoft for licensing fees in that context is subsumed in that relating to the CPS return.

HMCPSI also has a very small number of its own PCs. Expenditure on Microsoft fees for these machines in the last three years is as follows:

2000–01—nil

2001–02—nil

2002–03—£773

HMCPSI has no budget for Microsoft fees in 2003–04. The budget for 2004–05 has not been agreed, but it will not include a specific budget for Microsoft fees.

The Serious Fraud Office spend on Microsoft licenses is as follows:

2000–01—£3,000

2001–02—£16,000

2002–03—£20,000

2003–04—£250,000 est.

Expenditure by the Treasury Solicitor's Department on Microsoft licenses since 2001–02 has been:

2000–01—£36,000

2001–02—£37,000

2002–03—£71,000

2003–04—£113,000 (Forecast outturn)

2004–05—£52,000 (Budget).

These payments have been made to OGC preferred suppliers under the Microsoft Select Agreement.

The accounts kept by the Legal Secretariat to the Law Officers do not provide separate costs for the purchase of Microsoft licences. However, LSLO usually acquires licences through the purchase of new computers with software already installed and licensed.

Roger Sylvester Case

Harry Cohen: To ask the Solicitor-General when she expects the judicial review of the Crown Prosecution Service's decision not to prosecute officers involved in the Roger Sylvester case to be concluded; and if she will make a statement. [131789]

The Solicitor-General: The judicial review into the Crown Prosecution Service's decision was adjourned on 21 May 2001 at the direction of Lord Chief Justice Woolf so that the inquest could proceed. The inquest concluded on 3 October 2003 and the jury returned a verdict that Mr. Sylvester was unlawfully killed. The Crown Prosecution Service will now conduct a further review of all the available evidence, including the evidence given at the inquest.

EDUCATION AND SKILLS

Child Care (Redcar)

Vera Baird: To ask the Secretary of State for Education and Skills what budgetary provision has been made for children's centres in the Borough of Redcar and Cleveland. [132422]

Margaret Hodge: The indicative funding allocations from April 2004 to March 2006 to develop children's centres in the local authority area of Redcar and Cleveland are: Revenue £623,253 which includes £192,213 for rural wards, and Capital £2,258,185 which includes £700,000 for rural wards. The monies are to create 231 new full day care places and give 3,457 pre-school children access to integrated services in the area. This is building on their four Sure Start local programmes, 14 Neighbourhood Nursery projects, maintained nursery schools, and other existing early years provision.

Child Employment

Dr. Evan Harris: To ask the Secretary of State for Education and Skills if he will place in the Library a copy of the report of the review of Child Employment Procedures carried out in response to the Private Member's Bill proposed by the hon. Member for Gravesham in February 1998. [129055]

Margaret Hodge: The report of the Review of Child Employment Law was completed in 1999. Since that time we have taken action to address issues raised by the Review and in the light of these changes, and with the passage of time, it would no longer be appropriate to publish the report. However, the Better Regulation Task Force has announced that it is to undertake a study into the regulation of the employment of children and their findings will be published on completion. The Task Force hopes to make recommendations on the regulation of the employment of children that will:

help to protect children from exploitation;

assist employers to meet their obligations; and

encourage proportionate enforcement.

I am pleased to sponsor this study.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Education and Skills how many consultancies were commissioned by his Department in the last two years for which figures are available; and what the cost of those contracts was. [130896]

Mr. Stephen Twigg: This information could be supplied only at disproportionate cost.

OECD Indicators

Mr. Gibb: To ask the Secretary of State for Education and Skills what assessment he has made of the Education at a Glance 2003: OECD Indicators finding that *(a)* the calculated high rates of return to tertiary education in the United Kingdom are to an important extent due to relatively short standard university studies and *(b)* tertiary graduation rates are higher in the

United Kingdom that in France and Germany; and what implications these findings will have on reform of the 14 to 19 curriculum. [131955]

Alan Johnson: Relatively short duration university studies represent good value for money. Shorter tertiary courses reduce both the direct and indirect costs of the course because, other things being equal, the individual will need to spend less on tuition and their foregone earnings will be lower. Individuals enter the labour market sooner and so have more time to recoup the costs of their investment through higher earnings.

Alongside course duration, the other main cause of high rates of return is the higher graduate premium, ie the high (relative to other countries) pre-tax earnings of UK graduates.

Question addresses two separate OECD indicators, in both of which the UK position is encouraging:

> Concerning the ratio of graduates to the population at the typical age of graduation, the UK is towards the upper end at 37.4 per cent. (well above the OECD average of 30.1 per cent.).
>
> Concerning the proportion of UK students who complete their tertiary course, at 83 per cent. the UK has one of the best completion rates among OECD countries.

The Working Group on 14–19 Reform, which is due to report in 2004, is taking account in its work of available international comparative information.

FOREIGN AND COMMONWEALTH

Burma

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs if the UK Government will raise the plight of ethnic minorities in Burma at the United Nations Security Council. [132252]

Mr. Mike O'Brien: The Government are encouraging all the appropriate bodies of the UN to tackle the issue of helping bring about national reconciliation, respect for human rights and democracy in Burma. Should Burma feature on the Security Council agenda, the Government would ensure that the plight of Burma's ethnic groups was taken fully into account.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government is making to the Burmese regime about the treatment of Aung San Suu Kyi. [132250]

Mr. Mike O'Brien: The UK has made numerous representations to the Burmese authorities about the detention of Daw Aung San Suu Kyi. I spoke to the Burmese ambassador to the UK on 1 September to register the UK's grave concern about the continued detention and treatment of Aung San Suu Kyi. We have also discussed this issue with ASEAN and other countries and encouraged them to raise the treatment of Aung San Suu Kyi with the Burmese Junta. While Aung San Suu Kyi's release from detention to home arrest on 26 September was a step in the right direction, the regime must go much further and fully release her and her NLD colleagues and engage in genuine dialogue to reach national reconciliation.

China

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government policy is on selling military equipment and armaments to China. [132223]

Mr. Rammell: The sale of military equipment and armaments to China is covered by the EU embargo on the sale of arms to China. The Government's policy is based on the UK interpretation of this embargo. No sale can take place without an export licence. All export licence applications are assessed on a case by case basis against the consolidated EU and UK arms export licensing criteria.

We would not approve the export of equipment where there is a clear risk it might be used for international aggression or which might be used for internal repression.

Antarctic (Pollution)

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions the UK Government is taking to combat pollution in the Antarctic. [132242]

Mr. Rammell: The UK meets its obligations under the Marine Pollution Convention (MARPOL 73/78) and the Environmental Protocol to the Antarctic Treaty through strict enforcement of the Antarctic Act 1994, the Antarctic Regulations 1995 and merchant shipping legislation. This ensures that pollution in Antarctica is minimised and that waste is removed from the region for safe disposal elsewhere. The British Antarctic Survey (BAS), as the principal UK presence in Antarctica, is one of the leaders in environmental and waste management in the region. BAS has introduced stringent waste management and recycling policies and has already undertaken major clean-up and removal of its former bases. It has introduced oil spill response plans, installed a sewage treatment plant at Rothera research station and is also implementing over the next five years a sustainable energy strategy. This will reduce consumption of hydrocarbon fuels and their emissions. Furthermore, HMG ensures that all other British activities in Antarctica are appropriately permitted. Such permits set pollution and waste disposal conditions for all British vessels, aircraft and expeditions operating in the area. The UK is also in the lead among Antarctic Treaty parties pressing for the adoption of stricter guidelines for the increasing numbers of large cruise ships entering Antarctic waters.

European Agencies

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals were presented to *(a)* the European Commission and *(b)* other EU member governments to locate the (i) European and Asylum and Migration Observatory, (ii) European Agency for Security of Communications Networks, (iii) European Food Authority, (iv) European Maritime Safety Agency, (v) European Aviation Safety Agency and (vi) European Rail Safety and Interoperability Agency in the United Kingdom; what discussions he had on locating each in Scotland; and if he will make a statement. [131647]

Mr. MacShane: We have proposed that only one of the EU agencies be located in the UK and that is the European Maritime Safety Agency (EMSA). We have suggested to our EU partners that it should be located in Glasgow. It is currently unclear as to when a decision will be made on the location of this Agency, along with several others, including those mentioned by the hon. Member. A number of other countries have bid for the site of the EMSA and other agencies. The last substantive discussion of the sites in general was at the Laeken European Council in December 2001.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals were *(a)* presented to the European Commission and *(b)* presented to other EU member governments to place (i) the European Agency for Civil Protection, (ii) Eurojust, (iii) the European Police College, (iv) the Community Agency for Information Exchange on Visas, (v) the European Bureau of External Border Surveillance and (vi) the European Monitoring Centre for Drugs and Drug Addiction in (A) England, (B) Scotland, (C) Wales and (D) Northern Ireland; what discussions were held to secure its location in Scotland; and if he will make a statement. [131795]

Mr. MacShane: We have proposed that only one of the EU agencies cited by the hon. Member be located in the UK, namely the European Police College Secretariat (ECS). We have suggested to our EU partners that this should be located at Bramshill. I also refer the hon. Member to the answer I gave him today.

Iraq

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what British interests were harmed by the bomb that exploded outside the United Nations headquarters in Baghdad in August. [132129]

Mr. Rammell: The despicable terrorist bombing of the UN HQ in Baghdad on 19 August was an attack on the interests of the UN, the Iraqi people, and the international community. 23 people were killed, of whom one was a British citizen, and over a hundred injured. The coalition has made clear that it will not be deterred by terrorist attacks of this nature.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs how often he receives briefings from the Commander of British Forces in Iraq. [132131]

Mr. Rammell: The Ministry of Defence provides several briefings every week to my right hon. Friend the Foreign Secretary and FCO officials on the situation in Iraq, which take full account of the views of the Commander of British Forces in Iraq.

Israel

Clare Short: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the UK abstained in the UN Security Council vote on Israel on 16 September. [131886]

Mr. Rammell: The draft resolution before the UN Security Council on 16 September was unbalanced and therefore unhelpful to the implementation of the roadmap. As our Permanent Representative to the UN said at the time, we regret that the Security Council was unable to pass a balanced resolution. But the resolution's sponsors would not accommodate UK amendments intended to achieve a better balance, and the UK therefore abstained. A resolution on the situation of President Arafat was subsequently put to an Emergency Special Session of the UN General Assembly. European Union proposals for a more balanced text were then accepted and the UK, with our EU Partners, voted for the resolution.

My right hon. Friend the Foreign Secretary has made clear the Government's view that expelling or harming President Arafat would be wrong and counterproductive. Israel should not allow its justified anger at the continuing violence to lead to actions that would undermine both the peace process and its own interests.

Sri Lanka

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when he last had discussions with representatives of the government of Sri Lanka; where these discussions took place; what topics were addressed; and if he will make a statement; [131831]

(2) when he last had discussions with representatives of the Liberation Tigers of Tamil Eelam; where these discussions took place; what topics were addressed; and if he will make a statement; [131832]

(3) when he last had discussions with *(a)* representatives of the US Government, *(b)* representatives of the governments of the EU member states, *(c)* representatives of the EU Commission, *(d)* representatives of the UN, *(e)* representatives of non-governmental organisations, *(f)* representatives of the government of Sri Lanka and *(g)* representatives of the Liberation Tigers of Tamil Eelam concerning the resumption of negotiations between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam; and if he will make a statement. [131833]

Mr. Mike O'Brien: During my visit to Colombo in January this year, I met with a wide range of interlocutors including representatives of a number of the governments, multi-lateral and non-governmental organisations listed. In London in September I met Professor G. L. Peiris, Sri Lankan Minister for Constitutional Affairs and Government Chief Negotiator; prior to that I met him in March. I also met with Milinda Moragoda, Sri Lankan Minister for Economic Reform, Science and Technology in June. I discussed the peace process with both ministers.

I have not met with representatives of the LTTE.

Sudan

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the UK's relationship with Sudan. [132243]

Mr. Mullin: The UK has full diplomatic relations with Sudan. Through our Embassy in Sudan we are also in close touch with non-governmental groups from the north and south of the country. The UK Government pursues political, cultural, human rights and development issues. In 2002–03 we committed around £15 million to support

both humanitarian work and the peace process. Peace is crucial to the future development of Sudan and regional stability. The UK plays an active role in the peace process, including through the UK Special Representative for Sudan and the Sudan Unit, jointly staffed by the Foreign and Commonwealth Office and the Department for International Development.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Sudanese Government about human rights abuses in Sudan. [132244]

Mr. Mullin: We monitor the human rights situation in Sudan closely. The Embassy regularly lobbies the Government of Sudan on human rights issues. In September, the Head of the FCO's Human Rights Policy Department visited Sudan to meet government officials, representatives of non-governmental organisations, academics and others, including political prisoners. We will maintain pressure on the Government of Sudan to improve its record and will continue to raise human rights violations at every opportunity both bilaterally and as part of the EU/Sudan dialogue.

Thailand

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Thai authorities about conditions for displaced Burmese minorities resident in refugee camps in Thailand. [132251]

Mr. Mike O'Brien: The Thai authorities have a long record of providing safe haven for those fleeing persecution by the Burmese regime. The British embassy in Bangkok and EU colleagues are in regular contact with the United Nations High Commission for Refugees, and the Thai authorities, to encourage them to ensure Burmese refugees are treated with compassion. I discussed Burma in broad terms with Thai Foreign Minister Dr. Surakiart Sathirathai when he visited London at the beginning of July and again on the way to the Bali ASEM conference of the same month. We have been in regular telephone contact since. In March 2003, my hon. Friend the Parliamentary Under-Secretary of State at the Department for International Development (Sally Keeble) visited the refugee camp at Mae La.

Treaties

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his statement of 16 September, *Official Report*, column 794, when it became Government policy that all international treaties take primacy over national law; and on what evidence he bases the statement that under the draft constitutional treaty for the first time provision is made whereby Parliament can legislate to repudiate a treaty. [131821]

Mr. MacShane: It is an established principle of international law that a state may not plead its national law to escape its international law obligations, including its treaty obligations. As a matter of UK constitutional law, international treaties have effect in UK national law to the extent that they have been implemented in national law.

Article I-59 of the draft EU Constitutional Treaty states that any member state may decide to withdraw from the Union in accordance with its own constitutional requirements. The Government believe it is highly unlikely that any member state would wish to withdraw, but sees a case for stating the political and legal reality of what would happen in such exceptional circumstances.

Turkey

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last had discussions with his Turkish counterpart; what matters were raised in these discussions; and if he will make a statement. [131445]

Mr. MacShane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met Turkish Foreign Minister Abdullah Gul, in New York on 25 September. They discussed Turkey's progress towards EU accession, Cyprus and developments in Iraq. The Foreign Secretary reaffirmed the UK's commitment to Turkey's EU candidacy and welcomed the significant progress that Turkey has made towards meeting the Copenhagen Political Criteria. He also discussed the urgent need to work towards a Cyprus settlement on the basis of the Annan plan. The Turkish Foreign Minister gave the Foreign Secretary an update on Turkey's plans to help rebuild Iraq.

Cyprus

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with *(a)* representatives of the Turkish Government, *(b)* representatives of the Cypriot Government, *(c)* representatives of the Greek Government, *(d)* representatives of the US Administration and *(e)* representatives of the European Commission since April concerning re-unification negotiations in Cyprus. [131446]

Mr. MacShane: Foreign and Commonwealth Office Ministers and officials regularly discuss the prospects for resumed Cyprus settlement negotiations on the basis of the UN plan with representatives of the Turkish, Greek, Cypriot and US governments. We also discuss developments on the island with the European Commission and EU partners, including at monthly meetings of the Working Group on South East Europe. These contacts are too numerous to list here, but have included my right hon. Friend the Foreign Secretary's meetings with Turkish Foreign Minister Gul in London in July and at the UN in September. I discussed the issue with the Greek officials in Greece 10–11 October.

We firmly believe that securing a comprehensive settlement in Cyprus before 1 May 2004, in enabling a re-united island to accede to the EU, would be I the best interests of all Cypriots, and the region as a whole. In addition, it would provide a boost to Turkey's own EU candidature.

West Bank and Gaza Strip

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the report on housing conditions in the West bank and the Gaza Strip, prepared last year by the United Nations Human Rights Commission's Special Rapporteur on housing; and if he will make a statement. [131629]

Mr. Rammell: We share Special Rapporteur Miloon Kothari's concerns about deteriorating housing conditions in the Occupied Territories and the wider human rights and humanitarian consequences of the Israeli-Palestinian conflict. We are particularly concerned about the destruction of Palestinian infrastructure by the Israeli authorities. Such actions are provocative, exacerbate tension and undermine ongoing efforts to bring about an end to violence and a return to negotiations. We continue to press Israel to end the disproportionate use of force, demolitions and destruction of infrastructure.

The UK Government's support to the Palestinians includes a combination of emergency and development assistance. Our humanitarian support has mainly focused on basic service provision, but we are also supporting an UN Relief and Works Agency project to rebuild housing in Jenin Refugee Camp, destroyed in 2002 during Operation Defensive Shield. While humanitarian assistance can help alleviate suffering, only a comprehensive solution to the conflict will provide the conditions for permanent improvement in Palestinian living conditions. We are encouraging Israel and the Palestinian Authority to resume implementation of the Quartet Roadmap to this end.

NORTHERN IRELAND

Water Metering (Commercial Premises)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many commercial premises are being used in each constituency in Northern Ireland; how many of these commercial premises have been fitted with a water meter; and how many of these commercial premises will receive their first account during January and February 2004. [131776]

Mr. Spellar: I have asked the chief executive of Water Service to write to the hon. Lady in response to this question. A copy of the letter will be placed in the Library.

HEALTH

Ethnic Minority Staff

Mr. McNamara: To ask the Secretary of State for Health pursuant to his answer of 30 June 2003, *Official Report*, column 141W, on ethnic minority staff, if he will require national health service trusts to give information on the ethnicity of hospital and community medical and hospital dental staff when making their six-month reports on suspensions. [128706]

Mr. Hutton *[holding answer 18 September 2003]:* The Department will start to collect information on the ethnicity of hospital and community medical and dental staff as part of the routine data collection exercise on long term suspension as soon as practicable.

Achondroplasia

Mr. Paul Marsden: To ask the Secretary of State for Health how many children in each year since 1997 have suffered from achondroplasia. [132209]

Dr. Ladyman: This information is not collected in the form requested. Hospital Episode Statistics collect data on admissions for various conditions. The table records hospital admissions for achondroplasia. This does not represent the number of in-patients, as a person may have more than one admission within the year.

Primary diagnosis (ICD10 Q77.4) Achrondroplasia count of finished inyear admission episodes: age on admission 0–17 years—NHS hospitals England 1997–98 to 2001–02
Diagnosis code description Q77.4 Osteochrondrodysplasia with defect growth of tubular bones and spine—Achondroplasia

Year	*Number*
1997–98	98
1998–99	76
1999–2000	83
2000–01	102
2001–02	125

Notes:
1. Admissions—Admissions are defined as the first period of in-patient care under one consultant within one health care provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Diagnosis (Primary Diagnosis)— The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.
3. Grossing—Figures have not (yet) been adjusted for shortfalls in data (i.e. the data are ungrossed).
Source:
Hospital Episode Statistics (HES), Department of Health.

Attention Deficit Hyperactivity Disorder

Mrs. Iris Robinson: To ask the Secretary of State for Health how many individuals in England have been diagnosed with attention deficit hyperactivity disorder over the last three years. [132469]

Dr. Ladyman: I refer the hon. Member to the reply I gave on 6 October, *Official Report*, column 1265W.

Diagnostic and Treatment Centres

Mr. Dobson: To ask the Secretary of State for Health what estimate he has made of *(a)* former and *(b)* seconded NHS staff who will be working in private diagnostic and treatment centres. [131908]

Mr. Hutton: The exact number of professional staff working in these new units will be finalised in the next stage of negotiations leading to contract close.

Mr. Dobson: To ask the Secretary of State for Health for what reasons the bids from *(a)* BUPA and *(b)* BMI to run private diagnostic and treatment centres were unsuccessful. [131910]

Mr. Hutton: The procurement process for independent sector treatment centres involved inviting bids from a wide range of independent health care sector organisations, which included BUPA and BMI.

The quality of bid submissions was very high and many companies, including BUPA and BMI were able to meet the stringent clinical standards requirements that had been set. The Department, along with local national health service sponsors, was also seeking examples of: additionality of staff, to avoid any disruption to the local NHS and to ensure that the

activity provided in these units was additional to existing work being handled in NHS facilities; innovative solutions in terms of methods of working and patient experience; and value for money in terms of the costs of each procedure, and the affordability of this activity for the local NHS health economy. In order to provide fairness in the evaluation process the bids for all schemes were evaluated by a team made up from central Departmental experts in procurement and clinical practice and local NHS clinicians and managers representing the sponsors of the schemes. The resulting preferred bidders and reserve bidders were therefore chosen on the basis of the criteria and BUPA and BMI were not able to demonstrate their competitiveness on enough of these to warrant their inclusion.

Mr. Dobson: To ask the Secretary of State for Health whether *(a)* NHS hospitals and *(b)* diagnostic and treatment centres will be paid more than the standard tariff for operations to reflect start-up costs they may incur. [131911]

Mr. Hutton: From this year, the Government have introduced a new financial system to provide a transparent, rules-based system for paying providers of services to national health service patients. Primary care trusts (PCTs) will commission the volume of activity required to deliver service priorities, adjusted for case-mix from a plurality of providers on the basis of a standard national price tariff, adjusted for regional variation in wages and other costs of service delivery. By 2008, all NHS providers will be required to meet tariff.

The Department is currently consulting on whether and how additional support above tariff should be provided for up-front revenue costs of new investment. However, we expect many of the contracts for new independent sector treatment centres to be at or below tariff. Where in the short-term we may initially pay slightly more than tariff to some independent sector providers, this is to cover start-up costs so that the new facilities open as quickly as possible to treat more patients, reduce waiting lists and bring additional clinical staff to treat NHS patients. In these cases, local PCTs commissioning care from these new units will not be disadvantaged.

Mr. Dobson: To ask the Secretary of State for Health whether he will require private diagnostic and treatment centres to have intensive care beds. [131912]

Mr. Hutton: Treatment centres offer high quality, pre-booked surgery and diagnosis facilities for the treatment of routine, elective national health service patients and will not be required to have intensive care beds. They will be expected to be able to deal with typical surgical problems to the same standards as NHS providers. Local trusts, primary care trusts and new providers will agree protocols for referring and transferring patients who require emergency or urgent care that cannot be provided by the treatment centre.

Diet

Chris Grayling: To ask the Secretary of State for Health what recent research the Government have commissioned into the impact on anti-social behaviour of provision of dietary supplements of vitamins and minerals. [130058]

Miss Melanie Johnson: The Medical Research Council (MRC) has not recently funded any research into the impact of dietary supplements of vitamins and minerals on anti-social behaviour. However, the MRC does have a nutrition portfolio and spent £17 million in 2001–02. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding.

European Single Currency

Mr. Stephen O'Brien: To ask the Secretary of State for Health how much has been spent in each year by his Department in preparing for United Kingdom entry to the euro; how much his Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131604]

Ms Rosie Winterton: I refer the hon. Member to the response given by my hon. Friend the Financial Secretary to the Treasury (Ms. Kelly), on 14 October 2003, *Official Report*, column 142W.

Hospital Beds

Mr. Brady: To ask the Secretary of State for Health (1) what estimate he has made of the number of patients in each of the last 12 months who have returned home following admission for in-patient treatment due to the unavailability of a hospital bed, without being discharged from hospital; [129100]

(2) what estimate he has made of the average time between an in-patient admission and the patient being allocated to a bed over the last 12 months. [129146]

Mr. Hutton *[holding answer 11 September 2003]:* Data are not collected on this aspect of patient care. The NHS Modernisation Agency has established an emergency services collaborative. The collaborative is working with every health community to analyse bed management processes and spread best practice. However, the Department collects quarterly data on the number of operations cancelled by hospitals for non-clinical reasons at the last minute (that is, on the day the patients are due to arrive or after arrival in hospital or on the day of their operation) or on the day of surgery (in 2002–03 only). Data for England, by national health service trust and strategic health authority level, are available in the Library and on the Department's website at www.doh.gov.uk/hospitalactivity/data_requests.htm

The data collected on cancelled operations for non-clinical reasons are not broken down into the reasons for cancellation.

Mr. Amess: To ask the Secretary of State for Health what estimate he has made of the number of beds that will be freed up in NHS trust hospitals due to the creation of fast track NHS diagnostic and treatment centres. [131887]

Mr. Hutton: The independent sector treatment centre programme will free up substantial additional capacity. In some specific instances, the activity freed up in the national health service trust is lower than the numbers

being transferred into treatment centres. This is due to the nature of the work which will replace it, for example, more complex cases, with longer lengths of stay, as well as providing capacity to improve non-elective services such as accident and emergency.

Hospital Stays (Healthy Visitors)

Dr. Evan Harris: To ask the Secretary of State for Health how many overnight stays for healthy visitors in NHS beds in *(a)* England, *(b)* each region and *(c)* each strategic health authority there were in each of the last six years; and at what total cost. [128904]

Mr. Hutton: The Department does not hold any information relating to 'healthy visitors'.

Ministerial Travel

Mr. Don Foster: To ask the Secretary of State for Health if he will list internal flights made by Ministers in his Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (Hi) economy class. [103587]

Mr. Hutton *[pursuant to his answer, 19 March 2003, Official Report, c. 847W]:* I regret that the previous response the hon. Member received was incorrect. The response should have read as follows.

"The tables show details of internal flights taken by Ministers in the Department of Health in 2002, according to available information".

My right hon. Friend the then Secretary of State for Health (Mr. Milburn) took the following flights.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Newcastle	Belfast	Single	Premium Economy	161.30
Belfast	Heathrow	Single	Business Class	176.90
Birmingham	Newcastle	Single	Business Class	161.50

I took the following flights.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
London	Manchester	Return	Business Class	135.50
London	Belfast (return to Aberdeen)	Return	Business Class	502.70
Gatwick	Plymouth	Single	Business Class	159.70

My noble Friend the then Parliamentary Under-Secretary of State (Lord Hunt of Kingsheath), took the following flight.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Edinburgh	London	Return	Business Class	332.40

My hon. Friend for Salford (Ms Blears), in her capacity as the Parliamentary Under-Secretary of State, took the following flights.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Heathrow	Manchester	Return	Business Class	278.90
Heathrow	Teesside	Single	Business Class	159.20
Heathrow	Manchester	Single	Business Class	135.50
Heathrow	Manchester	Single	Business Class	108.50

My hon. Friend the Member for Tottenham (Mr. Lammy), in his capacity as the Parliamentary Under-Secretary of State, took the following flights.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Heathrow	Newcastle (return to Gatwick)	Return	Business Class	329.30
Gatwick	Plymouth	Single	Business Class	159.70
Heathrow	Manchester	Single	Business Class	143.50
City Airport	Manchester	Return	Business Class	285.20
Heathrow	Newcastle	Return	Business Class	308.30

My hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), in her capacity as the Parliamentary Under-Secretary of State for Public Health, took the following flight.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Heathrow	Glasgow	Return	Business Class	332.40

My hon. Friend the Member for Salford (Ms Blears), in her capacity as the Parliamentary Under-Secretary of State for Public Health, took the following flights.

Departure location	*Destination*	*Type of flight*	*Class*	*Cost (£)*
Heathrow	Manchester	Single	Business Class	108.50
Heathrow	Manchester	Single	Business Class	143.50
Heathrow	Manchester	Single	Business Class	138.50
Heathrow	Manchester	Single	Business Class	132.50
Heathrow	Manchester	Single	Business Class	148.50
Gatwick	Plymouth	Return	Business Class	320
Manchester	London	Return	Business Class	290.40
Heathrow	Manchester	Single	Business Class	143.50
Heathrow	Manchester	Return	Business Class	234.90

NHS Trust Deficits

Mr. Hancock: To ask the Secretary of State for Health which NHS trusts are in deficit; what his strategy is for resolving the situation; and if he will make a statement. [132352]

Mr. Hutton: We have no plans to publish un-audited in-year financial information. All national health service trusts have been asked to plan for and achieve financial balance in 2003–04. Audited information for all NHS trusts will be published in their individual annual accounts and will be available centrally in autumn 2004.

Strategic health authorities and the NHS Modernisation Agency will be working closely with NHS organisations to ensure that they are able to deliver their financial and service delivery plans.

Ophthalmology (Oxfordshire and Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Health what the planned location is of the proposed diagnostic and treatment centre for ophthalmology for Oxfordshire and Buckinghamshire. [131399]

Mr. Hutton *[holding answer 14 October 2003]:* The ophthalmic treatment centre for Oxfordshire and Buckinghamshire will be provided through a mobile unit.

The unit will provide services for patients in North Oxford, Wycombe and south west Oxfordshire and as it is mobile it can be used elsewhere as the need arises. The final locations will depend on discussions between local primary care trusts and will relate to demand from national health service patients, and will be convenient for patient access.

Paediatric Dentistry

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list for each primary care trust the average wait for a child between an initial dental consultation and being operated on under general anaesthetic. [132298]

Mr. Hutton: Information is not collected on the waiting time from initial dental consultation to being operated on under general anaesthetic for a child.

Information is collected on how long a patient is waiting for elective in-patient admission from clinical decision to admit. Information for the specialty paediatric dentistry showing the total patients waiting and the average waiting time for this specialty by primary care trust has been placed in the Library.

Patient Records

Mr. Gibb: To ask the Secretary of State for Health if he will list the Government Departments and agencies which will have *(a)* trusted access, *(b)* non-trusted access and *(c)* any other forms of access to patients' NHS records via the NHS net. [131958]

Mr. Hutton: It is not intended that any Government Department or agency that is not involved in providing care to patients will have access to patient records via the NHSnet.

Private Health Care Providers

Mr. Nicholas Brown: To ask the Secretary of State for Health how many foreign-owned private healthcare providers have pilot programmes with NHS trusts. [131344]

Mr. Hutton: The number of foreign owned private health care providers who are or have undertaken pilot programmes within national health service trusts is not held centrally.

There are, however, a number of primary care trusts (PCTs) who are engaged in programmes with private organisations. These organisations are providing administrative support services to help PCTs design and deliver improved health care. Some of these—such as the work with United Healthcare Group to implement the Evercare model of care for at-risk elderly—are part of the Transformational Change Programme, managed by the National Primary and Care Trust Development Programme (NatPaCT), which aims to help primary care trusts redesign services. However, we do not hold centrally details of all PCTs who have entered into arrangements with private organisations.

Renal Dialysis

Mr. Colman: To ask the Secretary of State for Health what renal dialysis services are planned for *(a)* Queen Mary's Hospital, Roehampton and *(b)* the Kingston area. [131943]

Mr. Hutton: This is a local matter for South West London Strategic Health Authority. There is provision for renal dialysis services within the Queen Mary's Roehampton rebuilding programme, which is due to be completed in 2005. In the meantime, options for developing services in the Kingston and North Wandsworth area are being considered by the local national health service.

Office of the Independent Regulator

Mr. Dobson: To ask the Secretary of State for Health what estimate he has made of the *(a)* staff levels and *(b)* running costs of the Foundation Trust Regulator. [131907]

Mr. Hutton: Subject to legislation, the Office of the Independent Regulator will be established as a non-Ministerial Department, which will be accountable to Parliament but not subject to direction from the Secretary of State for Health. The Independent Regulator is responsible for structure and staffing of the Office of the Regulator. However, he or she must consult the Minister for the Civil Service on the number of staff and their terms and conditions.

The extent of these costs and the number of additional staff required will depend on the number of national health service foundation trusts. In the Explanatory Notes to the Bill, published in March 2003, the Department estimated that, in the first full financial year, 2004–05, the running costs would be £2.3 million. This estimate was based on legal and financial costs, accommodation, expenditure on information technology and the running costs for 12 staff. Final arrangements for the structure and staffing of the Office are for the Regulator to determine and, once appointed, the Regulator will develop detailed proposals and estimates.

Surgical Procedures (Comparable Costs)

Lynne Jones: To ask the Secretary of State for Health what assessment he has made of the comparable costs of surgical procedures carried out in national health service hospitals, diagnostic and treatment centres and under contracts with *(a)* the United Kingdom private sector and *(b)* overseas health facilities. [131493]

Mr. Hutton: The Department carries out an annual reference cost collection exercise. This year, for the first time, we have collected information on the cost of activity carried out for the national health service by non-NHS providers. This does not include overseas treatment or independent sector treatment centres, although this may be included in future years.

Waiting Rooms (Piped Music)

Mrs. Anne Campbell: To ask the Secretary of State for Health what assessment he has made of *(a)* patients' reactions to piped music in NHS waiting rooms and *(b)* whether this has any therapeutic effect; and if he will make a statement. [132420]

Mr. Hutton *[holding answer 15 October 2003]:* The use or otherwise of piped music in hospitals is a matter for local decision making, which should reflect the views of staff and patients. We are not aware of any specific research on the effect of piped music in national health service waiting rooms.

Waiting Times

David Davis: To ask the Secretary of State for Health what the breakdown by clinical area of waiting times is for the number of people waiting for a referral to a specialist from their general practitioner. [132395]

Mr. Hutton: Information on patients waiting for their first consultant out-patient attendance following general practitioner written referral is collected at the consultants main specialty function, and only for those patients waiting over 13 weeks.

The table shows the number of patients waiting over 13 weeks by specialty.

Patients waiting for 1st consultant out-patient appointment following GP written referral: England (provider based): quarter 1, 2003-04

Specialty	*Patients waiting over 13 weeks*
General surgery	9,616
Urology	6,821
Trauma and orthopaedics	30,378
Ear, Nose and Throat	22,264
Ophthalmology	17,926
Oral surgery	8,801
Restorative dentistry	928
Paediatric dentistry	273
Orthodontics	1,602
Neurosurgery	456
Plastic surgery	3,467
Cardiothoracic surgery	150
Paediatric surgery	418
Accident and emergency	58
Anaesthetics	635
Pain Management	1,246
General medicine	7,804
Gastroenterology	2,503
Endocrinology	859
Clinical haematology	229
Clinical physiology	—
Clinical pharmacology	11
Audiological medicine	312
Clinical genetics	37
Clinical Cyto-molecular genetics	—
Clinical Immunology and allergy	269
Rehabilitation	58
Palliative medicine	—
Cardiology	4,311
Dermatology	11,952
Thoracic medicine	805
Infectious diseases	31
Genito-urinary medicine	1
Nephrology	225
Medical oncology	3
Nuclear medicine	10
Neurology	6,741

Patients waiting for 1st consultant out-patient appointment following GP written referral: England (provider based): quarter 1, 2003-04

Specialty	*Patients waiting over 13 weeks*
Clinical neuro-physiology	104
Rheumatology	5,254
Paediatrics	2,274
Paediatric neurology	30
Geriatric medicine	223
Dental medicine specialities	85
Medical ophthalmology	—
Gynaecology	8,341
Antenatal clinic	202
Postnatal clinic	—
Mental handicap	8
Mental illness	468
Child and adolescent psychiatry	216
Forensic psychiatry	4
Psychotherapy	12
Old age psychiatry	157
Clinical Oncology	5
Radiology	2
General pathology	19
Blood transfusion	—
Chemical pathology	108
Haematology	40
Histopathology	—
Immunopathology	36
Medical microbiology	—
Neuropathology	—
Community medicine	18
Occupational medicine	—
Joint consultant clinic	25
All specialties	158,831

Source:
Department of Health form QM08

DEPUTY PRIME MINISTER

Building Regulations (Disabled People)

Mr. Kidney: To ask the Deputy Prime Minister what assessment he has made of the levels of knowledge among builders of the housing design needs of disabled people. [130979]

Phil Hope: No direct assessment is made. However, the Office of the Deputy Prime Minister undertakes extensive contacts with builders' organisations such as the House Builders Federation and the National House-Building Council. Officials of the Office of the Deputy Prime Minister discussed with builders from time to time their understanding of the Building Regulations, including Part M, 'Access and Facilities for Disabled People'.

Mr. Kidney: To ask the Deputy Prime Minister what representations he has received on the adequacy of Part M of the Building Regulations in securing liveable accommodation for disabled people. [130980]

Phil Hope: The Requirements of Part M of the Building Regulations relating to housing were introduced in 1999, and are intended to make it reasonably safe and convenient for disabled people to visit new dwellings and to use the principal storey. The provisions are expected to enable occupants to cope better with reducing mobility and to 'stay put' longer in their own homes. Such representations as the Office of

the Deputy Prime Minister receive range from those who feel Part M should not apply to dwellings to those who would like to see it extended in different ways.

Buildmark

Huw Irranca-Davies: To ask the Deputy Prime Minister if he will make a statement on the nature of representations received in the last 12 months in respect of the Buildmark warranty scheme; and what major areas of concern were expressed in these representations. [132514]

Phil Hope: I refer my hon. Friend to the answer given on 6 October 2003, *Official Report*, column 1025W.

The matters raised included instances where defects in homes were not detected, where claims fell outside the terms of the cover and where the resolution service offered under the scheme was unable to settle a dispute between the owner and the builder, or did so only after some delay. The number of cases brought to the attention of the Office of the Deputy Prime Minister is small, bearing in mind that, at any one time, there are approximately 1.5 million homes covered by the scheme. However, any instance where defects come to light in a new home after hand over, or where appropriate remedial work is not carried out promptly, is regrettable. The house building industry must work for continuous improvement in quality of construction. The Buildmark scheme is helping them to do this.

High Hedges

Lynne Jones: To ask the Deputy Prime Minister how many representations his Department has received in support of legislation on high hedges from *(a)* hon. Members and *(b)* members of the public since the fall of the Private Member's Bill on High Hedges on 20 June 2003. [131914]

Yvette Cooper: Since 20 June 2003, the Office of the Deputy Prime Minister has received *(a)* 402 representations from hon. Members and *(b)* 182 representations from members of the public, concerning high hedges, almost all in favour of the legislation.

Official Residences

Mr. Pickles: To ask the Deputy Prime Minister if he will list the *(a)* maintenance, *(b)* running and *(c)* capital costs associated with each of his official residences in each year since 1997. [91630]

Yvette Cooper: The cost of my right. hon. Friend the Deputy Prime Minister's accommodation including rent, security and maintenance costs, which include capital works, in Admiralty House is tabled as follows:

	£
1998–99	172,572
1999–2000	301,615
2000–01	224,677
2001–02	211,082
2002–03	260,916

The costs are based on an apportionment of the costs of running Admiralty House and are charged to the Office of the Deputy Prime Minister by the Cabinet Office who manage the building.

In addition my right hon. Friend the Deputy Prime Minister has the use of Dorneywood which is not owned by the Government, and therefore there is no cost to public funds

South East Housing Growth (Water Supply)

Mr. Hancock: To ask the Deputy Prime Minister what research his Department has *(a)* commissioned and *(b)* evaluated on the effect of the projected housing numbers forecast for the South East on the level of water supply; and if he will make a statement. [131514]

Keith Hill: The Office of the Deputy Prime Minister is committed to ensuring that projected growth in housing numbers across the South East has the necessary water and sewerage services. In the growth areas, proposals for increased housing are based on studies which assess infrastructure requirements including water, and as more specific locations for growth are defined in local studies and plans, the requirements can be considered in terms of specific capacity increases required.

Together with regional and local partners, the Office of the Deputy Prime Minister has held and will continue discussions with the respective water undertakers and environmental regulators over the level of water supplies needed to meet the projected housing growth across the South East.

Written Answers to Questions

Monday 20 October 2003

WORK AND PENSIONS

Pensioner Benefit Payments

1. **Mrs. Dunwoody:** To ask the Secretary of State for Work and Pensions if he will make a statement on *(a)* the proposed method of payment of state benefit for pensioners who cannot access a bank account and *(b)* the timetable for the receipt of such benefit after 2005. [132601]

Mr. Andrew Smith: While over 90 per cent. of pensioners have bank or building society accounts, and nearly half of all pensioners already choose to be paid by Direct Payment, we of course recognise that there will be some whom we will not be able to pay in this way.

We are presently consulting groups such as Age Concern, Help the Aged and the National Pensioners Convention about paying such pensioners by cheque.

We plan to have this service in place from October next year.

Departmental Job Losses

16. **Mr. Bellingham:** To ask the Secretary of State for Work and Pensions when he next expects to meet staff representatives to discuss job losses in departmental offices in East Anglia. [132616]

Mr. Browne: Jobcentre Plus and the Pensions Service are modernising the service we provide to our customers. Staff movement between different roles is an ongoing feature of the development of these new services. Ministerial colleagues and I meet the Department's trade union representatives from time to time. Managers and union representatives at all levels meet routinely to discuss staffing plans.

Savings Policy

17. **Mr. Randall:** To ask the Secretary of State for Work and Pensions if he will make a statement on the Government's policy on saving for retirement. [132617]

Malcolm Wicks: Our aim is to help people choose how they plan for retirement, how much they save and how long they keep working. Our immediate priority was to tackle pensioner poverty and we have, through the Pension Credit, both increased the amount individuals receive and also rewarded those who have saved. Through our Green Paper and Action on Occupational Pensions proposals we have sought to increase security, promote flexibility of provision and reinvigorate the pensions partnership. We want to give individuals real choices about the savings decisions they take through the provision of the right information and the right products—this we are doing through our informed choice programme and proposed suite of stakeholder products, as proposed in the Sandler review. The Government's overall objective is to promote secure and sustainable pensions provision for individuals.

Stakeholder Pensions

18. **Mr. George Osborne:** To ask the Secretary of State for Work and Pensions if he will make a statement on the take-up of stakeholder pensions. [132618]

Mr. Andrew Smith: Over one-and-a-half million stakeholder pensions have been sold since their introduction in April 2001; over half a million in the last 12 months for which figures are available. This is an encouraging start, and a sign of confidence in the product.

State Pension Reform

19. **Andrew Selous:** To ask the Secretary of State for Work and Pensions if he will make a statement on Government plans to reform state pensions. [132619]

Malcolm Wicks: We have done much to improve the State Pension. The introduction of State Second Pension focuses help on those with low to moderate earnings, and on qualifying carers and long term-disabled people who have broken work records.

We have increased the basic State Pension by more than the RPI for the last three years. We have also guaranteed to increase the basic State Pension in future years by 2.5 per cent. or the increase in the September Retail Prices Index whichever is the higher.

In addition, the new Pension Credit is designed to ensure that pensioners benefit from their savings. These initiatives will help provide greater security for tomorrow's pensioners.

We will continue to look at sensible and affordable ways of improving the State Pension, such as giving a better deal to people who defer their State Pension.

Pension Credit

20. **Mr. Brady:** To ask the Secretary of State for Work and Pensions how many pensioners the Government estimates will be receiving pension credit by 2006. [132620]

Malcolm Wicks: We are the first Government ever to set a take up target for any benefit and we aim to have at least 3 million pensioner households receiving Pension Credit by 2006.

However, we want every pensioner to take up their entitlement. We have already written to 1.6 million pension households to tell them about Pension Credit and will be writing to the remainder by June 2004. In addition we are running a major advertising campaign on TV and in the press to familiarise, pensioners, their families and friends with Pension Credit and to encourage them to apply.

22. **Ms Keeble:** To ask the Secretary of State for Work and Pensions if he will make a statement on the implementation of the Pension Credit. [132623]

Malcolm Wicks: Around 1.9 million pensioner households on our systems are already being paid Pension Credit. This represents over two million

individuals. Of the awards made, 1.15 million pension households (over 1.3 million pensioners) will get more than they would have before. We are contacting every pensioner household, and want all those who may be entitled, to take up Pension Credit.

Anyone who applies by October 2004 will be able to receive payment from the start of the scheme or the first date they are entitled.

Around half of all households are eligible for Pension Credit and stand to gain on average £400 a year (or around £7 a week).

23. **Mr. Blizzard:** To ask the Secretary of State for Work and Pensions how many pensioners are entitled to Pension Credit in Waveney constituency. [132624]

Malcolm Wicks: The information is not available in the format requested. However, an estimated 300,000 pensioner households are eligible for Pension Credit in the Eastern region.

Mr. Douglas Gowan

21. **Mr. Bacon:** To ask the Secretary of State for Work and Pensions if he will make a statement on the latest position regarding a constituent, Mr. Douglas Gowan. [132622]

Maria Eagle: I wrote to the hon. Gentleman on 10 October 2003 as agreed at the Adjournment debate of 9 September 2003.

Child Support Agency

Mr. Djanogly: To ask the Secretary of State for Work and Pensions if he will make a statement on the inter-relationship between the Child Support Agency and the benefits system. [132621]

Mr. Pond: The Child Support Agency and Jobcentre Plus work closely together to provide customers with the best possible service.

Jobcentre Plus staff gather information on behalf of the Child Support Agency to ascertain either the details of the non-resident parent or the reasons why a parent with care on benefit does not wish to apply for child support. In the latter case, Jobcentre Plus staff also decide whether she has good cause.

Jobcentre Plus also collect maintenance by making deductions from non-resident parents' benefit payments.

CABINET OFFICE

Special Advisers

Mr. Tyrie: To ask the Minister for the Cabinet Office what the total cost was of special advisers to the Office of the Parliamentary Secretary to the Treasury in financial year 2002–03, broken down by *(a)* salary and related expenses and *(b)* other costs. [131770]

Mr. Alexander: The numbers of Special Advisers in each pay band by department and total salary costs were set out in the answer provided by the Prime Minister on 16 July 2003, *Official Report*, column 328W. Other costs cannot be separately identified from the running costs of the office as a whole without incurring disproportionate cost.

Mr. Tyrie: To ask the Minister for the Cabinet Office on how many occasions in financial year 2002–03 the special advisers to the Parliamentary Secretary to the Treasury travelled abroad in an official capacity; which places were visited; and how much each visit cost. [131771]

Mr. Alexander: The special advisers to the Parliamentary Secretary to the Treasury did not undertake any overseas travel in an official capacity in 2002–03.

Parliamentary Questions

Mrs. Curtis-Thomas: To ask the Minister for the Cabinet Office how many Questions directed to him remain unanswered. [130767]

Mr. Alexander: At 15 October four Parliamentary Questions remained unanswered.

SOLICITOR-GENERAL

Iraq

Mr. Marshall-Andrews: To ask the Solicitor-General pursuant to her answer to the hon. Member for Stone (Mr. Cash) of 17 March 2003, *Official Report*, column 515W, on Iraq, to what extent, in concluding that it was plain that Iraq had failed to comply with Resolution 1441, the Attorney-General relied upon facts and assertions contained in the Government dossier published in January as material to his conclusion and to the opinion he gave as to the authority to use force, specifying which such facts and assertions were so relied upon. [131002]

The Solicitor-General: The Attorney-General did not rely at all on the Government dossier published on 30 January in reaching the conclusion that Iraq had failed to comply with resolution 1441 and in stating his view that a legal basis for the use of force existed in the combined effect of UN Security Council resolutions 678, 687 and 1441. However, it was material to that conclusion that there was intelligence evidence that the Iraqi authorities had intimidated scientists which UNMOVIC wished to interview; that rooms designated for such interviews had been bugged; and that some potential interviewees had been kept away from UNMOVIC by the Iraqi authorities and that there was evidence that Iraqi scientists had been intimidated into refusing interviews with UNMOVIC outside Iraq. These points were also covered in the section on interviews in chapter one of the dossier.

Mr. Marshall-Andrews: To ask the Solicitor-General pursuant to her answer to the hon. Member for Stone (Mr. Cash) of 17 March 2003, *Official Report*, column 515W, on Iraq, whether, in concluding that it was plain that Iraq had failed to comply with Resolution 1441, the Attorney-General relied upon the facts and assertions contained in Chapter 3 paragraphs *(a)* two to five, *(b)* six to seven, *(c)* eight to 11, *(d)* 12 to 13, *(e)* 14,

(f) 15, *(g)* 16, *(h)* 18 to 23 and *(i)* 24 to 32 of the Government dossier published in September 2002 as material to his conclusion and to the opinion he gave as to the authority to use force. [131003]

The Solicitor-General: The Attorney-General did not rely upon any facts or assertions contained in the Government dossier published in September 2002 as material to his conclusion set out in his statement of 17 March that Iraq had failed to comply with resolution 1441 and that a legal base for the use of force existed in the combined effect of UN Security Council resolutions 678, 687 and 1441.

WALES

Coroners Courts

Mr. Simon Thomas: To ask the Secretary of State for Wales what the annual budget is for each coroner's court in Wales; and what percentage is ring-fenced to enable the provisions in the Welsh Language Act 1993 to be met. [132423]

Mr. Touhig: Coroners' courts are funded by local authorities through the settlement and as such a matter for the National Assembly for Wales.

European Year of Disabled People

Rev. Martin Smyth: To ask the Secretary of State for Wales what initiatives his Department *(a)* has undertaken and *(b)* is taking to commemorate 2003 as the European Year of Disabled People. [133287]

Mr. Touhig: The Wales Office does not have direct responsibility for specific programmes. However, my right hon. Friend and I recognise the importance of promoting the rights of disabled people and raising awareness of the contribution they make to society. On 4 September my right hon. Friend spoke at Remploy's awards ceremony, honouring employers in Wales who have led the way in the employment of disabled people.

The Disability Unit within the Department for Work and Pensions has been working closely with the National Assembly to promote the European Year of Disabled People in Wales. Joint sponsorship from DWP and the European Commission has enabled 13 special European Year projects to run in Wales covering a wide range of issues.

ADVOCATE-GENERAL FOR SCOTLAND

Legislative Competence

Malcolm Bruce: To ask the Advocate-General if she will place in the Library copies of communications her Department has had with the Scottish Executive on consideration by her office of the legislative competence of the Bills detailed in Annex 9 of the Scotland Office Departmental Report 2003. [132984]

The Advocate-General for Scotland: Any such communications which take place between my Department and the Scottish Executive are confidential.

TRANSPORT

Essex Coastguard Service

Mr. Francois: To ask the Secretary of State for Transport how many full-time coastguards were employed by the Essex Coastguard Service on 1 September. [132630]

Mr. McNulty: On 1 September, the Maritime and Coastguard Agency (MCA) employed 33 full-time coastguards in Essex.

Biofuels

Norman Lamb: To ask the Secretary of State for Transport what steps he is taking to ensure that the UK will meet the EU target for 2 per cent. of road transport to be fuelled by biofuels by December 2005; and if he will make a statement. [132870]

Mr. Jamieson: The European Union's Biofuels Directive requires member states to set their own indicative targets for sales of biofuels to be met in the years 2005 and 2010. The Government will be consulting early next year on the level of targets that might be appropriate for the UK, and on the steps that we might take to meet them.

Correspondence

Mr. Steen: To ask the Secretary of State for Transport when he will reply to the letter from the hon. Member for Totnes of 17 June concerning the Teenage Cycle Safety Campaign; and what the reasons are for the delay. [132589]

Mr. Jamieson: I replied to the hon. Member on 7 July.

Flight Paths (Walthamstow)

Mr. Gerrard: To ask the Secretary of State for Transport what altitude restrictions apply to aircraft on flight paths above Walthamstow; and how these have changed in the last five years. [131582]

Mr. McNulty *[pursuant to his answer, 14 October 2003, Official Report, c. 168–69W]:* The airspace over all of Walthamstow above 2,500 ft has been classified as 'controlled' for many years. Over the southernmost quarter of Walthamstow the airspace has been controlled to ground level since the opening of London City Airport. Aircraft using Heathrow and City operate within this controlled airspace. Aircraft inbound to Heathrow will normally be above 5,000 ft.

Over the remainder of my hon. Friend's constituency below 2,500 ft, helicopters and general aviation aircraft from smaller aerodromes can determine routes and altitudes according to their particular requirements. Such flights are subject to the Rules of the Air Regulations, notably Rule 5, which means most will be above 1,500 ft.

There have been no changes to the airspace over Walthamstow in the last five years.

Unmanned Level Crossings

Mr. Weir: To ask the Secretary of State for Transport (1) what recent discussions he has had with the Health and Safety Inspectorate on Network Rail's proposals to close unmanned level crossings in Scotland; [133121]

(2) what recent representations he has received from organisations representing country pursuits regarding Network Rail's proposals to close unmanned level crossings in Scotland. [133122]

Mr. McNulty: None. This is an operational matter for Network Rail.

However, I understand that there are continuing discussions between the Health and Safety Executive, Network Rail, the Ramblers' Association, the Scottish Executive, Scottish Natural Heritage, local authorities and residents about Network Rail's policy of preventing unauthorised use of a small number of private level crossings in Scotland. My right hon. Friend the Secretary of State has drawn the attention of Network Rail's Chief Executive to the need for decisions to enforce restrictions at such crossings to be properly justified on safety grounds.

St Christopher House

Norman Baker: To ask the Secretary of State for Transport (1) what percentage of the demolition waste from the demolition of St. Christopher House, London is being sent to landfill; [133117]

(2) to what uses the waste from the demolition of St. Christopher House, London is being put; and what percentage of the total waste is being used in each way. [133118]

Mr. McNulty: The Highways Agency left St. Christopher House in September 2002 and the lease expired shortly after. The MOD remained for a few months longer, as their lease had not expired. The building was never a Crown building and it is being demolished by the private landlord. The Highways Agency now has nothing to do with the building.

Thelwall Viaduct

Helen Jones: To ask the Secretary of State for Transport (1) what steps he is taking to monitor traffic congestion in North Warrington with particular reference to the Winwick area, while repairs to the Thelwall viaduct are being carried out; [132685]

(2) when he expects the repair work being carried out on the Thelwall viaduct to be completed. [132686]

Mr. McNulty: I have asked the acting Chief Executive of the Highways Agency, to write to my hon. Friend on these matters.

Letter from Keith Miller to Helen Jones dated 20 October 2003:

Tony McNulty has asked Stephen Hickey, Acting Chief Executive of the Highways Agency to reply to your two recent Parliamentary Questions about traffic congestion in North Warrington, arising from ongoing works to the M6 Motorway Thelwall Viaduct, and the expected timescale for completion of those works. Stephen is currently away on official business and I am writing on his behalf.

The Highways Agency is responsible for the operation, management, maintenance, and improvement, of the trunk road and motorway network in England, including the M6 Thelwall Viaduct. As you may be aware, the Agency's ongoing works are to replace 140 support bearings, following the discovery, during a routine inspection in July 2002, of a single failed support bearing on the viaduct carrying northbound traffic. All but one lane of that particular viaduct was then closed, and traffic is now carried on this single lane allowing access to Warrington at Junction 21, and on six reduced-width lanes on the viaduct carrying southbound traffic (three lanes in each direction) in contraflow, with a 40mph speed limit. Detailed investigations were urgently carried out and these revealed other failures in the bridge support bearings.

The Agency is conscious that traffic is diverting onto the local road network, including the Winwick area, as a result of the ongoing works and is working closely with Warrington Borough Council on this issue. Data is being collected by both the Council and the Agency to assess the impact of the traffic diversions.

Our aim is to re-open the northbound viaduct as soon as is practicable, and expect to complete the repair works by Spring 2005. However, we are in discussions with the Contractor to identify whether an earlier completion date for the works is possible.

I hope this is helpful. If you would like any further information on this matter, please contact the Agency's Project Manager for the viaduct repairs, David Brindle, Room 803, Sunley Tower, Piccadilly Plaza, Manchester M1 4BE telephone 0161 930 5653.

US Ships (Dismantling)

Norman Baker: To ask the Secretary of State for Transport for what reason he has not responded to the letter from the hon. Member for Lewes, dated 11 September, on the proposal to allow the dismantling of ships from the US reserve fleet on Teesside; and if he will make a statement. [133289]

Mr. McNulty: Staff from my Department have contacted the hon. Member's office on a number of occasions asking for a copy of the letter but we have yet to receive it. When we do I shall reply to the hon. Member.

Norman Baker: To ask the Secretary of State for Transport what assessment he undertook of the availability of facilities in the US to dismantle the ships from the US Reserve Fleet intended for dismantling in the United Kingdom before permission was given for that dismantling. [133291]

Mr. McNulty: Such availability is a matter for the US authorities which tendered the recycling contract. We understand that AbleUK won the particular contract for 13 ships in competition with US and foreign bidders and that other contracts have been won by US firms. Trade in waste for recovery or recycling is legal among OECD countries and the EU has its own needs for efficient and properly regulated ship recycling facilities as a contribution to sustainable development.

INTERNATIONAL DEVELOPMENT

Baku-Tbilisi-Ceyhan Pipeline

Mr. Hancock: To ask the Secretary of State for International Development if he will make it his policy to ask the directors of the *(a)* European Bank for Reconstruction and Development and *(b)* International Finance Corporation to vote against providing support for the Baku-Tbilisi-Ceyhan pipeline; and if he will make a statement. [132460]

Hilary Benn: The European Bank for Reconstruction and Development (EBRD) and the International Finance Corporation (IFC) of the World Bank Group are currently completing their normal thorough

screening and safeguards procedures on the Baku-Tbilisi-Ceyhan (BTC) pipeline project. DFID will make its decision on how to vote on the project on the basis of formal project proposals brought to the Executive Boards of these institutions. As is standard procedure, the decision will be based on an assessment of the projects compliance with the Banks' mandates, policies and procedures.

Dr. Vis: To ask the Secretary of State for International Development if he will ask the directors of the *(a)* European Bank for Reconstruction and Development and *(b)* International Finance Corporation to vote against providing support for the Baku-Tbilisi-Ceyhan pipeline. [132505]

Hilary Benn: The European Bank for Reconstruction and Development (EBRD) and the International Finance Corporation (IFC) of the World Bank Group are currently completing their normal thorough screening and safeguards procedures on the Baku-Tbilisi-Ceyhan (BTC) pipeline project. DFID will make its decision on how to vote on the project on the basis of formal project proposals brought to the Executive Boards of these institutions. As is standard procedure, the decision will be based on an assessment of the projects compliance with the Banks' mandates, policies and procedures.

Mr. Drew: To ask the Secretary of State for International Development if he will ask the Director of the European Bank for Reconstruction and Development to withhold support from the Baku-Tbilisi-Ceyhan pipeline. [133628]

Hilary Benn: The European Bank for Reconstruction and Development (EBRD) and the International Finance Corporation (IFC) of the World Bank Group are currently completing their normal thorough screening and safeguards procedures on the Baku-Tbilisi-Ceyhan (BTC) pipeline project. DFID will make its decision on how to vote on the project on the basis of formal project proposals brought to the Executive Boards of these institutions. As is standard procedure, the decision will be based on an assessment of the projects compliance with the Banks' mandates, policies and procedures.

Call Centres

Mr. Connarty: To ask the Secretary of State for International Development whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132102]

Hilary Benn: DFID do not have responsibility for any call centres in the UK.

Developing Countries

Mr. Lazarowicz: To ask the Secretary of State for International Development what assessment he has made of WTO procedures to meet the need for special and differential treatment for developing countries. [132429]

Hilary Benn: World Trade Organisation (WTO) agreements include a large number of special and differential treatment provisions (some 155 in all). However, there is dissatisfaction with the existing system of differential treatment by both developed and developing countries alike. A total of 88 proposals have been submitted to amend and modify the existing provisions and to provide for new concessions. The UK has worked hard with the European Commission, and others to assess and meet the concerns of developing countries. Accordingly the WTO membership has now agreed to 25 of these agreement-specific proposals. However, central to the issue concerning special and differential treatment is how to take account of country differences (e.g. Singapore to Ghana) within WTO agreements. Developing countries are reluctant to address the issue of country classification now and only within the wider context of future negotiations. DFID is working with others on possible options to provide an effective delivery mechanism for special and differential treatment.

Ethiopia

Mr. Laurence Robertson: To ask the Secretary of State, Department for International Development if he will make a statement on the drought situation in Ethiopia. [129529]

Hilary Benn: The indications are that in most parts of Ethiopia rainfall has been better this year in terms of both quantity and distribution than it was in 2002. Assessments are under way, but at present it looks likely that food production will be better this year. This will have implications for the likely size and scope of humanitarian interventions; in particular food aid interventions may be less extensive.

Risks to health remain a serious concern. At present there is a malaria epidemic in many parts of Ethiopia. We are planning to respond urgently.

We are continuing to closely monitor the situation in Ethiopia, and as always we remain committed to playing our part in the international response. Since the beginning of 2002 we have provided £49.1 million of food and non-food humanitarian assistance to Ethiopia.

Fossil Fuel Projects

Mr. Hancock: To ask the Secretary of State for International Development what his policy is on the provision of *(a)* loans and *(b)* loan guarantees by multilateral development banks to fossil fuel projects overseas; and if he will make a statement. [132494]

Hilary Benn: The UK is a shareholder in a number of multilateral development banks which provide loans and loan guarantees for fossil fuel projects. The Government's policy is to ensure that these institutions comply with their own policies and procedures in all projects for which they provide finance. In considering whether to provide loans or loan guarantees this should include an assessment of the possible social and environmental impacts. In addition, our policy is to fully understand the developmental implications of fossil fuel projects. We are particularly concerned that the management of revenues from such projects occurs transparently and with a positive developmental impact. We hope that initiatives such as the Extractive Industries Transparency Initiative will help to achieve this.

Dr. Vis: To ask the Secretary of State for International Development what his policy is towards the provision of *(a)* loans and *(b)* loan guarantees by multilateral development banks to fossil fuel projects overseas; and what amendments he has made to it because of concerns about climate change. [132501]

Hilary Benn: The UK is a shareholder in a number of multilateral development banks which provide loans and loan guarantees for fossil fuel projects. The Government's policy is to ensure that these institutions comply with their own policies and procedures in all projects for which they provide finance. In considering whether to provide loans or loan guarantees this should include an assessment of the possible social and environmental impacts such as climate change. In addition, our policy is to fully understand the developmental implications of fossil fuel projects. We are particularly concerned that the management of revenues from such projects occurs transparently and with a positive developmental impact. We hope that initiatives such as the Extractive Industries Transparency Initiative will help to achieve this.

Mr. Drew: To ask the Secretary of State for International Development whether his Department has carried out an analysis of the extent to which his Department's support for fossil fuel investment is consistent with *(a)* the United Kingdom's obligations under the Kyoto Protocol and *(b)* the Government's environmental aims. [133630]

Hilary Benn: The UK government are committed to taking a lead in meeting obligations under the Kyoto Protocol, including reductions of carbon dioxide emissions. At the same time, we recognise the rights of other sovereign states to fulfil their own legitimate development needs. In considering support for fossil fuel based investments, it is standard procedure for DFID to liaise with other relevant Government Departments to ensure balance and consistency between these objectives. In addition, our policy is to ensure that lending institutions take account of possible social and environmental impacts such as climate change as part of their policies and procedures in assessing fossil fuel projects, before providing loans or loan guarantees.

Mr. Drew: To ask the Secretary of State for International Development what is the total value is of support given by his Department to overseas projects for *(a)* the extraction of fossil fuels and *(b)* the development of renewable energy in each of the last three years. [133631]

Hilary Benn: DFID has not been involved in the direct funding of fossil fuel extraction projects over the past three years, although we are occasionally asked to comment on the proposals of lending institutions. While recognising that countries are entitled to exploit their own natural resources, either for export purposes or to meet domestic energy requirements, full account should be taken of possible social and environmental impacts, including climate change. Our policy is to ensure that institutions providing loans or guarantees take such factors fully into account.

On the renewable energy issue, DFID has funded about £3.6 million of research projects over the past 10 years, about half of this over the past three years. We have about £500,000 of project work still in progress.

Dr. Vis: To ask the Secretary of State for International Development what the total value of support is from his Department to overseas projects for *(a)* the extraction and transport of fossil fuels and *(b)* the development of renewable energy in 2003–04. [132502]

Hilary Benn: DFID has not been involved in the direct funding of fossil fuel extraction projects over the past three years, although we are occasionally asked to comment on the proposals of lending institutions. While recognising that countries are entitled to exploit their own natural resources, either for export purposes or to meet domestic energy requirements, full account should be taken of possible social and environmental impacts, including climate change. Our policy is to ensure that institutions providing loans or guarantees take such factors fully into account.

On the renewable energy issue, we have about £500,000 of research project work currently in progress, having funded about £3.6 million of such projects over the past 10 years.

Dr. Vis: To ask the Secretary of State, Department for International Development what assessment he has made of the extent to which his Department's support for fossil fuel investment is consistent with *(a)* the obligations under the Kyoto Protocol and *(b)* the goal of reducing UK carbon dioxide emissions by 2050. [132503]

Hilary Benn: The UK Government are committed to taking a lead in meeting obligations under the Kyoto Protocol, including reductions of carbon dioxide emissions. At the same time, we recognise the rights of other sovereign states to fulfil their own legitimate development needs. In considering support for fossil fuel based investments, it is standard procedure for DFID to liase with other relevant Government Departments to ensure balance and consistency between these objectives. In addition, our policy is to ensure that lending institutions take account of possible social and environmental impacts such as climate change as part of their policies and procedures in assessing fossil fuel projects, before providing loans or loan guarantees. I refer the hon. Member for Finchley and Golders Green to the reply to his question Hansard ref 132501 on this matter, at column 359W.

The UK Energy White Paper sets out four core objectives of UK Energy Policy: Tackling Climate Change, Energy Security, Cutting Fuel Poverty and Competitiveness. DFID is working closely with other Government Departments, notably FCO, DTI and DEFRA, to ensure a co-ordinated Whitehall approach to international energy issues.

General Agreement on Trade in Services

Mr. Lazarowicz: To ask the Secretary of State for International Development whether his Department has conducted an assessment of the development impact of the General Agreement on Trade in Services. [132430]

Hilary Benn: The ability to assess the domestic economic and social impact of commitments taken under the General Agreement on Trade in Services (GATS) is of vital importance to developing countries. Meaningful assessments will help ensure that the

commitments they take on are in line with, and contribute to, wider economic growth and poverty reduction policies.

It is important that such assessments are conducted by developing countries themselves in the process on making their own decisions during the GATS negotiations. We do however recognise the serious capacity constraints faced by many developing countries. We are therefore working closely with the World bank and UNCTAD to build a framework for supporting developing country efforts to carry out their own impact assessment work.

Iraq

Mr. Gardiner: To ask the Secretary of State for International Development what steps are being taken to reduce delays of convoys into Iraq at the Kuwait/Iraq border. [131140]

Mr. Rammell: I have been asked to reply.

There are two military and one civilian crossing points between Kuwait and Iraq. The former are managed by the Coalition in close co-ordination with the Kuwaiti authorities. The civilian crossing point is under Kuwaiti control.

The flow of traffic at the military crossing points is not currently subject to unacceptable delays. Nevertheless the US, in consultation with UK forces, is working with the Kuwaiti authorities on further expediting the flow of traffic across the border without compromising security. There are longer delays at the civilian crossing point. Because of well-founded concerns over security and smuggling, the Kuwaiti authorities check carefully both people and goods crossing the border. The Coalition and the Kuwaitis are working on ways to reduce the resulting delays while maintaining security.

Joan Ruddock: To ask the Secretary of State for International Development if he will support the opening of a women's resources centre in Basra. [132150]

Hilary Benn: Opportunities for providing support on women's issues in Basra will be identified once the member of staff responsible for gender issues is in place. Initiatives such as a women's centre will be considered alongside other priorities.

Joan Ruddock: To ask the Secretary of State for International Development what plans he has to deploy gender specialists to Iraq. [132152]

Hilary Benn: A member of staff responsible for gender issues is currently on a three-month deployment in Baghdad and a second specialist will shortly begin a six-month deployment in Basra.

Kyoto Protocol

Mr. Hancock: To ask the Secretary of State for International Development what research his Department has *(a)* commissioned and *(b)* evaluated on the extent to which his Department's support for fossil fuel investment is consistent with (i) the UK's obligations under the Kyoto Protocol and (ii) the Government's target to reduce the UK's carbon dioxide emissions by 60 per cent. from 1990 levels by 2050; and if he will make a statement. [132457]

Hilary Benn: The UK government are committed to taking a lead in meeting obligations under the Kyoto Protocol, including reductions of carbon dioxide emissions. At the same time, we recognise the rights of other sovereign states to fulfil their own legitimate development needs. In considering support for fossil fuel based investments, it is standard procedure for DFID to liaise with other relevant Government Departments to ensure balance and consistency between these objectives. In addition, our policy is to ensure that lending institutions take account of possible social and environmental impacts such as climate change as part of their policies and procedures in assessing fossil fuel projects, before providing loans or loan guarantees.

The UK Energy White Paper sets out four core objectives of UK Energy Policy: Tackling Climate Change, Energy Security, Cutting Fuel Poverty and Competitiveness. DFID is working closely with other Government Departments, notably FCO, DTI and DEFRA, to ensure a co-ordinated Whitehall approach to international energy issues.

Malawi

Mr. Paul Marsden: To ask the Secretary of State for International Development what financial assistance has been given to Malawi in the last six months. [132294]

Hilary Benn: In the first six months of this financial year, DFID spent a total of £14.2 million on development assistance to Malawi. Of this, £5.3 million was financial aid, which was administered directly by the Government of Malawi. Financial aid was disbursed in a number of key areas, notably on the Malawi Safety, Security and Access to Justice programme and the education and health sectors, where funds were used to build education and medical facilities as well as supplying drugs.

Multinational Enterprises

Dr. Vis: To ask the Secretary of State for International Development what his policy is on instructing the UK directors of the *(a)* European Bank for Reconstruction and Development and *(b)* International Finance Corporation to grant support for projects that have been the subject of an on-going complaint for breach of OECD guidelines on multinational enterprises. [132504]

Hilary Benn: UK policy is to assess proposed EBRD and IFC projects against the mandates, policies and procedures of those institutions. The OECD Guidelines for Multinational Enterprises ("the Guidelines") are recommendations addressed by adhering countries to multi-national enterprises ("MNE's"). They represent a framework of principles of good conduct for multi-national companies in their business activities, designed to help ensure that they act in harmony with the policies of the countries in which they operate and that they consider the views of other stakeholders. The Guidelines aim to promote and develop a sustainable approach to business conduct and to build an atmosphere of confidence and predictability between business, labour, governments and society as a whole. It is intended that companies use the Guidelines as a benchmark when developing their own codes of conduct. The Government take complaints under the guidelines very seriously and have an established mechanism for dealing

with complaints through the National Contact Point in DTI. This mechanism applies equally to projects for which financing by a multilateral financial institution is being considered.

Mr. Hancock: To ask the Secretary of State for International Development what guidance his Department has given to UK directors of the *(a)* European Bank for Reconstruction and Development and *(b)* International Finance Corporation in relation to projects that are the subject of a complaint for a breach of OECD guidelines on multi-national enterprises; and if he will make a statement. [132459]

Hilary Benn: UK policy is to assess proposed EBRD and IFC projects against the mandates, policies and procedures of those institutions. The OECD Guidelines for Multinational Enterprises ("the Guidelines") are recommendations addressed by adhering countries to multi-national enterprises ("MNE's"). They represent a framework of principles of good conduct for multi-national companies in their business activities, designed to help ensure that they act in harmony with the policies of the countries in which they operate and that they consider the views of other stakeholders. The Guidelines aim to promote and develop a sustainable approach to business conduct and to build an atmosphere of confidence and predictability between business, labour, governments and society as a whole. It is intended that companies use the Guidelines as a benchmark when developing their own codes of conduct. The Government takes complaints under the guidelines very seriously and has an established mechanism for dealing with complaints through the National Contact Point in DTI. This mechanism applies equally to projects for which financing by a multilateral financial institution is being considered.

Mr. Drew: To ask the Secretary of State for International Development what his policy is on the role of the *(a)* European Bank for Reconstruction and Development and *(b)* International Finance Corporation of the World Bank in granting support to projects that are subject to an outstanding complaint for a breach of OECD guidelines on multi-national enterprises. [133629]

Hilary Benn: UK policy is to assess proposed EBRD and IFC projects against the mandates, policies and procedures of those institutions. The OECD Guidelines for Multinational Enterprises ("the Guidelines") are recommendations addressed by adhering countries to multi-national enterprises ("MNE's"). They represent a framework of principles of good conduct for multi-national companies in their business activities, designed to help ensure that they act in harmony with the policies of the countries in which they operate and that they consider the views of other stakeholders (for example in respect of social and environmental issues). The Guidelines aim to promote and develop a sustainable approach to business conduct and to build an atmosphere of confidence and predictability between business, labour, governments and society as a whole. It is intended that companies use the Guidelines as a benchmark when developing their own codes of conduct. The Government takes complaints under the guidelines very seriously and has an established mechanism for dealing with complaints through the National Contact Point in DTI. This mechanism applies equally to projects for which financing by a multilateral financial institution is being considered.

Renewable Energy

Mr. Hancock: To ask the Secretary of State for International Development if he will make a statement on the value of support from his Department to projects overseas for *(a)* the extraction and transportation of fossil fuels and *(b)* the development of renewable energy. [132458]

Hilary Benn: DFID has not been involved in the direct funding of fossil fuel extraction and transportation (pipeline) projects over the past three years, although we are occasionally asked to comment on the proposals of lending institutions. While recognising that countries are entitled to exploit their own natural resources, either for export purposes or to meet domestic energy requirements, full account should be taken of possible social and environmental impacts, including climate change. Our policy is to ensure that institutions providing loans or guarantees take such factors fully into account.

On the renewable energy issue, DFID has funded about £3.6 million of research projects over the past 10 years, about half of this over the past three years. We have about £500,000 of project work still in progress.

David Taylor: To ask the Secretary of State for International Department for International Development what the total value of support from his Department to overseas projects is for *(a)* the extraction and transport of fossil fuels and *(b)* the development of renewable energy. [132481]

Hilary Benn: DFID has not been involved in the direct funding of fossil fuel extraction and transportation (pipeline) projects over the past three years, although we are occasionally asked to comment on the proposals of lending institutions. While recognising that countries are entitled to exploit their own natural resources, either for export purposes or to meet domestic energy requirements, full account should be taken of possible social and environmental impacts, including climate change. Our policy is to ensure that institutions providing loans or guarantees take such factors fully into account.

On the renewable energy issue, DFID has funded about £3.6 million of research projects over the past 10 years, about half of this over the past three years. We have about £500,000 of project work still in progress.

Reproductive Health

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, reference 131645 if he will list the *(a)* reproductive health and *(b)* family planning projects (i) run directly and (ii) supported financially by his Department in each Central American country, including an outline of each programme's aims and methods; and if he will make a statement. [132906]

Hilary Benn: DFID is supporting two key programmes that involve work on reproductive health and family planning across all of Central America including Nicaragua, Honduras, Ecuador, Guatemala and El Salvador:

Direct support on a £1.5 million project to reduce the impact of HIV/AIDS through strengthening national and regional capacity in HIV/AIDS prevention, control and care, focusing on Nicaragua and Honduras.

A £2.0 million cross-regional project on improving sexual health and reproductive health with the United Nations Fund for Population Activities (UNFPA) to reduce morbidity, mortality and the social problems associated with sexual and reproductive health in Central America. A component of this project involves funding for Marie Stopes International who are helping to provide access for adolescents to Sexual and Reproductive Health (SRH) services in Managua, Nicaragua.

Sugar Regime

Mr. Gibb: To ask the Secretary of State for International Development pursuant to his answer of 15 September 2003, *Official Report*, column 550W, on agricultural produce (EU reforms), if he will make a statement on the research undertaken by his Department on the impact on developing countries of the Four Families of Sugar regime reform options put forward by the European Commission earlier this year. [131952]

Hilary Benn: The discussions regarding reform to the EU sugar regime are still in a relatively early stage. On 23 September 2003, the European Commission published an Extended Impact Assessment and posed three possible reform options for the future of EU sugar policy. These options will now be debated by EU member states, which must agree to any major policy changes in the sector.

With specific reference to the research undertaken by DFID, we have completed our own analysis on the reform options and commissioned a study, which is still in its drafting stage, to explore the potential need for adjustment assistance for ACP countries with preferential access to the EU sugar market that may lose out from the regime.

Unused Medicines

Mr. Laurence Robertson: To ask the Secretary of State, Department for International Development what schemes exist for sending unused medicines from the United Kingdom to Third World countries; and if he will make a statement. [129528]

Hilary Benn: The UK Government are committed to increasing access to medicines in the developing world. The factors recognised by the World Health Organisation (WHO) that can improve poor people's access are; affordable pricing, sustainable financing, reliable health and supply systems and the rational selection and use of existing drugs. Appropriate donations of medicines can play a useful role, including through the use of UK's tax relief on drug donations, although country-level procurement of affordable medicines is likely to be more sustainable in the long term.

The Department of Health is aware of a recent proposal from a medical aid charity who supply medicines to Africa and is exploring a number of related issues connected to the scheme.

The proposed scheme does not comply with the quality recommendations in the Guidelines for Drug Donations issued by the WHO and the Department of Health is seeking further advice from WHO on this aspect.

There are also legal and ethical issues in which the Department of Health will be seeking the advice of the WHO where necessary.

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for International Development what recent assessment he has made of food shortages in Zimbabwe. [133561]

Hilary Benn: The Zimbabwe Emergency Food Security and Vulnerability Assessment released in April made a provisional estimate of 5.5 million people needing food aid by the first quarter of 2004. This figure might rise, since, with inflation now almost 500 per cent., many more people, particularly in cities and towns, cannot afford food even where it is available. The Government of Zimbabwe lacks the foreign exchange to import grains and continues to restrict the role of the private sector in importing and distributing food. The number of people needing feeding in urban areas is being assessed this month.

To date, less than 40 per cent. of the funding required for the current World Food Programme's Emergency Operation has been pledged by donors. Food aid supplies are therefore secure only through December. An interruption in food supplies, combined with the high level of HIV/AIDS in Zimbabwe, would obviously risk a significant increase in mortality rates. We are working closely with other members of the international community to update the overall estimates of humanitarian need. We will continue to monitor the position closely and encourage further contributions as necessary. This week we announced an additional contribution of £5 million to the WFP Emergency Operation. This is in addition to some £11 million of new commitments we have already made this year through NGO partners for food aid and agricultural recovery, and some £2 million granted to UNICEF for vaccines to immunise against childhood diseases.

PRIME MINISTER

Cabinet Committee on Biotechnology

Norman Baker: To ask the Prime Minister what criteria govern decisions by Lord Sainsbury to withdraw from discussions at the Cabinet Committee on Biotechnology. [133097]

The Prime Minister: All Ministers are required to conduct themselves in accordance with the requirements set out in the Ministerial Code. As has already been made clear, Lord Sainsbury does not take part in any Government decisions or discussions relating to GM food including those at the Sci-Bio Committee.

Departmental Staff

Mr. Meacher: To ask the Prime Minister if he will list the persons employed in an official capacity at No. 10 Downing street; what post each of them holds; and how much each is paid. [132455]

The Prime Minister: A list of the main office holders in the Prime Minister's Office is set out in the Civil Service Year Book, which is updated annually. Copies are available in the House Libraries.

Information about an individual's pay is not disclosed under exemption 12 of Part 2 of the Code of Practice on Access to Government Information.

However, details of the pay of special advisers by payband are published on an annual basis. For details of the paybill for special advisers for 2002–03, I refer my right hon. Friend to the answer I gave to the hon. Member for Croydon, Central (Mr. Davies) on 16 July 2003, *Official Report*, columns 327–30W.

International Treaties

Mr. Cash: To ask the Prime Minister pursuant to his Answer of 14 October 2003 to the honourable Member for Aldridge-Brownhills (Mr. Shepherd), *Official Report*, column 60W, on international treaties, on what evidential basis he relied in his statement that a State may not plead its national law to escape its international law obligations, including its treaty obligations. [132934]

The Prime Minister: The principle referred to in the answer of 14 October 2003, *Official Report*, column 60W, is well established. The Permanent Court of Arbitration, the Permanent Court of International Justice and the International Court of Justice have produced a consistent jurisprudence upholding this principle.

Iraq

Mr. Chris Smith: To ask the Prime Minister what commitments he has given to the President of the United States in relation to the UK's financial contribution to *(a)* the cost of the provision of troops in and *(b)* the reconstruction of Iraq. [132754]

The Prime Minister: I have given no commitments to the President of the United States in relation to financial contributions to the provision of troops in, and the reconstruction of, Iraq. The Government are covering the costs of the deployment of British troops and providing some logistical help to Coalition partners operating under UK command in Multi-National Division South East (MND SE).

The Government have pledged a UK financial commitment towards Iraq's reconstruction of £544 million for the three years from April 2003.

David Winnick: To ask the Prime Minister what consultations he has had with the US President over the Iraq Governing Council opposition to Turkish troops being part of the occupying forces; and if he will make a statement. [132832]

The Prime Minister: I regularly discuss the situation in Iraq with President Bush.

The Government is grateful for Turkey's efforts to aid in the reconstruction in Iraq. We welcome the generous offer of Turkish troops and the vote in the Turkish Parliament to approve this in principle. The practicalities of the potential deployment are a matter for the Coalition Provisional Authority and the US and Turkish authorities, taking into full consideration local sensitivities, including those raised by the Iraq Governing Council.

Llew Smith: To ask the Prime Minister when he received the letter on the nuclear weapons time-line in the Iraq Dossier, sent jointly by the hon. Members for Blaenau Gwent and for Hampstead and Highgate (Glenda Jackson) on 27August; and when he will reply. [133400]

The Prime Minister: I received the letter on 28 August and replied to my hon. Friend and my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson) on 6 October.

Ministerial Code

Norman Baker: To ask the Prime Minister if he will make it his policy for individuals not holding ministerial office but who carry out tasks of ministerial equivalence to be subject to the Ministerial Code of Conduct in respect of such tasks. [133100]

The Prime Minister: No. The Ministerial Code applies to Ministers.

Reports (Provenance)

Mr. Dobson: To ask the Prime Minister pursuant to his answer of 15 October, (ref. 131973), what the provenance is of the reports referred to in his answer of 15 October. [133279]

The Prime Minister: The reports to which I referred in my answer of 15 October come to the Government through a variety of channels.

I am unable to be more specific about the precise origins of all the information upon which our concerns are based, under Exemption 1(a) of the Code of Practice on Access to Government Information.

Security Clearance

Norman Baker: To ask the Prime Minister what level of security clearance applied to *(a)* the right hon. Member for Hartlepool (Mr. Mandelson) and *(b)* Mr. Jonathan Powell as of 1 October. [133114]

The Prime Minister: The security clearance of individual Members of Parliament is not a matter for the Government.

Jonathan Powell has the appropriate level of security clearance to do his job.

DEFENCE

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Defence how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131594]

Mr. Ingram: I refer the hon. Member to the answer given to him on 14 October 2003, *Official Report*, column 142W, by my hon. Friend the Financial Secretary to the Treasury (Ms Kelly).

Bailed Soldiers

Mr. McNamara: To ask the Secretary of State for Defence what his policy is on the allocation of duties to a soldier released on bail on charges of unlawful killing. [131984]

Mr. Ingram: A soldier will perform normal duties providing he or she is medically fit and the range of duties is in accordance with any specific requirements of bail.

Departmental Travel

Mr. Rosindell: To ask the Secretary of State for Defence how much his Department spent on foreign travel on official business in each year since 1999. [132125]

Mr. Caplin: This information is not held centrally in the form requested and could be provided only at disproportionate cost.

Young Service Personnel (Welfare)

Mr. McNamara: To ask the Secretary of State for Defence what measures he has taken to involve the families of young service personnel in safeguarding their welfare. [132182]

Mr. Ingram: The armed forces have a long standing tradition of including the families of all personnel in the overall welfare process which is an essential component in the maintenance of morale and operational effectiveness. A comprehensive audit of procedures within initial training establishments undertaken during 2002 nevertheless confirmed the need for units to sustain links with parents and for individuals to have regular access to external communications which is seen as significant in maintaining morale. Personnel staffs in each of the Services have identified best practices to be adopted. These include better access to mobile phones, the provision of internet cafes and plans to hard-wire internet infrastructure into barrack blocks, all with the aim of improving the ability of personnel of all ages to maintain contact with their families. The parents of personnel under the age of 18 are written to, with background details of the training unit and the regime involved. In addition, some units are encouraging 'parent days' at which parents and families are able to visit their sons and daughters and discuss issues with appropriate staffs and unit personnel.

Iraq

Mr. McNamara: To ask the Secretary of State for Defence how many individuals in each of HM armed services were *(a)* charged and *(b)* disciplined for failing to answer call-up for the conflict in Iraq. [132183]

Mr. Caplin: Only the Reserve Forces are subject to call-out. To date no members of the Reserve Forces have been charged for failing to report for mobilisation after being served with a call-out notice. However, a small number of cases are still under investigation.

Mr. Amess: To ask the Secretary of State for Defence pursuant to his answer of 17 September 2003, *Official Report*, column 754W, on weapons of mass destruction, whether any of the civil servants searching for weapons of mass destruction were specifically recruited for this purpose. [132831]

Mr. Ingram: On 16 October there were six civil servants in Iraq working for the Iraq Survey Group who were specifically recruited to assist it in its task of searching for Iraq's weapons of mass destruction. This number will continue to change as new staff join and others complete their periods of duty.

Mr. David Stewart: To ask the Secretary of State for Defence how many ex-RAF personnel subject to reserve list regulations were called up for duty during operation Telic, broken down by occupation. [133172]

Mr. Caplin: There were 165 RAF ex-regular reservists accepted into service for duty on Operation TELIC. Information on their civilian occupations is not held centrally and could be provided only at a disproportionate cost.

Llew Smith: To ask the Secretary of State for Defence what the total cost to date has been of weapons, missiles, munitions and ammunition used in *(a)* the conflict in Iraq and *(b)* security and policing since the end of the conflict. [133316]

Mr. Ingram: The Ministry of Defence identifies the costs of Operations in terms of the net additional costs it has incurred. The costs which the Department would have incurred had the operation not been undertaken—expenditure on wages and salaries or on conducting training exercises, for example—are deducted from the total costs of the operation.

Calculating all the costs of military action will take some time since they will include the cost of ammunition, bombs and guided weapons consumed in excess of peacetime levels and the cost of repairing and replacing equipment destroyed and damaged. I am afraid, therefore, that I cannot yet provide cost information in the detail my hon. Friend requires.

Private Tesoni Vakacakaudrove

Mr. McNamara: To ask the Secretary of State for Defence what arrangements were made for the inquest into the death of Private Tesoni Vakacakaudrove at the Defence School of Transport, Leconfield, on 6 October 2002. [132191]

Mr. Ingram: These arrangements are a matter for HM Coroner in line with the Coroners' system in England and Wales.

Sergeant Roger Timothy Paul Clements-Hunt

Mr. McNamara: To ask the Secretary of State for Defence how many vehicles and of what description were involved in the motor accident resulting in the death of Sergeant Roger Timothy Paul Clements-Hunt on 8 March 2001 on army exercise in Germany; and what the findings of the health and safety investigation were. [132192]

Mr. Ingram: The two vehicles involved in this incident were a Danish registered Heavy Goods Vehicle and a Ministry of Defence (Army) Leyland DAF 4 ton GS truck. The incident was the subject of an investigation by the German Civil Authorities. I am not aware of any separate health and safety investigation.

Corporal Thomas Rees

Mr. McNamara: To ask the Secretary of State for Defence what the result was of the accident inquiry following the death of Corporal Thomas Rees on 23 May; and what the principal recommendations of the inquiry were. [132193]

Mr. Ingram: This incident has been investigated by the appropriate Civil Police authority, the Land Accident Investigation Team, and the Health and Safety Executive. The Health and Safety Executive has yet to report its findings. An Army Board of Inquiry will be convened in due course. It would be inappropriate for me to comment until all this work has concluded.

Defence Export Services Organisation

Mr. Simon Thomas: To ask the Secretary of State for Defence what procedures the Defence Export Services Organisation undertakes to ensure that special commissions for which it grants permission represent legitimate fees for services rendered. [132363]

Mr. Ingram: The Defence Export Services Organisation does not authorise the payment of commissions.

Mr. Simon Thomas: To ask the Secretary of State for Defence (1) whether BAE Systems sought or obtained clearance from his Department or from the Defence Export Services Organisation for payment of agency commission in connection with the sale of defence equipment to South Africa; [132365]

(2) whether British Aerospace *(a)* sought and *(b)* obtained clearance from (i) his Department and (ii) the Defence Export Services Organisation for the payment of agency commission in connection with the sale of defence equipment to Qatar. [132367]

Mr. Ingram: I refer the hon. Member to the answer which my hon. Friend the Parliamentary Under-Secretary of State for Defence gave on 1 September 2003, *Official Report*, column 899W, to the hon. Member for Twickenham (Dr. Cable).

Mr. Simon Thomas: To ask the Secretary of State for Defence how many requests for special commissions have been referred to the Defence Export Services Organisation since 1995; and how many such requests DESO have granted, in which countries and on what dates. [132364]

Mr. Ingram: None.

Aldermaston

Mr. Rendel: To ask the Secretary of State for Defence how many over-flights in the controlled airspace of Aldermaston have been recorded for each year since 2001 for which figures are available; and how many prosecutions have followed. [132659]

Mr. Caplin: Since 2001 there have been three alleged incursions by military aircraft into the restricted airspace around AWE Aldermaston. The RAF Police Defence Flying Complaints Investigation Team investigated all these incidents and in each case it was found that no breach of the restriction had occurred. Alleged incursions of the restricted airspace by civilian aircraft would be the responsibility of my right hon. Friend, the Secretary of State for Transport.

Colchester Garrison

Bob Russell: To ask the Secretary of State for Defence (1) whether the Ministry of Defence Police have jurisdiction over former Ministry of Defence dwellings and areas of the Colchester Garrison which have been sold by Annington Homes to private owners; [132813]

(2) whether the security of military personnel and dependants living in Ministry of Defence housing at the Colchester Garrison has been reviewed following the disposal of dwellings by Annington Homes; and if he will make a statement. [132812]

Mr. Caplin: The security situation in the Colchester estates that are now occupied by Service families housed by the Defence Housing Executive (DHE), owner-occupiers and civilian housing association tenants, is unchanged since I replied to the hon. Member's question on this matter on 18 June 2003, *Official Report*, column 246. The regular routine patrols continue and there has been no increase in crime since DHE's releases of surplus property and the lease of properties by AHL to Colne Housing Association.

Any incidents arising in the DHE patch are the responsibility of Ministry of Defence Police (MDP); the Essex police cover the non-DHE areas, and the two police forces assist each other when required. The Royal Military Police also patrol the estate. Overall these arrangements imply a greater police presence and better response times than anywhere else in Colchester.

75 per cent. of the DHE properties have the recommended level of door furniture security; the remainder have chains and spy holes but, in some cases, only 3-lever locks. These will be replaced with 5-lever locks in this financial year.

Bob Russell: To ask the Secretary of State for Defence (1) whether he has been consulted by Annington Homes over *(a)* the disposal of former Ministry of Defence dwellings at the Colchester Garrison and *(b)* proposals by Annington Homes for the development of private housing on the site; [132814]

(2) what discussions he has had with Annington Homes on proposals to demolish former Ministry of Defence housing at the Colchester Garrison and build private housing. [132811]

Mr. Caplin: Annington Homes Ltd (AHL) have not consulted the Ministry of Defence over the disposal of former MOD dwellings at Colchester Garrison or their proposals for the development of private housing on the site. Under the terms of the 1996 Sale Agreement it is entirely a matter for AHL how they dispose of the houses for which MOD has no future requirement and has handed back, or how they choose to redevelop a surplus site.

Departmental Staff (Scotland)

Angus Robertson: To ask the Secretary of State for Defence if he will list the manning changes in Ministry of Defence staff in Scotland for each quarter since 1997; and if he will make a statement. [132544]

Mr. Caplin: The number of civilian personnel located in Scotland in each quarter since January 1997 to October 2003 is set out in the table.

Date	*Full-time equivalents*[1]
1997	
January	9,476.4
April	9,624.4
July	9,783.5
October	9,882.2
1998	
January	9,865.3
April	9,614.1
July	9,193.6
October	9,444.7
1999	
January	9,069.5
April	9,292.1
July	9,273.8
October	9,097.8
2000	
January	9,065.2
April	9,394.2
July	9,329.4
October	9,476.5
2001	
January	9,446.6
April	9,421.3
July	9,140.3
October	9,111.0
2002	
January	9,055.8
April	[2]8,597.2
July	8,595.0
October	8,443.6
2003	
January	[3]7,081.1
April	7,115.2
July	7,046.9
October	7,047.2

[1] Results shown are for all permanent staff including Trading Funds.
[2] A function previously performed in the Deputy Chief Defence Staff Commitments DCDS (P&P) area was transferred to the private sector.
[3] Management of Clyde dockyards moved to private sector.

Detached Duties

Mr. David Stewart: To ask the Secretary of State for Defence what plans he has to discuss with the Chancellor of the Exchequer the taxation of armed forces pay during detached duties. [133173]

Mr. Caplin: I have no plans for such discussions.

National Army Museum (North)

Mr. Hague: To ask the Secretary of State for Defence what discussions his Department has held with the Treasury on the granting of permission for the construction of the National Army Museum (North). [131703]

Mr. Caplin: The Ministry of Defence has had discussions with the Treasury on the National Army Museum (North) project and officials from both Departments last met, together with NAM staff, on 4 September 2003.

Mr. Hague: To ask the Secretary of State for Defence what obstacles remain to the commencement of works at the National Army Museum (North); and when he envisages such work will begin. [131704]

Mr. Caplin: Work continues to resolve a range of outstanding issues on this project, though none is currently thought to be insurmountable.

Northern Ireland

Mr. McNamara: To ask the Secretary of State for Defence what his estimate is of the number of Her Majesty's armed services personnel that have served in Northern Ireland since August 1969. [131961]

Mr. Ingram: Since August 1969, the total number of soldiers who have served at least one day in Northern Ireland is 322,120 while the number of officers who have served at least one day in Northern Ireland is 24,120. The figure for Officers is lower than that given in the answer to my hon. Friend on 5 March 2001, *Official Report*, columns 17–18. The inaccuracy has only come to light when we sought an update of those figures to answer this question. (These figures include regular soldiers, full and part-time members of the Ulster Defence Regiment and the Royal Irish Regiment. It also includes members of the TA who do not play any part in security operations in Northern Ireland, but it is not possible to extract these figures from the overall totals.)

In the case of the Royal Air Force 2,380 Officers and 26,010 Airmen/Airwomen are recorded as having received pay while serving in Northern Ireland and will

therefore, have served at least one month in Province. Comparable information for the Royal Navy and Royal Marines is not available.

Organophosphates

Mr. Tyler: To ask the Secretary of State for Defence if adequate protective equipment is available to British military units using organophosphate pesticides; and if he will make a statement. [94734]

Mr. Caplin *[holding answer 3 February 2003]:* Personal Protective Equipment (PPE) for use by United Kingdom armed forces is available through the normal supply chain. The Ministry of Defence has procedures in place to enable requirements for PPE to be met within the specified timescales.

Parliamentary Questions

Mr. Hancock: To ask the Secretary of State for Defence what the average time taken to answer written parliamentary questions has been in the last 12 months; and if he will make a statement. [119160]

Mr. Caplin: Defence Ministers aim to answer Named Day written questions on the day specified and Ordinary written questions within five working days. The average time taken to answer written parliamentary questions could be calculated only at disproportionate cost.

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how many questions directed to him remain unanswered. [130756]

Mr. Caplin: In the current session, up to and including 15 September, some 4,575 parliamentary questions were tabled to the Secretary of State for Defence. As of 14 October, 88 (1.9 per cent.) of these questions remained unanswered.

Private Peter Watson

Mr. McNamara: To ask the Secretary of State for Defence what duties have been allocated to Private Peter Watson while on bail at Palace Barracks Holywood; what assurances were given to enable his release from custody; and what rank of officer made representations. [132479]

Mr. Ingram: In accordance with the Data Protection Act 1998,1 am unable to make public any personal data relating to Private Watson unless the relevant conditions are met.

Bail conditions are a matter for the civil courts. No assurances were sought from, or given by, the Ministry of Defence in connection with Private Watson's release from custody.

Recruitment

Bob Russell: To ask the Secretary of State for Defence how many people from Fiji have been recruited into Her Majesty's armed forces in each of the last five years for which figures are available. [132806]

Mr. Caplin: The number of Fijian recruits to the Army for the last five years is shown in the table.

Financial Year	*Number*
1998–99	20
1999–2000	315
2000–01	265
2001–02	490
2002–03	470

Figures for the Naval Service and Royal Air Force are not available, as this information is not held centrally.

Reserve Forces

Mr. Gray: To ask the Secretary of State for Defence what the outcome was of his review of reservists' pay on mobilisation. [132933]

Mr. Caplin: There has been no review of mobilised reservists' pay. When called out for mobilised service, reservists receive the same rates of pay and are generally entitled to the same allowances as their regular counterparts. In addition to receiving their military salary; reservists may claim financial assistance if their civilian earnings are greater than their military pay. The regulations governing the latter are currently under review.

Service Accommodation

Mr. David Stewart: To ask the Secretary of State for Defence what proportion of housing accommodation on RAF operational UK bases has been identified as below tolerable standards. [133174]

Mr. Caplin: The Defence Housing Executive (DHE) manages and maintains Service family housing in Great Britain. As these properties are managed on a tri-Service basis, statistical information on the individual Services is not available.

DHE is working towards upgrading its entire core housing stock (around 41,000 properties) to Standard 1 for condition, the best standard of Service housing. Currently some 90 per cent. of Service families are in houses at either Standard 1 or Standard 2 for condition and only 63 core properties are still at Standard 4 for Condition, the lowest standard of Service housing.

In the last financial year DHE exceeded its Key Target of 1,200 upgrades, bringing 1,440 properties up to Standard 1. Partial upgrades are also undertaken, with plans for improvements to over 4,600 homes this financial year.

All properties are inspected before families move in to ensure that they are fit for occupation, and DHE has teams of technically qualified staff at regional and local level to deal with problems that occur during occupation.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the cross-departmental drug strategy to help Afghanistan achieve the target of eliminating poppy

production within the next 10 years; and what plans he has to fulfil the role of international lead on counter-narcotics co-ordination in Afghanistan. [131772]

Mr. Rammell: The UK is the lead nation on Counter Narcotics (CN) in Afghanistan and has a Public Service Agreement (PSA) target to contribute to a reduction in poppy cultivation in Afghanistan by 70 per cent. in five years and by 100 per cent. in 10 years. The United Nations Office on Drugs and Crime (UNODC) and the UK have worked with the Afghan Transitional Administration to help them produce their National Drug Control Strategy.

The UK has developed a plan of activities to support the Afghan authorities in implementing their Strategy, including law enforcement, institution building, drugs demand reduction and alternative livelihoods for poppy farmers. Progress is monitored by stakeholders across Government.

As the lead nation, the UK is contributing £70 million over three years and posting additional personnel to Afghanistan to lead this work. It is also planned to hold a counter-narcotics conference in January 2004 in Kabul, involving Afghan and international representation, to encourage further support for the delivery of this project.

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what the timetable is for elections in Afghanistan. [127138]

Mr. Mike O'Brien: Under the Bonn Agreement, national elections are due to be held by June 2004. On 24 September in New York, President Karzai announced that the presidential elections will be held in June, in keeping with the Bonn Agreement, but that the parliamentary election will have to come later. However a firm timetable has yet to be agreed.

Voter registration has already started under the auspices of the United Nations, with priority being given to remote areas that will be inaccessible during winter months. Registration is scheduled to conclude in May 2004. An Interim Electoral Commission and a Joint Electoral Management Body were appointed on 26 July to begin preparations for the 2004 ballot. The Interim Electoral Commission will hand over to an independent Electoral Commission before the ballot next year.

Embassy Staff

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 17 September, 2003 ref.130397, on security clearance levels, for what reason locally-engaged personal assistants recruited by British embassies are subject to a lower vetting classification than the developed vetting required for UK-based personal assistants recruited for the same posts. [131295]

Mr. Mike O'Brien: The appropriate level of security clearance for locally engaged personal assistants is determined, in accordance with HM Government's statement of vetting policy, as announced to the House on 15 December 1994 (*Official Report*, columns 764–66). The levels required for staff both locally engaged and UK based, are based on the need for them to have access to classified material. The requirement for such access for locally engaged personal assistants is usually different than for UK based personnel. In most cases locally recruited staff will not normally have access to classified material.

Slovakia

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy on visas for Slovakian citizens before their accession to the EU. [131481]

Mr. Mullin: All visa regimes, including that in respect of Slovak nationals, are kept under review and are lifted when it is judged that the circumstances which gave rise to the imposition of the requirement have been addressed. The visa regime on Slovak nationals will be lifted as soon as possible and at the latest by May 2004, when the Slovak Republic becomes a full member state of the European Union.

Intergovernmental Conference

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, at the forthcoming Intergovernmental Conference, the Government will seek to amend Article III-206, with particular reference to the provision that states that: When the Union has defined a position on a subject which is on the United Nations Security Council agenda, those member states which sit on the Security Council shall request that the Union Minister for Foreign Affairs be asked to present the Union's position; and if he will make a statement. [131512]

Mr. MacShane: The Government will not seek to change the aforementioned provision in Article III-206 at the Intergovernmental Conference. This Article allows for a continuation of the current practice, in line with the Security Council's Rules of Procedure, whereby the Presidency can speak at open meetings of the Council. Under the new Treaty, the European Foreign Minister instead of the Presidency will represent the Union where non-members of the Council are permitted to speak and when the Union has defined a common position on the subject of the meeting.

The UK retains the right to speak in a national capacity as a permanent member of the Security Council. This is safeguarded in Art III-206.2, which states that

> "Member States which are members of the Security Council will, in the execution of their functions, defend the positions and the interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter".

The Government would not accept the any proposal that meant giving up its permanent membership of the UN Security Council and the rights which go with that.

Military Nuclear Testing

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* members of his Department have had since April with representatives of (i) the US Administration, (ii) the governments of the EU member states, (iii) the governments of prospective EU

candidates, (iv) the Russian Government and (v) the Government of China about military nuclear testing; and if he will make a statement. [131530]

Mr. MacShane: My noble Friend, the Baroness Symons of Vernham Dean and officials spoke to representatives of governments from all the regional groupings at the Conference on the entry into force of the Comprehensive Nuclear Test Ban Treaty (CTBT) in September 2003, which was attended by 102 State Parties. In her speech to the Conference, Baroness Symons reiterated the UK's continued strong support for the CTBT. The full text of the speech is available on the Foreign and Commonwealth Office website: www.fco.gov.uk-speeches

Prior to the Conference, we also participated in an extensive EU lobbying effort, including with both the United States and China, to urge their ratification of the Treaty.

The UK has not carried out a nuclear explosion since November 1991. We signed the CTBT in 1996 and ratified it in 1998. We continue to urge all states that have not yet done so to sign and ratify the Treaty as soon as possible.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131593]

Mr. MacShane: I refer the hon. Member to the answer given on 14 October by my hon. Friend the Financial Secretary to the Treasury.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many speeches he has made since 1 June 2003 supporting entry into the eurozone. [131752]

Mr. MacShane: My right hon. Friend the Foreign Secretary has made clear the Government's position on EMU—and indeed the EU more broadly—repeatedly over the last four months. May I draw my hon. Friend's attention in particular to the speech he gave to the Foreign Policy Centre on 27 August 2003.

Pakistan

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Pakistan. [131749]

Mr. Mike O'Brien: The UK has a close relationship with Pakistan. This relationship is strengthened by our historical links to Pakistan and by the very large number of Pakistani-origin British citizens. We have regular engagement with the Pakistani Government at all levels on a range of issues. Our relationship was further strengthened by the successful visit to the UK by President Musharraf in June 2003. The Pakistani Foreign Minister will be making an official visit to the UK as a Guest of Government in November 2003.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will meet the new Pakistani High Commissioner. [131751]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary briefly met the new Pakistani High Commissioner at the Labour Party Conference and I had a substantive meeting with her on 22 September 2003.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 2 July 2003, *Official Report*, column 311W, on Pakistan, whether consular access to Mr. Ahmed Omar Saeed Sheikh has been granted; and if he will make a statement. [131773]

Mr. Mullin: We continue to seek consular access to Mr Sheikh. As explained to my hon. Friend on 2 July, if Mr Sheikh is a dual national, the Pakistani authorities are not obliged to give us consular access or information. We will, however, continue to press for access to ensure Mr Sheikh's welfare. The British Deputy High Commission in Karachi last wrote to the Pakistani Ministry of Foreign Affairs on 30 July, reminding them of the provisions of the Vienna Convention. We have not yet received a response.

The British Deputy High Commission also wrote to Mr Sheikh's legal representative on 1 September, asking him to deliver a letter offering consular assistance to Mr. Sheikh. Mr. Sheikh's legal representative explained that an earlier letter from the Deputy High Commission had been passed to Mr Sheikh. He therefore declined to pass this more recent letter to Mr Sheikh.

Visas

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many letters from hon. Members were received by UKvisas in August 2003. [131882]

Mr. Mullin: In August 2003, UKvisas received 1,466 letters from Members of Parliament.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to fill the post of Director of Visas, India. [131883]

Mr. Mullin: The post of Director of Visas in India is currently filled by Chris Dix. A decision as to who will replace him has not yet been made.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the backlog of correspondence for UKvisas was on 1 September. [131885]

Mr. Mullin: Ukvisas's computer system only enables the user to view current information and does not allow access to historical information. On 1 October the backlog of correspondence stood at 370. This refers to individual letters or e-mails that had not been answered within our deadlines (20 working days to reply to members of the public and 15 working days to reply to Members of Parliament). From January to week ending 22 August, the correspondence section received 15,892 letters, an increase of 37.5 per cent. over the same period in 2002. Ukvisas has also seen a 50 per cent. increase in the number of e-mail enquiries it is receiving (currently around 5 per cent. a month). We are constantly seeking

to improve our working practices to deal with this rise in demand and are also expanding our correspondence unit.

Turkey

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Turkish Government about the future entry of Turkey into the EU; and what issues were discussed. [132099]

Mr. MacShane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met Turkish Foreign Minister Abdullah Gul at UNGA on 25 September. He reaffirmed the UK's support for Turkey's EU candidacy and welcomed the significant progress that Turkey has made, particularly the 6th and 7th EU-related reform packages this summer. He and his Turkish colleague agreed that consistent and effective implementation of these is now crucial.

Call Centres

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132103]

Mr. Rammell: The Foreign and Commonwealth Office (FCO) is currently managing a project to secure a private sector strategic partner to assist in the development and support of the next generation of its Firecrest IT infrastructure. The future management of the internal help desk will be part of discussions with the private sector, when this partner is appointed, probably next year. But there are no plans to place this work outside the UK.

The FCO uses the MM call centre based in Bristol to provide travel advice. There are no plans to change this service.

Iraq

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Iraq to view the reconstruction programme. [132130]

Mr. Rammell: My right hon. Friend the Foreign Secretary last visited Iraq on 2 July. His travel plans, including plans to visit Iraq, are kept under review. He hopes to be able to return soon. My noble Friend, the Baroness Symons of Vernham Dean, Minister of State for the Middle East, visited Iraq between 7 and 8 October.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs how regularly he holds discussions with the US Secretary of State on the activities of coalition forces in Iraq. [132134]

Mr. Rammell: My right hon. Friend the Foreign Secretary discusses all aspects of policy on Iraq frequently with the US Secretary of State.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the UK is giving to the Iraq Governing Council and cabinet. [132241]

Mr. Rammell: Ministers have established a dialogue with Governing Council members and Iraqi Ministers on providing assistance. British officials in Iraq help the Council and Ministries with policy and resources. Budgets for the Council and Ministries for 2003–04 have been agreed with the Coalition. We are engaging Iraqi Ministers at political level. My right. hon. Friend the Foreign Secretary, for example, hosted the Iraqi Foreign Minister on 7 October, and my noble Friend, the Baroness Symons of Vernham Dean met members of the Governing Council when she visited Baghdad on 8 October. Our policy objective remains to hand over full authority to Iraqis as soon as is practicable.

Cyprus

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the political situation in Cyprus. [132236]

Mr. MacShane: The British Government continue to believe that securing a comprehensive settlement in Cyprus by 1 May 2004, and enabling Cyprus to accede to the EU as a reunited island, is in the best interests of all Cypriots, and of the wider region. It is clear that a majority of people in both the Greek Cypriot and the Turkish Cypriot communities are also looking to their leaders to bring this about.

The best way to do so would be for the parties to re-engage on the basis of the detailed settlement proposals presented by the UN Secretary General. The Annan Plan is balanced, practicable and compatible with the EU acquis-the EU has frequently reiterated its strong preference for accession by a reunited island and its willingness to accommodate the terms of a settlement negotiated through the UN process.

President Papadopoulos has affirmed that he is ready to negotiate on this basis. Mr. Denktash's latest statements, however, suggest that he is opposed not only to the Annan Plan but also to the UNSG's Good Offices. We hope the Turkish side will find a way out of this rejectionist stance, in time to enable all Cypriots and Turkey itself to reap the benefits.

Democratic Republic of Congo

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the economic and political situation in the Democratic Republic of Congo. [132246]

Mr. Mullin: The political situation in the Democratic Republic of Congo (DRC) is encouraging. Apart from pockets of local violence the conflict has ended. The Transitional National Government in Kinshasa is in place. It has a huge task to exert its full authority throughout the country and to prepare for elections in two years, and it will have our full support.

The DRC's economy has been devastated by years of poor government and, latterly, war. The DRC has made significant progress in stabilising the economy through a three year government economic reform programme supported by a US$786 million IMF poverty reduction and growth facility. For the first time in 13 years the economy achieved positive growth levels in 2002. The situation should improve further, with the decision on

23 July by the international financial institutions to reduce the DRC's total external debt by around 80 per cent.—some US$10 billion in monetary terms.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he intends to visit the Democratic Republic of the Congo to discuss social reconstruction. [132247]

Mr. Mullin: My right hon. Friend the Foreign Secretary has no immediate plans to visit the Democratic Republic of Congo. But he and Ministers from both the Foreign and Commonwealth Office and the Department for International Development take every opportunity in contacts with the Transitional National Government to emphasise our readiness to support a range of post conflict development issues, including social reconstruction.

Somalia

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the current economic and political situation in Somalia. [132248]

Mr. Mullin: While Somaliland has organised successful elections, which have brought stability to that region, the overall situation in Somalia remains unsettled without any form of effective Government.

The Government continue to support the reconciliation talks between Somali leaders which are currently taking place in Nairobi under the auspices of the International Governmental Authority on Development (IGAD). We believe that these talks offer the best opportunity for securing a lasting peace.

The Somaliland economy has been hit hard by the ban on livestock exports to Saudi Arabia, due to fears of transmission of Rift Valley Fever. The economy is dependent upon remittances from the diaspora.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [132596]

Mr. Rammell: We have not contracted with Bechtel during this period.

Public Diplomacy

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the cost of promoting British branding and identity overseas in the last year for which figures are available; and what element of this expenditure promotes *(a)* Welsh, *(b)* Scottish and *(c)* Irish branding and identity as a distinct component of that of the United Kingdom as a whole. [131944]

Mr. Mullin: Our public diplomacy strategy aims to understand and improve foreign perceptions of the UK. It is overseen by a Public Diplomacy Strategy board made up of a number of government departments, the devolved administrations and other organisations which have an interest in the UK's "brand".

The Foreign and Commonwealth Office (FCO) public diplomacy expenditure in Financial Year 2003–04 includes:

£1.9 million on a "Think UK" campaign in China, plus £360,000 for the development of campaigns in Central Europe (partnerships with accession states) and North America (UK Science and Technology) to run in 2004;

A £2.4 million public diplomacy challenge fund which will support 81 projects in 51 different countries;

£1.25 million for British Satellite News, supplying material to overseas broadcasters; £32. 35 million for scholarships to overseas students;

£825,000 on a major FCO web infrastructure project, which includes www.i-uk.com; a central portal site to promote the UK overseas jointly with our public diplomacy partners (British Council, Trade Partners UK, Invest UK and VisitBritain);

£797,201 on generic products, such as £292,461 on publications promoting the UK. Sums have also been allocated this FY for publications promoting specific regions:

£12,750 on Scotland

£25,300 on Wales

£24,658 Northern Ireland

£36,340 England

£200,000 for public diplomacy activity promoting the UK's science and technology achievements overseas.

In addition, the FCO provides grant-in-aid of:

£166 million to the British Council

£220 million to the BBC World Service

Other than the publications on the Devolved Administrations, the FCO has not allocated separate expenditure for the promotion of Wales, Scotland and Northern Ireland overseas. However we actively encourage projects that promote their identity and they play an active role in our public diplomacy efforts, including participation in campaign steering groups as well as their representation on the Public Diplomacy Strategy Board.

Our worldwide network of Press and Public Affairs Officers also play an important role in promoting the UK identity overseas through their everyday work.

Burma

Vera Baird: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Government has had with *(a)* Germany, *(b)* Austria and *(c)* Italy on targeted EU sanctions against the Burmese Government. [130635]

Mr. Mike O'Brien: We regularly discuss sanctions and other possible EU measures against the Burmese Regime with all our EU partners at official level. The EU Common Position on Burma was strengthened on 16 June. We stand ready to respond proportionately to changes that occur in Burma.

Colombia (Human Rights)

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to ensure that basic human rights in Colombia are observed; if he will make it his policy to support the call for an International Labour Organisation Commission of Inquiry into Colombia; and if he will make a statement. [132081]

Mr. Rammell: The London Meeting on International Support for Colombia in July impressed upon the Colombian Government the importance of human rights. This was reflected in the London Declaration issued after the Meeting. I reaffirmed our position when I met the Colombian Foreign Minister in the margins of the UN General Assembly in September. I made clear that implementation of the United Nations High Commissioner for Human Rights' recommendations on Colombia must be a prime concern in the Colombian Government's pursuit of security and stability in Colombia. Representatives in Bogota of the donor countries who attended the London Meeting will monitor progress.

The UK Government believe that improving workers' rights in Colombia is best achieved through a supportive approach. It considers the International Labour Organisation's Special Technical Cooperation Programme for Colombia an effective way of bringing about change. We do not think an ILO Commission of Inquiry at this stage would contribute to the Technical Co-operation process. We continue to monitor progress on the Programme, and will continue to discuss with the Colombian Government how best the international community can help improve workers' rights and the situation trade unionists face.

Jamaica

Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Jamaican nationals *(a)* applied for visitor's visas and *(b)* were refused in the last 12 months for which figures are available. [131459]

Mr. Mullin: The visa regime for Jamaican nationals was introduced on 9 January this year. From the period 9 January to 9 October, 21,328 Jamaican nationals applied for visas to visit the UK at our Embassies and High Commissions overseas. Of these, 8,340 were refused entry clearance.

Surplus Armaments

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent steps have been taken to encourage developing countries to destroy surplus stocks of *(a)* illegally and *(b)* legally held armaments. [131137]

Mr. MacShane: The UK believes the weapons of greatest concern in developing countries are landmines and small arms and light weapons (SALW). It is on those weapons that we focus our efforts.

The UK is at the forefront of international efforts to curb the problem of small arms proliferation and the damage they cause. The UK fully supports the UN Programme of Action on SALW and the OSCE document on SALW which commit states to dispose, preferably by destruction, of small arms stocks that are surplus to national requirements.

The UK strategy on small arms and light weapons is supported by the £20 million (2001–04) SALW Global Conflict Prevention Pool jointly funded by the Foreign and Commonwealth Office, the Department for International Development and the Ministry of Defence. The UK has given the United Nations Development Programme £7.5 million over three years to help fund a global programme of weapons collection, stockpile management, capacity building and destruction. In addition, the FCO has also directly funded SALW destruction projects in five developing countries including part funding for an EU SALW project in Cambodia.

The Government spends approximately £15 million per year on humanitarian mine programmes. The Department for International Development is currently funding mine action in Iraq, Afghanistan, Sudan, Cambodia, Angola and Georgia. We also actively work towards the destruction of anti-personnel landmines by encouraging states which have not become party to the Ottawa Convention to ratify or accede at the earliest opportunity. Once party to the Convention, states are legally obliged to destroy stockpiled anti-personnel landmines and to clear mine-affected areas within a given timeframe.

Switzerland

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the treatment *(a)* British and *(b)* other EU nationals receive from the Swiss justice system; and if he will make a statement. [131929]

Mr. Mullin: As in other countries we would expect any British or other EU nationals to be treated in accordance with the accepted standards under international law. We are currently unaware of any particular concerns about the treatment British nationals receive under the Swiss justice system.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of bilateral agreements on the free movement of labour and trade, between the EU and Switzerland; what steps the Government is taking to ensure these agreements are adhered to; and if he will make a statement. [131930]

Mr. MacShane: The bilateral agreements on trade provide an effective framework for trade between the EU and Switzerland. Switzerland is the EU's most important trading partner after the United States. In 2002 Switzerland was Britain's fourth biggest market for goods outside the EU with exports valued at £3.3 billion. The UK is Switzerland's fifth biggest export market, valued at £4.9 billion in 2002.

The 1999 Agreement relating to free movement of workers between the EU and Switzerland allows member states and Switzerland to maintain quotas on granting residence to Swiss or EU workers respectively for a transition period up to 2014. The Agreement has been operating smoothly. The UK, like many member states, has chosen not to maintain such quotas, in the interests of reaping the full economic benefits of free movement of labour. Negotiations are now underway to amend this Agreement to take account of EU Enlargement.

The Commission is directly responsible for monitoring the bilateral Agreements and does so through a framework of Joint Committees that meet at least once a month. The Government follows this process and can raise any relevant issues in Council Working Groups in Brussels.

TREASURY

Job Numbers

Mr. Swire: To ask the Chancellor of the Exchequer how many *(a)* private sector and *(b)* public sector jobs there were in the UK in each year since 1997. [132653]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Hugo Swire, dated 20 October 2003:

As National Statistician, I have been asked to reply to your recent question about jobs in the private and public sectors in the UK since 1997. (132653)

The attached table shows the job levels in the public and private sectors from August 1997 to August 2002 (the latest available data).

Job Levels by Main Sector in the UK, 1997–2002

Thousands

	August 1997	*August 1998*	*August 1999*	*August 2000*	*August 2001*	*August 2002*
Public Sector	4,954	4,944	5,094	5,094	5,212	5,298
Private Sector	22,811	23,083	23,272	23,537	23,521	23,610
Total	27,765	28,027	28,366	28,631	28,733	28,908

Source:
Labour Force Survey and Administrative Returns from public bodies

Stamp Duty

Mr. Gardiner: To ask the Chancellor of the Exchequer what representations have been received by his Department from businesses regarding the proposed change in stamp duty. [132156]

Ruth Kelly: Extensive consultation with external representative bodies has been conducted both before Finance Act 2003 and after. Representations have also been received and considered from individuals, companies and organisations affected by the proposals and many useful suggestions have been made. These have been used to inform decision making, one example being the amendments I am today proposing to the Stamp Duty Land Tax treatment of leases, where continued consultation, as promised in the Budget, has helped shape the revisions to the Finance Act 2003.

Mr. Gardiner: To ask the Chancellor of the Exchequer what estimate his Department has made of costs to business arising from the proposed change in stamp duty; and if he will make a statement. [132159]

Ruth Kelly: The costs to business were included in the red book for the 2003 Budget.

Correspondence

Mr. Steen: To ask the Chancellor of the Exchequer when he will reply to the letter from the hon. Member for Totnes of 15 July concerning Mr. Ron Warner of Stoke Fleming, South Devon, acknowledged on 17 July (ref:/31877/2003). [132593]

Dawn Primarolo: I replied to the hon. Member on 28 August.

Debt

Mr. Meacher: To ask the Chancellor of the Exchequer what the level of debt as a percentage of disposable income was *(a)* in general and *(b)* broken down by social class; and what the level of debt as a percentage of disposable income was in each of the last 10 years. [132453]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Meacher, dated 20 October 2003:

As National Statistician, I have been asked to reply to your recent question on the level of debt as a percentage of disposable income in each of the last 10 years. (132453)

The available information is shown in the table below. The data for debt (households' total financial liabilities) and disposable income (households' gross disposable income) used in the calculations are national accounts series for the combined household and non-profit institutions serving households (NPISH) sectors. The accounts for the household and NPISH sectors are currently combined; separate estimates are not available.

Information broken down by social class is not available.

Household debt as a percentage of household disposable income

1993	106.5
1994	107.5
1995	106.6
1996	104.9
1997	104.8
1998	108.5
1999	111.7
2000	113.3
2001	116.8
2002	127.6

Equitable Life

Dr. Cable: To ask the Chancellor of the Exchequer what the timetable is for the completion and publication

of the Penrose Investigation into the origins of the problems surrounding Equitable Life; and if he will make a statement. [132872]

Ruth Kelly: The timetable for completing his report is a matter for Lord Penrose.

Lord Penrose's report will be published as soon as practicable after it is received.

Family Incomes

Mr. Keith Bradley: To ask the Chancellor of the Exchequer what estimate he has made of the net income of a family with two dependent children aged 18 and 12 with a gross income of *(a)* £13,000 a year, *(b)* £13,500 a year, *(c)* £14,000 a year, *(d)* £14,500 a year, *(e)* £15,000 a year, *(f)* £15,500 a year and *(g)* £16,000 a year; and what assessment he has made of the sources of that net income. [132687]

Ruth Kelly: Given annual gross earnings, a single full-time earner family with two dependent children aged 12 and 18 in full time education would have an annual net household income in 2003–04 that is tabulated as follows:

£

Gross Earnings	*Income Tax*	*National Insurance*	*Child Benefit*	*Working Tax Credit*	*Child Tax Credit*	*Total Tax Credits*	*Net Income*
13,000	1,610	921	1,394	707	3,418	4,125	15,988
13,500	1,724	978	1,394	516	3,418	3,934	16,145
14,000	1,827	1,030	1,394	344	3,418	3,762	16,287
14,500	1,941	1,087	1,394	152	3,418	3,570	16,444
15,000	2,044	1,138	1,394	0	3,398	3,398	16,585
15,500	2,159	1,195	1,394	0	3,206	3,206	16,742
16,000	2,273	1,253	1,394	0	3,015	3,015	16,899

Industrial and Provident Societies

Linda Gilroy: To ask the Chancellor of the Exchequer how many representations he has received from hon. Members regarding the audit and account provisions for industrial and provident societies. [133012]

Ruth Kelly: The Government has received a number of representations on this and other issues relating to industrial and provident societies. We are considering these as part of our ongoing work on the industrial and provident society sector.

Iraq

Mr. Chris Smith: To ask the Chancellor of the Exchequer what financial provision he has so far made for the cost of the UK's contribution to *(a)* the conduct of active hostilities in Iraq earlier this year, *(b)* the provision of troops subsequently and *(c)* the financing of reconstruction in Iraq. [132778]

Mr. Boateng: As the Chancellor said in his 2003 Budget statement, "I can confirm that I have set aside £3 billion, in a special reserve available to the Ministry of Defence so that our troops continue to be properly equipped and given the resources that they deserve and have a right to expect." *Official Report*, 9 April 2003, column 271.

It is too early to provide total costs of the military campaign in Iraq. However, the Ministry of Defence estimate for the preparatory phase, up to the point military operations began, at around £700 million.

(c) In April 2003, the Department for International Development set aside £210 million for reconstruction and humanitarian work in Iraq. £154 million of this has been allocated to UN agencies, the Red Cross and Red Crescent movement and NGOs. A further £60 million was set aside by the Chancellor in the Budget to support the work of the UN on the reconstruction and development of Iraq. DFID also provides 19 per cent. of European Community (EC) funding for Iraq. The total EC commitment to Iraq currently stands at £100 million.

Pensions

Mr. Sanders: To ask the Chancellor of the Exchequer from which organisations he received representations on retirement pensions in the pre-budget consultation exercise last year, broken down by number of items received. [132660]

Ruth Kelly: The Chancellor receives representations from a wide range of organisations and interest groups on many topics which are relevant to retirement pensions. There is no central record of those making representations or of the number of items received from each of them.

Pool Re

Dr. Cable: To ask the Chancellor of the Exchequer what the annual premiums collected and payments made have been in each year since the establishment of Pool Re; and if he will make a statement. [132873]

Ruth Kelly: Pool Re was established in 1993. The information requested is as follows:

	Gross written premiums (£ million)	*Paid claims*
1993	222.1	47.6
1994	389.3	93.2
1995	195.8	86.4
1996	287.2	94.3
1997	318.8	124.9
1998	173.2	95.6
1999	50.8	42.4
2000	56.0	14.3
2001	70.8	3.0
2003	142.9	3.1
Total	1,906.9	604.8

Oil Revenue

Dr. Cable: To ask the Chancellor of the Exchequer what the Government's revenue receipts have been on a monthly basis since January 2002 from *(a)* sales of petrol, *(b)* sales of petroleum products and *(c)* North Sea oil production; and if he will make a statement. [132878]

Mr. Boateng: Monthly data for all hydrocarbon oil duties and Petroleum Revenue tax receipts is available on the Customs and Excise and Inland Revenue respective websites (www.uktradeinfo.com and www.inlandrevenue.gov.uk). Information on revenue receipts from North Sea oil production is only available on an annual basis, again from the Inland Revenue website.

Tax Burden

Mr. Simmonds: To ask the Chancellor of the Exchequer if he will make a statement on the projected change in the overall tax burden as a percentage of GDP for 2003–04. [132988]

Mr. Boateng: The projected change in net taxes and social security contributions as a percentage of GDP in 2003–04, as shown in Table C10 of Budget 2003, is due to a number of factors, including:

The return to trend of financial company profits from their current depressed levels;

Normal fiscal drag; and

Measures announced in Budget 2002.

Unemployment (Wirral, South)

Mr. Ben Chapman: To ask the Chancellor of the Exchequer if he will make a statement on levels of unemployment in Wirral, South since 1997. [132867]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Ben Chapman, dated 20 October 2003:

As National Statistician, I have been asked to reply to your recent question regarding the levels of unemployment in Wirral South since 1997. (132867)

The Office for National Statistics (ONS) compiles statistics of unemployment from the Labour Force Survey (LFS) following the internationally standard International Labour Organisation definition. However the survey sample size is too small to provide estimates for the Wirral South Parliamentary Constituency. ONS also compiles statistics of those claiming Jobseeker's Allowance (JSA) for local areas including Parliamentary Constituencies.

In September 1997, the number of JSA claimants in the Wirral South Parliamentary Constituency stood at 1,776. The corresponding figure for September 2003, the latest date for which information is available, is 851.

Banking

Dr. Cable: To ask the Chancellor of the Exchequer what progress has been made in implementing the findings of the Cruickshank report on United Kingdom banking; and if he will make a statement. [132871]

Ruth Kelly: There have been a number of recent developments.

Following a recommendation of the Julius Banking Consumer Codes Review Group, Professor Elaine Kempson independently reviewed the Banking code in November 2002. The majority of her recommendations were accepted and the new Banking Code came into force in March of this year.

Secondly, the OFT have agreed to a number of undertakings with the eight main clearing banks to address the findings of the Competition Commission Report into SME banking in March 2002. These remedies will make it easier for customers to shop around and to move accounts between banks. In addition the four leading clearing banks have agreed to offer SME customers in England and Wales an account paying interest of at least the Bank of England base rate minus 2.5 per cent., or a current account free of money transmission charges.

Thirdly, the Government will make an announcement shortly on the commitment to review the Financial Services and Markets Act two years after it came into force.

Finally, the Government remains committed to legislating to give the OFT new powers to ensure effective competition in payment systems, and will do so as soon as Parliamentary time allows.

VAT (Children's Clothes)

Mr. Andrew Turner: To ask the Chancellor of the Exchequer (1) what guarantees have been obtained from the European Commission that zero-rating of children's clothes for VAT purposes may continue beyond 2007; [131996]

(2) what research he has collated on the cost of *(a)* children's and *(b)* adults' clothing in each EU country. [131997]

John Healey: The Government does not need guarantees from the European Commission about the future of the UK's VAT zero rates. Any amendment to the EC Sixth VAT Directive must be agreed unanimously by all member states in the Council of Ministers, and the Government will not agree to changes which go against our national interests and social objectives.

The Government remains committed to retaining the UK's zero rates on children's clothing and footwear.

Data on the cost of children's and adults' clothing in the UK is routinely gathered by the Office for National Statistics and by the European Commission. In addition, Customs and Excise have collected pricing information on children's and adults' clothing and footwear from UK retailers.

This evidence shows that the benefits of the VAT zero rates for children's clothing and footwear in the UK are passed on to consumers.

Woodlands

Mr. Meacher: To ask the Chancellor of the Exchequer if he will list woodlands which are in receipt of tax relief

on condition of providing public access; what checks have been made in each case in the last year on whether public access is being provided; and what the result of the check was in each case. [132451]

Dawn Primarolo: Conditional exemption is not granted to woodlands as such, though many of the landholdings which have been exempted on account of their outstanding scenic, historic or scientific interest are wooded in whole or part. Details of conditionally exempt land, and the access available to them, are available on the Inland Revenue's website, at: www.inlandrevenue.gov.uk/heritage The website invites members of the public to report any difficulties they encounter in visiting exempted property: the Revenue cannot recall any recent instances of problems with access to woodland. The Countryside Agency and its counterparts make inspection visits on the Revenue's behalf at least once every five years to check that owners are complying with the undertakings they gave to secure exemption.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Milk

Mr. Paul Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list for dairy farmers within Shrewsbury and Atcham the average milk price in each month since 1997. [132208]

Mr. Bradshaw: We do not hold milk price information for specific areas of the UK. However, we do have national statistics for the monthly farmgate price of milk in the UK and the average monthly retail price paid by the consumer in the UK. These figures since January 1997 are as follows:

UK farmgate prices in pence per litre

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
January	24.16	20.17	19.31	16.79	18.32	18.79	17.69
February	23.79	19.99	19.03	16.62	18.18	18.31	17.66
March	23.74	19.90	18.98	16.64	17.88	18.00	17.39
April	20.70	17.66	17.56	15.27	18.45	15.99	16.85
May	19.76	16.69	16.42	14.63	17.90	14.88	16.00
June	20.91	17.74	17.23	15.35	18.70	15.37	16.52
July	24.08	20.74	19.79	17.64	20.45	16.58	18.22
August	23.89	20.87	19.83	17.93	20.86	17.00	—
September	22.99	20.06	19.17	17.52	20.70	17.13	—
October	21.03	20.22	18.12	18.81	20.46	18.15	—
November	20.60	19.68	17.69	18.60	20.05	18.11	—
December	20.30	19.30	17.36	18.26	19.60	17.75	—

Note:
Surveys run by Defra, SEERAD and DARD including retrospective bonus payments made by purchasers.

Average retail price of milk in pence per pint

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
January	36	35	34	34	35	37
February	35	34	34	34	35	36
March	35	34	35	34	36	36
April	35	34	35	34	36	36
May	35	34	34	34	37	36
June	35	34	34	34	37	36
July	35	34	34	34	37	36
August	35	34	34	34	37	36
September	35	34	34	34	37	36
October	35	34	34	35	37	—
November	35	34	34	35	37	—
December	35	34	34	35	37	—
Annual average	35	34	34	34	37	—

Notes:
Average prices estimates include prices of delivered milk and shop bought milk. However, 80 per cent. price range includes only shop bought milk.
From February 2002, the average price for milk is calculated as the average price of one pint of delivered milk and the one pint equivalent of two pints of shop bought milk. However, the 80 per cent. price range (which is the range of prices with the top 10 per cent. and the bottom 10 per cent. excluded) only includes shop bought milk.
Source:
National Statistics

Beef Exports

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on progress in United Kingdom export negotiations to free up the export market for *(a)* beef and *(b)* live cattle. [132391]

Mr. Bradshaw: The Secretary of State has discussed beef exports with Commissioner Byrne on a number of occasions, most recently on 22 September at the informal Agriculture Council at Taormina. Defra officials have also had regular meetings with the Commission officials. The Commission has sought advice from the European Food Safety Authority (EFSA) on amending the Date-based Export Scheme (DBES) and our methodology of scaling up testing results to support our claim that restrictions should be lifted so that the UK can trade on the same basis as other member states. An EFSA Opinion is expected in early 2004.

Large Combustion Plants Directive

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment the Department has made of the impact on jobs in the deep mine coal industry of the implementation of the Large Combustion Plants Directive through *(a)* a national emission reduction plan and *(b)* emission limit values as proposed on the present consultation; [132401]

(2) what analysis the Department has made of the impact on the deep-mined coal industry of the implementation of the Large Combustion Plants

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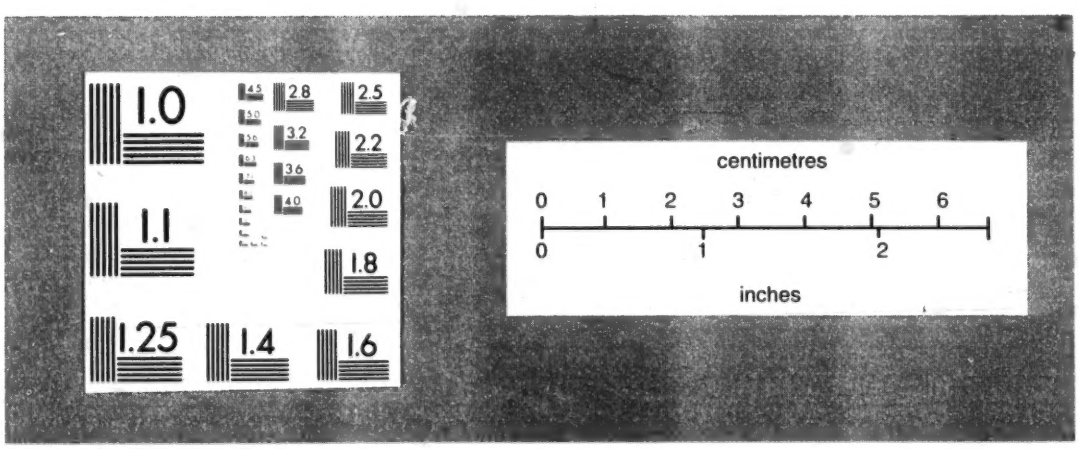

Directive by *(a)* a national emission reduction plan and *(b)* emission limit values as proposed in the current consultation. [132413]

Mr. Bradshaw: The Government has just completed a consultation on a proposal to implement the Large Combustion Plants Directive for plants first licensed before July 1987 using a national plan. Officials have discussed the potential impact of the alternative implementation routes with representatives of the UK coal industry and have received consultation responses from the Confederation of UK Coal Producers and other bodies and organisations with an interest in UK coal mining. The Government will take a decision on the most appropriate implementation approach after considering all of the consultation responses.

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs what modelling the Department has conducted of the financial dynamics of a sulphur dioxide trading scheme resulting from the implementation of the Large Combustion Plants Directive by a national emission reduction plan approach. [132407]

Mr. Bradshaw: The Government has just completed a consultation on a proposal to implement the Large Combustion Plants Directive for plants first licensed before July 1987 using a national plan. Analysis conducted for my Department suggested that such an approach would lead to significant cost-savings when compared to the alternative implementation approach. The financial dynamics of a trading scheme will depend on the decisions of operators of plants who take part in such emissions-trading. An outline of how such a trading scheme might operate was included in the consultation document but further consideration would be needed before the scheme could be introduced.

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with *(a)* the UK mined coal industry and *(b)* trade unions about the likely impact of the Large Combustion Plants Directive implementation options proposed in the current consultation. [132409]

Mr. Bradshaw: Officials have discussed the potential impact of the alternative implementation routes for the Large Combustion Plants Directive with representatives of the UK coal industry, who have also responded formally to the Government's consultation paper. Consultations closed on 29 September but some responses are still being received. The Government will take a decision on the most appropriate implementation approach after considering the responses to the consultation.

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to announce the Government's decision on the implementation options of the Large Combustion Plants Directive. [132410]

Mr. Bradshaw: The Government will take a decision on the most appropriate implementation approach after considering the responses to the consultation. If the UK is to adopt the national plan approach, the plan has to be with the European Commission by 27 November 2003.

Animal Movements

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on EU proposals in respect of improved controls for the welfare of animals during transit. [133101]

Mr. Bradshaw: We welcome publication of the Commission's proposals. They were overdue and now provide the opportunity to seek improvements in many areas, in particular, journey times, vehicle standards and enforcement. We have consulted widely and we are playing a full part in the forthcoming negotiations.

Animal Welfare

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what information regarding animal welfare *(a)* on the journey and *(b)* at the final destination is requested by the animal exports division before authorisations for exports are granted; and if she will make a statement. [132442]

Mr. Bradshaw: Before livestock are exported, transporters must submit a Route Plan setting out details of the proposed journey. Officials check that the transporter is authorised, that the proposed journey times are within the maximum allowable for the species and that all necessary rest, watering and feeding breaks are included. If assembly centres, staging points or slaughterhouses are included in the planned journey, staff check that these are EU approved premises. The use of Staging Points also requires the transporter to provide a statement to the effect that the necessary health requirements will be met there and that the animals are booked into the premises on the dates specified on the Route Plan.

Once staff are satisfied that the proposed journey appears to meet these conditions, the plan is sent to a Local Veterinary Inspector. The animals are then inspected to ensure they are fit for their intended journey and that they meet the health requirements of transit and destination countries.

Supervised loadings of vehicles may be carried out to ensure only fit and healthy animals are loaded, that the vehicle is suitable and that stocking densities are correct. Animals for slaughter or fattening may be inspected on arrival at the port or transfer onto a vessel.

These checks are carried out scrupulously and only when all have been satisfactorily completed will the animals be allowed to start their journey.

Atrazine

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to ban atrazine in the UK. [132493]

Alun Michael: Atrazine is to be withdrawn from use as an agricultural pesticide throughout the European Community, following a full scientific review. Products containing atrazine will be withdrawn over an 18-month period which will begin on formal adoption of the relevant European Commission decision, which we anticipate within the next few months. However, certain 'essential uses' will be permitted until the end of 2007. The essential uses agreed for the United Kingdom are for sweetcorn and forestry.

Fisheries

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the fishing stop orders made in the last 12 months. [132528]

Mr. Bradshaw: No orders have been made in the last 12 months under the provisions of the Sea Fish (Conservation) Act 1967 prohibiting fishing for specified quota stocks. However, individual groups of fishermen, including the under10 metre fleet, have been prohibited from fishing for specified stocks through the variation of their fishing vessel licences.

GM Crop Trials

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the chemical weedkillers used in the farm-scale evaluation trials on the *(a)* GM and *(b)* non-GM part of the field; and what the extent of use of each herbicide was. [132154]

Mr. Morley *[holding answer 14 October 2003]*: The results of the farm scale evaluations of three spring-sown GM crops—including details of herbicides used, and the extent to which they were used—were published on 16 October by the Scientific Steering Committee and the research team that has overseen and carried out the evaluations. Copies of the results will be placed in the Library.

Illegal Chemicals (Agricultural Produce)

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the role of her Department in preventing the importation of agricultural produce which has been subjected to illegal chemicals during its production. [131903]

Miss Melanie Johnson: I have been asked to reply.

The role of the Food Standard Agency (FSA) regarding importation of agricultural produce includes ensuring necessary action is taken to protect public health where the use of illegal pesticides or veterinary medicines is detected. The FSA receives information on these from the European Commission and from surveillance carried out by the Department for Environment, Food and Rural Affairs (Defra). The FSA can also carry out its own surveillance where there are concerns for public health. The FSA and local authorities have regulatory powers to prevent food that poses a threat to human health from entering the food chain or to withdraw it from sale.

All food products of animal origin being imported to the United Kingdom from non-European Union countries are subject to documentary and identity checks at designated border inspection posts by an official veterinary surgeon. A percentage of consignments are subjected to a physical check, which may include laboratory tests for residues from illegal chemicals. These controls have been enhanced on certain produce from countries with known chemical residue problems. Products of non-animal origin are subject to routine inspection at ports of entry and may be examined, sampled and detained.

Products of animal origin from other EU member states must have been produced in accordance with harmonised EU rules for hygienic production. Such products are in free circulation in the EU as part of the EU single market, but are subject to inspection inland as part of routine enforcement and surveillance activities.

Given recent concerns over import controls, the FSA is taking forward a range of measures to improve the co-ordination and delivery of local authority inspection of imported foodstuffs and products of animal origin at ports and inland.

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Environment, Food and Rural Affairs on how many occasions between 31 March 2002 and 31 March 2003 *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity; what places were visited; and how much each visit cost. [126665]

Margaret Beckett: Between 31 March 2002 and 31 March 2003, Defra special advisers travelled abroad in an official capacity on 12 occasions at an average cost of approximately £2,179 per trip. The countries visited were Belgium, Luxembourg, France, South Africa, Indonesia, USA, Canada and India.

All travel by special advisers is undertaken fully in accordance with the guidelines set out in the Ministerial Code and the Civil Service Management Code.

Waste Management

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those individuals and organisations who responded to her consultation paper on the Large Combustion Plant Directive; and if she will place a summary of the responses in the Library. [132325]

Mr. Bradshaw *[holding answer 16 October 2003]*: Some 68 substantive responses have been received so far from individuals, businesses, trade associations representing industry sectors, environmental groups, regulators, and Government agencies. A list of consultation respondents follows. In addition, some 1,550 individual letters have been received so far from employees of the coal mining and associated industries. I will place a summary in the Library once we have completed our analysis of the responses.

Respondents to the LCPD Consultation (as at 10 October 2003):

1. AEP Energy Services UK Generation Ltd.
2. AES Drax
3. AES Kilroot Power Station
4. Alcan Smelting and Power UK
5. All Party Parliamentary Coalfield Communities Group, Michael Clapham MP
6. Association of Electricity Producers
7. ATH Resources
8. BASF plc
9. BP Chemicals Saltend

10. BPB Paperboard
11. Brian Ricketts
12. British Energy
13. British Sugar
14. Brunner Monday
15. Business Healthcare
16. Ciba
17. Coal Authority
18. Coal UK
19. Coalfield Communities Campaign (CCC)
20. Combustion Engineering Association (CEA)
21. Combined Heat and Power Association (CHPA)
22. Confederation of Paper Industries
23. Confederation of UK Coal Producers (COAL PRO)
24. Confederation of British Industry (CBI)
25. ConocaPhillips Humber Refinery
26. Corus
27. Dakia
28. Derek Lohmann
29. Drax Power
30. Dupont Invista Maydown site
31. EDF Energy plc
32. Electricity Association (EA)
33. Enron Teesside Operations Ltd.
34. Environment Agency (EA)
35. Equality Commission
36. Friends of the Earth
37. H.J. Banking (Mining) Ltd.
38. HRM Resources Ltd.
39. Hudson Transport
40. Huntsman Tioxide, Grimsby Site
41. Ineos Chlor
42. Ineos Chlor Silicas
43. Innogy plc
44. International Power plc
45. J. Fenton and Sons (Contractors) Ltd.
46. John Grogan MP
47. Joint Nature Conservation Committee
48. Kodak
49. LAW Mining Ltd.
50. Mayor of London and Greater London Authority
51. National Society for Clean Air (NSCA)
52. Northern Ireland Electric
53. Ofgem
54. Petroleum Industry Association Ltd. (UKPIA)
55. Powergen
56. Rugeley Power Station
57. Scottish Power Generation Ltd.
58. Slough Heat and Power Ltd.
59. Solid Fuel Association
60. The Coal Authority
61. The Environmental Industries Commission
62. The Scotch Whisky Association
63. Total Lindsey Oil Refinery
64. Total Milford Haven Oil Refinery
65. UK Coal
66. UK Coal Mining Ltd.
67. UK Steel
68. + one response that asked to be kept confidential.

CULTURE, MEDIA AND SPORT

Broadcasting Impartiality

Mr. Best: To ask the Secretary of State for Culture, Media and Sport (1) what steps she is taking to ensure that television and radio channels broadcasting in the United Kingdom maintain political impartiality; [131975]

(2) what actions she is taking to ensure that television and radio channels in the UK maintain political impartiality. [132227]

Estelle Morris: The Government strongly supports impartiality in the broadcast media and there are relevant provisions in legislation to ensure that television and radio channels broadcasting in the UK maintain political impartiality.

Responsibility for what is broadcast on television and radio rests with the broadcasters and the broadcasting regulatory bodies—the Governors of the BBC, the Independent Television Commission, the Welsh Fourth Channel Authority and the Radio Authority. The regulators' codes of practice place a requirement on broadcasters to treat controversial subjects with due accuracy and impartiality, both in news services and in the more general field of programmes dealing with matters of current public policy or industrial controversy. It is for the regulatory bodies, not Government, to decide whether any particular broadcaster is or is not complying with its obligations regarding impartiality.

Under the Communications Act 2003 the Office of Communications (Ofcom) will have similar responsibilities for maintaining impartiality from the end of this year. The BBC Governors will retain their responsibility, under the Charter and Agreement, for maintaining the BBC's impartiality.

Football (Violent Behaviour)

Bob Russell: To ask the Secretary of State for Culture, Media and Sport what representations she has made to *(a)* the Football Association and *(b)* the Football League about violent behaviour by professional footballers during matches; and if she will make a statement. [132835]

Mr. Caborn: Professional footballers have a duty to ensure that their behaviour on the field of play is of the highest standard. I wrote to the chairmen of all 92 league clubs before the start of the 2002–03 season to remind them of their responsibilities.

Since then, I have discussed the issues raised by player misbehaviour, and the responses of the football authorities, on a number of occasions during my regular and informal meetings with the management teams of the Premier and Football leagues.

Public Libraries

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what steps the Government are taking to ensure the long-term survival of public libraries in England and Wales. [132228]

Estelle Morris: In February 2003 this Department published "Framework for the Future", setting out the Department's vision for the future of public libraries in

England during the next 10 years. "Framework for the Future" identified three central themes vital to the further development of public libraries, the promotion of reading and learning, improving access to digital skills and services and helping to build and improve community and civic values.

Resource, The Council for Museums, Archives and Libraries, has recently published a three-year action plan setting out a range of programmes to help libraries achieve the vision set out in "Framework for the Future". I am arranging for copies of this document to be placed in the Libraries of both Houses. DCMS and Resource will work closely with all stakeholders to ensure its success.

Responsibility for public library policy in Wales is devolved to the Welsh Assembly.

SCOTLAND

European Year of Disabled People

Rev. Martin Smyth: To ask the Secretary of State for Scotland what initiatives his Department *(a)* has undertaken and *(b)* is taking to commemorate 2003 as the European Year of Disabled people. [133286]

Mrs. McGuire: The Scotland Office has worked with the Disability Rights Commission, Capability Scotland and the RNIB on access issues for the Scottish Parliament elections. Additionally, my right hon. Friend, the former Secretary of State, and I have visited two of the three Scottish regional initiatives supported by the European Commission and the Department for Work and Pensions as part of EYDP.

Manufacturing

Malcolm Bruce: To ask the Secretary of State for Scotland pursuant to his answer of 16 September 2003, *Official Report*, column 640W, to the hon. Member for Galloway and Upper Nithsdale, on manufacturing, why he estimates the number of people employed in the manufacturing industry in Scotland has fallen since 1997; and what his Department is doing to reverse this trend. [132899]

Mrs. McGuire: Scotland's manufacturing sector, along with that of other advanced economies, has experienced falling output in recent times, due to the global slowdown and re-structuring in key industries such as electronics. Opportunities to grow manufacturing are recognised within the Government's Manufacturing Strategy, published in May 2002, which identified seven key areas of activity. Action is being taken in all of these areas to help UK manufacturers improve productivity in difficult global conditions.

The Scotland Office will continue to work with the Scottish Executive and a wide range of manufacturing interests on initiatives such as the Scottish Manufacturing Steering Group.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Secretary of State for Scotland how much was paid to Microsoft in licensing fees by his Department and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130679]

Mrs. McGuire: Information Technology systems and support for the Scotland Office are provided through the Scottish Executive. Details of Microsoft licensing fees for the office are not held separately and could be provided only at disproportionate cost.

Official Engagements

Malcolm Bruce: To ask the Secretary of State for Scotland pursuant to his answer of 15 September 2003, *Official Report*, column 575W, to the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan), on official engagements, if he will list the Scotland Office official engagements he has undertaken since his appointment. [132900]

Mr. Darling: I have undertaken a number of both public and private engagements. It is not appropriate therefore to list them.

Winter Fuel Allowance

Malcolm Bruce: To ask the Secretary of State for Scotland how many pensioner households are receiving winter fuel allowance in *(a)* the North East of Scotland and *(b)* Gordon. [132595]

Mrs. McGuire: For winter 2002–03, 70,435 households in the North East of Scotland (taken to include Aberdeen Central, Aberdeen North, Aberdeen South, Banff and Buchan, Gordon, Moray and West Aberdeenshire and Kincardine constituencies) received winter fuel payments. In Gordon, winter fuel payments were made to 10,045 households for winter 2002–03.

DEPUTY PRIME MINISTER

Appointments

Mr. Oaten: To ask the Deputy Prime Minister if he will list the people appointed to ad hoc posts within his Department bearing the titles of advocate, tsar, adviser, champion and comparable titles since May 1997; what their job title is or was; what their role is or was; whether they were or are being paid; what the total costs of each such person was in each financial year, including expenses and benefits; what the expected cost of each such person is in 2003–04; to whom they are accountable; and if he will make a statement. [112458]

Yvette Cooper: The Office of the Deputy Prime Minister was created as a separate department on 29 May 2002. In the period since then, the Office has employed three Special Advisers, as defined in paragraph 50 of the Ministerial Code: Joan Hammell, Ian McKenzie, and Paul Hackett (part-time). Their role is to advise the Deputy Prime Minister and they are accountable to him for their decisions and actions. These are paid appointments. Under Exemption 12 of the Code of Practice on Access to Government Information, remuneration details are not disclosed in order to protect the privacy of the individuals concerned.

Building Control Performance Standards Advisory Group

David Taylor: To ask the Deputy Prime Minister what process governs membership of the Building Control Performance Standards Advisory Group; and if he will list the current membership. [132529]

Phil Hope: The advisory group was set up in May 2000 under the terms of a Memorandum of Understanding entered into by the Association of Consultant Approved Inspectors (ACAI), the Construction Industry Council (CIC), the District Surveyors Association (DSA), the Local Government Association (LGA), the Welsh Assembly Government (WAG) and the Department of the Environment, Transport and the Regions. The Memorandum of Understanding provides that the six signatory bodies nominate a total of 10 members. In addition, the Building Regulations Advisory Committee (BRAC) nominates one of its members. The Chairman of the Advisory Group is appointed by the Minister at the Office of the Deputy Prime Minister responsible for building regulations, after consultation between the Office of the Deputy Prime Minister and the other five signatory bodies. The Memorandum of Understanding also provides for there to be members representing building users and construction clients, though these seats are not currently filled.

The current membership is as follows:

Chairman:

Michael Finn FRICS

Members:

ACAI: Tony Threadgold, Paul Timmins

CIC: Stuart Holt, David Lush

DSA: John Leney, Adrian Prest

LGA: Tony Hough, Geoff Luker

ODPM: John Thompson

WAG: Philip Gardiner

BRAC: Paul Allen

Compensation Claims

Mr. Battle: To ask the Deputy Prime Minister how much compensation has been paid in claims against local government in each year since 1990. [132738]

Mr. Raynsford: The information requested is not held centrally, and could be provided only at disproportionate cost.

Councillors

Mr. Hoban: To ask the Deputy Prime Minister what plans he has to bring forward legislation to extend the tenure of councillors. [132913]

Mr. Raynsford: On 6 May 2003 the Government announced its intention to move the date of the English local council and Greater London authority elections in 2004 from 6 May to 10 June. This will enable them to be combined with the European Parliamentary elections and provide convenience to electors, enabling them to participate in all the elections at the same time rather than voting twice in a short period of time. As a consequence of combining these elections, the term of office for those sitting councillors in England affected will be extended by five weeks with that for councillors elected on 10 June 2004 being reduced by five weeks. The Government will shortly be consulting key stakeholders on draft legislation which facilitates these intentions. More generally there are no plans at present to bring forward legislation to extend the tenure of Councillors but the Terms of Reference of the current review of electoral cycles in local government, being undertaken by the Electoral Commission, includes identifying options for change which may include, if appropriate, options involving changes to councillor's terms of office

John Cryer: To ask the Deputy Prime Minister if he will *(a)* estimate expenditure on councillors' allowances in each London borough in the past five years and *(b)* estimate expenditure on councillors' allowances in the financial year 2003–04 within each London borough. [133277]

Mr. Raynsford: The information requested is not held centrally, and could be provided only at disproportionate cost.

Essex Fire and Rescue Service

Mr. Francois: To ask the Deputy Prime Minister how many regular firefighters were employed by the Essex Fire and Rescue Service on 1 September. [132637]

Mr. Raynsford: Figures supplied by the Essex Fire and Rescue Service show that there were 933 whole-time firefighters employed on 31 August 2003.

Light Pollution (Astronomy)

Dr. Starkey: To ask the Deputy Prime Minister when he will respond to the relevant recommendations of the Science and Technology Committee report on Light Pollution and Astronomy. [133593]

Keith Hill: The Government will aim to provide its response to the Science and Technology Select Committee report on Light Pollution and Astronomy within two months of the report's publication, as recommended by the Procedure Committee.

Local Government Finance

Mr. Edward Davey: To ask the Deputy Prime Minister what estimate he has made of the revenue which would be raised by local authorities from charging *(a)* 100 per cent. council tax rate and *(b)* 100 per cent. business rate on long-term empty properties. [132448]

Mr. Raynsford: About £320 million per year would be raised by English local authorities if 100 per cent. council tax were charged on all long-term empty domestic property other than those subject to exemptions. This represents an additional £160 million because there is currently a 50 per cent. discount on council tax for long-term empty domestic properties. There are, in addition, some categories of long-term empty domestic property that are exempt from council tax. Figures for the revenue which would be raised if these exemptions were ended are not available.

The Office of the Deputy Prime Minister does not have sufficiently detailed records to be able to calculate what would be raised if long-term empty domestic property were subject to non-domestic rates rather than council tax.

About £1 billion per year in rates revenue in England is currently foregone as a result of reliefs granted on empty non-domestic properties. This comprises 100 per cent. mandatory relief on all non-domestic properties for the first three months for which they are vacant and, after three months: 100 per cent. mandatory relief for certain properties including factories and warehouses, 90 per cent. mandatory relief for charities and 50 per cent. mandatory relief for other properties.

Mobile Phone Masts

Bob Russell: To ask the Deputy Prime Minister how many planning appeals by mobile telephone companies against the refusal of local authorities for telephone masts have been made in each of the last three years for which figures are available; and of these how many were *(a)* successful and *(b)* turned down. [132815]

Keith Hill: The information requested is not held centrally and could be provided only at disproportionate cost. The following information relates to appeal decisions about telecommunications development generally.

	Received	*Withdrawn*	*Allowed*	*Dismissed*	*Total decisions*
2000–01	135	7	81	39	120
2001–02	284	18	89	69	158
2002–03	232	46	164	123	287
2003–04[1]	116	0	44	26	70

[1] Up to 17 October 2003

Note:
All figures relate to the year in which the appeal was received, not necessarily the year it was decided.

Bob Russell: To ask the Deputy Prime Minister if he will advise the Planning Inspectorate to give greater weight to the views of local authorities when determining planning appeals made by mobile telephone companies against the refusal of applications for telephone masts. [132817]

Keith Hill: Planning Policy Guidance Note 8 Telecommunications (PPG8) already advises that all relevant matters will be considered as appropriate at all stages of the planning process.

Bob Russell: To ask the Deputy Prime Minister what guidance has been given to the Planning Inspectorate to take into account health concerns as a reason for local authorities to refuse planning applications by mobile telephone companies for the erection of telephone masts; and if he will make a statement. [132818]

Keith Hill: The Courts have held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them.

The guidance in Planning Policy Guidance Note 8 Telecommunications (PPG 8) says that health considerations and public concern can in principle be material considerations in determining applications for planning permission for telecommunications developments. Whether such matters are material in a particular case is ultimately a matter for the courts. In the first instance, it is for the decision-maker to determine what issues are material in any particular case and what weight to attach to them.

Nevertheless, PPG8 states clearly that, in the Government's view, if a proposed mobile phone base station meets the international guidelines for public exposure (ICNIRP guidelines) it should not be necessary to give further consideration to the health aspects and any concerns about them, in processing an application for planning permission.

Parish Councils

David Taylor: To ask the Deputy Prime Minister what plans he has to increase parish councils' powers under section 137 of the Local Government Act 1972. [132898]

Mr. Raynsford: Section 118 of the Local Government Act provides for the maximum amount that a parish or town council can spend per elector under section 137 of the Local Government Act 1972 to be automatically uprated in line with the annual change in the retail prices index. The Office of the Deputy Prime Minister intends that this power will come into effect in time for the next financial year.

This is additional to the increase in the maximum amount, from £3.50 to £5.00 per elector per year, that took effect at the start of the current financial year.

Parliamentary Questions

Mrs. Curtis-Thomas: To ask the Deputy Prime Minister how many Questions directed to him remain unanswered. [130753]

Yvette Cooper: At 10 October 2003 of the 2,743 House of Commons Parliamentary Questions tabled to the Deputy Prime Minister in this Parliamentary session, 42 Questions remain unanswered and of these 12 were tabled since 8 September.

Regeneration Schemes

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will list the regeneration schemes in *(a)* the last 10 and *(b)* the next three years, together with their (i) allocated amounts and (ii) actual amounts spent. [130054]

Yvette Cooper: Information on past regeneration schemes can be found in the Annual Reports of the former Department of the Environment; the former Department of the Environment Transport and the Regions; the former Department of Transport, Local Government and the Regions; and the Office of the Deputy Prime Minister. Copies of these are available in the Libraries of the House.

Information about regeneration programmes to be funded between 2003–04 and 2005–06 by the Office can be found in "Sustainable Communities: building for the future" published in February 2003. A copy of this is also available in the Libraries of the House.

US Ships (Dismantling)

Norman Baker: To ask the Deputy Prime Minister if he will make a statement on the plans by Able UK to dismantle ships from the US Reserve Fleet and the relevant planning permission needs in respect of dry dock facilities. [133293]

Keith Hill: The Office of the Deputy Prime Minister understands that Able UK has entered into a contract with the US Marine Administration to dismantle ships from the US Reserve Fleet. The decision on whether planning permission is needed for this operation, and for any associated development, and the determination of any planning applications, are, matters for Hartlepool Borough Council, in accordance with their local planning responsibilities.

HOME DEPARTMENT

Criminal Records

Mr. Burns: To ask the Secretary of State for the Home Department how long on average it took to process an application for screening for criminal records of care home workers in *(a)* July 2002, *(b)* October 2002, *(c)* January 2003, *(d)* April 2003 and *(e)* July 2003. [127463]

Paul Goggins: Information is not available in the form requested. There are no IT procedures at present to extract this information from the Criminal Records Bureau database. It is expected that, as systems develop, this information will become available at some point in the future.

However, average turnaround times for Standard and Enhanced Disclosures during the periods specified are shown in the table:

Days

	Standard	*Enhanced*
July 2002	16.71	21.04
October 2002	16.75	32.00
January 2003	26.00	47.72
April 2003	12.27	23.18
July 2003	19.25	25.91

The turnaround times for January are higher than usual because of lost production days between Christmas and New Year due to staff holidays, and a training and consolidation exercise of new PNC procedures.

The Criminal Records Bureau has been steadily improving its performance and output since October 2002. The increase in July can be attributed to a surge in applications during the last two weeks in June in advance of an increase in fees coming into effect on 1 July. Approximately 50,000 additional applications were received above the Bureau's normal intake at that time of about 43,000 applications per week. While this increase in applications temporarily increased the turnaround times for applications, the Criminal Records Bureau nevertheless continued to meet its service standard targets.

Bob Russell: To ask the Secretary of State for the Home Department (1) if he will exempt voluntary organisations from the recent increase in the level of charges to the Criminal Records Bureau for the remainder of financial year 2003–04 in respect of checks for paid staff; [127306]

(2) what estimate he has made of the cost to voluntary organisations in financial year 2003–04 of the increase in the level of charges for checks by the Criminal Records Bureau in respect of paid staff. [127398]

Paul Goggins: We have no plans to exempt paid employees of voluntary organisations from paying the higher rates of fee which came into force on 1 July. Responsibility for paying the fee rests primarily with the individual applicant, although it is open to the employer to reimburse the charge. Charging a lower rate in some cases would mean adjusting the charge for others, who may be not better-placed to pay. Checks remain free to volunteers, saving the voluntary and community sector an estimated £10 million in the current financial year.

I have placed in the Library a Regulatory Impact Assessment which assesses the impact of the fee increase across all sectors.

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what representations he has received about the changes to the disclosure levels regarding information which the Criminal Records Bureau will be required to provide to local authorities when they check on the suitability of persons to become Hackney carriage or private hire drivers; and if he will make a statement. [129184]

Paul Goggins *[holding answer 11 September 2003]*: At present, all applicants for licences as taxi and private hire vehicle drivers are eligible for a Standard Disclosure. Some—principally those whose duties regularly involve being in sole charge of unaccompanied children (for example, under a school contract) or vulnerable adults—are eligible for an Enhanced Disclosure. Earlier this year, as part of a wider consultation exercise about recommendations of the Independent Review Team appointed by my right hon. Friend the Home Secretary to look at the operation of the Criminal Records Bureau (CRB), we sought views on a proposition that the criteria for levels of Disclosure should be set by Ministers, in consultation with relevant stakeholders, on the basis of risk assessment and that it would then be the function of the CRB to ensure that the criteria were observed. An analysis of the responses received was placed in the Library on 5 June. We have since received a number of representations on this matter, instigated by the National Association of Taxi and Private Hire Licensing and Enforcement Officers. These argue that licensing authorities should determine the level of Disclosure required. This view will be taken into account in arriving at a conclusion on the matter.

Mr. Burstow: To ask the Secretary of State for the Home Department when the Criminal Records Bureau will issue a disclosure for Kau Bellah, CRB reference 2270071. [131176]

Paul Goggins: A disclosure was issued for Kau Bellah on 24 September.

Mr. Drew: To ask the Secretary of State for the Home Department what discussions he has had with colleagues from the Department of Health on the proposal of care home owners to seek a delay in the implementation of Criminal Records Bureau plans to require complete record checks prior to the employment of staff. [131324]

Paul Goggins: None. I am aware that my right hon. Friend the Secretary of State for Health has received a number of representations from representatives of the care home sector in the light of the National Care Standards Commission's decision to withdraw its interim guidance on Criminal Records Bureau checks for care home staff.

The National Care Standards Commission, as the independent regulator, issued a press release on 22 September in order to make its position clear on this matter. It is available on the Commission's website at www.carestandards.org.uk.

Aylesbury Young Offenders Institution

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on his response to HM Chief Inspector of Prisons' report on Aylesbury YOI, published on 14 August. [130540]

Paul Goggins: The Prison Service produces an action plan for each inspection report based on the Chief Inspector's recommendations. Action plans list every recommendation and progress towards implementing each one. I see the original action plan and subsequent progress reports.

The initial action plan for Aylesbury Young Offenders Institution should be ready by mid-October.

Child Abuse Investigations

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps have been taken to ensure that, when the police conduct a trawl in child abuse investigations, complainants are offered victim support services from an early stage of involvement in the investigation. [128353]

Paul Goggins: The Handbook for Senior Investigating Officers produced by the Association of Chief Police Officers and the Government's Inter-Agency Guidance both detail steps to be taken to ensure that victims of historical abuse are offered victim support services as an initial step. The Inter-Agency Guidance says that "an unequivocal victim support strategy and protocol should be established at the outset" of investigations, including consideration and support for victims both during and after an investigation.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will reform *(a)* the law of similar fact evidence, as recommended by the Home Affairs Committee, to require a striking similarity in historical child abuse cases and *(b)* the law of severance to introduce a presumption in favour of severance in cases where the similar allegations are inadmissible on a similar fact basis. [128357]

Paul Goggins: The Government set out its position on these issues in its response, published in April this year, to the Fourth Report of the Home Affairs Committee (Session 2001–02) "The Conduct of Investigations into Past Cases of Abuse in Children's Homes":

"55. The Committee's recommendation [that the law of similar fact evidence is reformed to require a "striking similarity" in historical child abuse cases] would return the law on similar fact evidence (for these cases) to the position that applied following the case of Boardman in 1975. However, the test for admitting such evidence has developed since then to recognise that its value is not limited to cases of "striking similarity". For example, multiple accusations against an offender have a significance that derives from the unlikelihood that a person will be independently falsely accused of offences of a like nature, whether or not there is a particular degree of similarity. Whilst such accusations do not establish that an incident is true, and issues of collusion need to be considered carefully (as they would if the threshold were "strikingly similar"), such evidence is certainly relevant to assessing the cogency of a witness's account. Evidence of other incidents might also be relevant when considering an innocent explanation put forward by the defendant—what might credibly be explained as a mistake on one occasion becomes much less so in respect of repeated incidents. Here, too, the relevance of the other allegations does not depend on establishing a particular level of similarity between the events.

56. The Government is therefore concerned that reverting to the "strikingly similar" test would risk denying juries and magistrates a range of potentially highly relevant evidence. Our approach, as embodied in our proposals for reforming the law on evidence of bad character in the Criminal Justice Bill currently before Parliament, is to enable juries and magistrates to hear the widest range of relevant evidence that will assist them to reach a fair verdict. The admissibility of bad character evidence should therefore depend on its relevance to the issues in the case, rather than on a particular degree of similarity.

57. We are not, however, complacent that dangers cannot arise where evidence is admitted in these circumstances. However, there are safeguards to ensure that trials are fair. For example, in determining whether to admit the evidence, the courts must consider whether it would be more prejudicial than probative. The judge will therefore be able to direct that the charges be considered evidentially separate if necessary. And where this might not be sufficient to secure a fair trial, the judge can order that the various charges are tried separately, ensuring that the jury in each case is not aware of the evidence in the others. The Criminal Justice Bill also proposes that judges should be under a duty to withdraw a case from the jury where it becomes clear that seemingly independent allegations are in fact the result of collusion or other distortion and a conviction would be unsafe.

58. The Committee also recommends a presumption in favour of ordering separate trials where allegations cannot be heard as evidence in support of each other on a similar fact basis. In their judgement in the case of Christou (1997), dealing with the severance of charges for sexual offences, the House of Lords held that a trial judge should exercise his discretion to sever to achieve a fair resolution of the issues. This is buttressed by the Human Rights Act 1998, which makes it clear that the courts must act in a way that is compatible with the European Convention on Human Rights including ensuring a fair trial. Given the centrality of fairness to the issue of severance, it is not clear what the proposed presumption would substantively add. The Committee is concerned that "sexual offences tend to engender greater prejudice than non-sexual offences" (paragraph 96). However, we do not agree that this warrants a special rule to deal with historic child abuse cases: the issue of prejudice will clearly be an important aspect of deciding whether severance is required and to the extent that there is a greater risk of prejudice in any particular case, whether of historic child abuse or any other, the argument in favour of severance will clearly be stronger."

Consultancies

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department how many consultancies were commissioned by his Department in the last two years for which figures are available; and what the cost of those contracts was. [130892]

Fiona Mactaggart: The available information held by the Home Office on the cost for the use of external consultants for the financial years 2000–01 and 2001–02 is given in the table.

Year	*Number of Consultancies Commissioned*	*Cost of contracts (£)*
2000–01	Not known	27,877,286
2001–02	145	21,147,058

We do not hold data on the number of consultancy contracts awarded for 2000–01 and to obtain this date would result in disproportionate cost. Information on cost or number of commissions for 2002–03 is not yet available.

The increase in expenditure on consultancy in 2000–01 is primarily due to a major investment programme in the modernisation of the Home Office and in particular on IT related modernisation.

Criminal Justice Bill

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the Government will adopt the recommendation by the Home Affairs Committee to amend the Criminal Justice Bill so that where the prosecution wish to interview a defence witness in advance of trial *(a)* they should be required to notify the defence and offer to interview the witness in the presence of the defence and *(b)* that interview would be tape-recorded. [128523]

Paul Goggins: A Government amendment to Part 5 of the Criminal Justice Bill was agreed by the House of Lords on 14 July 2003. This introduced a new clause requiring the Secretary of State to prepare a code of practice giving guidance to police officers in relation to the arranging a conduct of police interviews with defence witnesses. This provides that the code must include guidance on the notification and presence of the accused's solicitor at the interview. It is also the Government's intention that the code should include guidance on making an accurate recording of the interview either by writing or audio-recording where this is appropriate. Further details of the amendment may be found in the House of Lords, *Official Report*, 14 July 2003, columns 744–45W.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the Criminal Justice Bill's proposal to allow for greater admission at trial of a defendant's previous convictions. [128649]

Paul Goggins: The Criminal Justice Bill reforms the rules governing the admission of bad character evidence in criminal proceedings. The law already acknowledges that this sort of evidence has a proper role to play in appropriate circumstances. However, the rules governing its admission have developed in a piecemeal fashion and lack a rational and coherent structure. Our proposals will provide a new and comprehensive statutory scheme that puts the law on a clear and accessible footing.

Evidence will be admissible where it is relevant to a case and provided that there isn't an adverse affect on the fairness of the proceedings. There will be a number of safeguards for defendants, including a power for judges to exclude evidence where its prejudicial effect would outweigh its probative value.

The Bill also offers new protection to witnesses to ensure that questions relating to their previous conduct has a clear bearing on the issues in the trial.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the effects the proposal in the Criminal Justice Bill to allow for greater admission at trial of a defendant's previous convictions will have on criminal trials. [128650]

Paul Goggins: The Criminal Justice Bill reforms the rules governing the admission of bad character evidence in criminal proceedings. Our proposals will provide a new and comprehensive statutory scheme that puts the law on a clear and accessible footing.

Evidence will be admissible where it is relevant to a case and provided that there is not an adverse affect on the fairness of the proceedings. There will be a number of safeguards for defendants, including a power for judges to exclude evidence where its prejudicial effect would outweigh its probative value.

The Bill will encourage the admission of evidence of bad character in appropriate circumstances, ensuring that jurors and magistrates have available to them a full picture of the case. Rationalising and clarifying the rules will reduce the scope for legal arguments and make it more predictable for defendants when their record may be given in evidence.

The new statutory scheme deals with witnesses as well as defendants, and offers new protection to ensure that questions about witnesses' previous conduct have a clear bearing on the issues in the trial. This will ensure a better balance between the rights of defendants and interests of witnesses.

Home Detention Curfew Orders

Simon Hughes: To ask the Secretary of State for the Home Department how many prisoners released on home detention curfew were unlawfully at large on the latest date for which figures are available, broken down by *(a)* category of offence, *(b)* contract region and *(c)* police force area; and what penalties have been imposed on each contractor as a result. [124916]

Paul Goggins: There were 296 prisoners unlawfully at large as at 30 June 2003 (out of 75,000 prisoners who had been released on Home Detention Curfew between January 1999 and 30 June 2003) and who subsequently had their licences revoked for breaching the conditions of the scheme. The following table gives a breakdown of these prisoners according to their index offence. The Prison Service does not record centrally the contract region or police area for each of these prisoners and to provide such information would be at disproportionate

cost. However, amendments to data collection systems will be made so that such information can be stored in the future.

Once a prisoner has been reported unlawfully at large, it is the responsibility of the police and not the electronic monitoring contractor to apprehend that person. Therefore there is no financial penalty imposed upon the contractor in respect of these prisoners.

Drug Rape

Vera Baird: To ask the Secretary of State for the Home Department what campaigns his Department is funding directed at warning people of the danger of drug rape; and what plans he has to do so in the future. [129618]

Caroline Flint: When the drug Gammahydroxybutyrate (GHB), commonly used in drug rape, was outlawed by the Government in July 2003, we ensured that this was accompanied by high media coverage.

In addition, the Eastern Government Office Drug Team recently supported production of a new drug rape awareness video called Spiked! The Production of the video was funded through Drugscope's Millennium Awards scheme. The video was launched at the end of September and will be shown in public and university cinemas until November in Eastern Region cinema during screenings of newly released films. These showings are supported by the Regional Screen Agency for the East of England. The stylish but hard-hitting infomercial aims to increase awareness of the dangers of drug rape and make people aware of how they can protect themselves.

Finally the Government's new drug awareness campaign, FRANK also supplies information about date rape. The FRANK website www.talktofrank.com pays particular attention to GHB. It warns the reader that GHB has been linked to rape cases. It states '. . . because it's almost tasteless it's easily slipped in a drink'.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for the Home Department how much was spent on food by his Department and by each of the agencies for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-produced food; and if he will make a statement. [129369]

Fiona Mactaggart: The Home Office (with the exception of the Prison Service) is not a direct purchaser of food as this is provided through Facilities Management Contracts. Food purchased directly relates to official hospitality and where applicable we pay a subsidy to the Facility Management contractors for the provision of food in staff restaurants. By subsidising the costs of meals in the staff restaurants we are able to reduce the daily costs of staff working in central London which aids staff retention and provides them with a variety of nutritional snacks and hot meals.

Due to the disproportionate costs I am unable to provide you with all the details requested. I have though highlighted the subsidies that apply to the central London Headquarters and Croydon estates.

	Central London HQ	*Croydon Estate*
Expenditure on canteen subsidy 2001–02 (£)	218,000	99,716 (January-December 2001)
Percentage of food products produced in the UK	Not known	Not known
Expenditure on canteen subsidy 2002–03 (£)	179,000	79,098 (January-December 2002)
Percentage of food products produced in the UK	62	Not known

The Prison Service recorded expenditure on food was £40,155,638 in 2001–02 and £42,357,666 in 2002–03. No data is held on the value of food produced in the United Kingdom for 2001–02. In 2002–03, £31,104,289 (73 per cent.) was produced in the United Kingdom.

The Home Office and Prison Service are both working with Department for the Environment, Farming and Rural Affairs (Defra) on the Sustainable Food Procurement Initiative which is part of the Government's strategy for Sustainable Farming and Food. This is intended to encourage the public sector to procure food in a manner that promotes Sustainable development and does not discriminate against local and UK suppliers. As part of this the Home Office and Prison Service have developed separate action plans that will be used to measure progress towards meeting the initiatives objectives.

Timber

Sue Doughty: To ask the Secretary of State for the Home Department when the inquiry into the use of Indonesian rainforest timber at 2 Marsham Street will be completed; and if he will place a copy of the report in the Library. [131677]

Fiona Mactaggart: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on 1 September 2003, *Official Report*, column 985W. The report was prepared for internal use. An edited version is being placed in the Library which omits text covered by the exemptions in Part 2 of the Code of Practice on Access to Government Information. The recommendations have been and are being implemented. Arrangements for monitoring construction timber purchased by the developer for their own use have now been put in place. This is in addition to the previously planned arrangements for monitoring timber that will be part of the new building. Despite extensive inquiries the developer has been unable to establish precisely the source of the timber used to manufacture plywood previously supplied to the site.

Juvenile Prisoners (Strip Searches)

Dr. Vis: To ask the Secretary of State for the Home Department (1) whether the guidelines for strip searching juvenile prisoners are the same as for strip searching children in *(a)* local authority secure children's homes and *(b)* secure training centres; [130240]

(2) whether the guidelines for strip searching juvenile prisoners are the same as for adult prisoners; [130241]

(3) whether force may be used to strip search a juvenile prisoner. [130242]

Paul Goggins: The Prison Service Security Manual gives instruction to all prisons on how to strip search prisoners in line with Prison Rule 41 and Young Offender Institution Rule 43. The frequency with which this is carried out is generally decided by the prison governor and the area manager, except for certain activities where there is mandatory routine strip searching, such as reception.

There is no equivalent central guidance issued by local authority secure children's homes. Each home operates its own policy according to their security needs. Some homes do not strip search any young persons in their care, while others may strip search all new arrivals. Strip searching may also be carried out where there is suspicion that illicit items are being concealed, sometimes with the assistance of the police. The methods used to perform a strip search are also decided by each centre without central guidance.

The Secure Training Centre (STC) Rules 1998 and the Operational Procedures of the companies that run the three STCs provide guidance that must be followed by staff involved in strip searching. These techniques are similar to those used by the Prison Service.

The current Prison Service Policy on strip searching in the Security Manual (Prison Service Order 1000) applies to all categories and types of prisoner. This includes instructions on techniques and frequency of strip searching.

The Prison Service recognises the sensitivities around the strip searching of young prisoners, and separate guidance has recently been issued to Governors of prisons holding juvenile prisoners emphasising the need for staff to be aware of specific child protection issues.

Training modules for new entrant officers also include specific advice for staff involved in conducting strip searches of young prisoners. Officers conducting strip searches are expected to be aware of the ways in which searches, and the way they are conducted, may affect young people.

Young Offender Rules and the Prison Service Security Manual allow force to be used where a young person refuses to comply with a lawful order to submit to a strip search. No more force than is necessary will be used and it will be used only as a last resort.

Community Policing

Simon Hughes: To ask the Secretary of State for the Home Department how many police forces operate a system of named local police officers. [131657]

Ms Blears: The Home Office does not have information centrally on those police forces that operate a system of named local police officers. Community policing is emphasised to different degrees by different police forces.

Citizen focused policing prioritises the need to access, understand and engage with communities by ensuring that the citizen perspective is embedded within their decision making, policies, practices and service delivery, in order to improve police effectiveness. We want to see all police forces putting more effort into actively engaging with their local communities. The Community beat officer is a vital link between the police service as a whole and the local community.

Probation Services

Simon Hughes: To ask the Secretary of State for the Home Department whether there will be a shortfall in the *(a)* National Probation Service and *(b)* National Probation Directorate budget for 2003–04. [131164]

Paul Goggins: The 2003–04 settlement added £70 million to the probation budget. An overspend on this budget is projected but this is not unusual at this time of the financial cycle and by the end of the year it is anticipated that the budget will be in balance.

Terrorism Act

Mr. Gerrard: To ask the Secretary of State for the Home Department how many stops and searches have been carried out during 2003 by each police force in the UK under section 44 of the Terrorism Act 2000. [131585]

Mr. Blunkett: Figures on stops and searches under Section 44(1) and Section 44(2) of the Terrorism Act 2000 are published annually in the Home Office Statistical Bulletin. The latest published figures are for the financial year 2001–02. These are set out in the table. Figures for 2002–03 are due to be published in November this year. Figures for 2003–04 will be published when the relevant data has been collated and verified.

Table P3 Searches of vehicles and occupants under section 44(1) and searches of pedestrians under section 44(2) of the Terrorism Act 2000[1] and resultant arrests, by police force area

England and Wales 2001–02 *Number*

	Stops and searches of vehicles and occupants under 44(1)		*Stops and searches of pedestrians under 44(2)*	
Police force area	*Searches*	*Resultant arrests*	*Searches*	*Resultant arrests*
Avon and Somerset	—	—	—	—
Bedfordshire	8	—	—	—
Cambridgeshire	—	—	—	—
Cheshire	385	4	2	—
Cleveland	—	—	—	—
Cumbria	—	—	—	—
Derbyshire	20	—	—	—
Devon and Cornwall	129	—	—	—
Dorset	—	—	—	—
Durham	235	—	3	—
Essex	—	—	—	—
Gloucestershire	36	—	—	—
Greater Manchester	36	1	—	—
Hampshire	0	—	—	—
Hertfordshire	4	—	—	—
Humberside	—	—	—	—
Kent	55	—	—	—
Lancashire	—	—	—	—
Leicestershire	8	—	8	—
Lincolnshire	—	—	—	—
London, City of	3,409	92	86	8
Merseyside	—	—	—	—
Metropolitan police	3,598	63	473	11
Norfolk	2	—	—	—
Northamptonshire	—	—	—	—
Northumbria	—	—	—	—
North Yorkshire	8	—	—	—
Nottinghamshire	—	—	—	—
South Yorkshire	263	—	—	—

Table P3 Searches of vehicles and occupants under section 44(1) and searches of pedestrians under section 44(2) of the Terrorism Act 2000[1] and resultant arrests, by police force area

England and Wales 2001–02 *Number*

Police force area	Stops and searches of vehicles and occupants under 44(1)		Stops and searches of pedestrians under 44(2)	
	Searches	Resultant arrests	Searches	Resultant arrests
Staffordshire	—	—	—	—
Suffolk	—	—	—	—
Surrey	1	1	1	—
Sussex	767	1	310	1
Thames Valley	—	—	—	—
Warwickshire	—	—	—	—
West Mercia	5	—	—	—
West Midlands	—	—	—	—
West Yorkshire	—	—	—	—
Wiltshire	—	—	—	—
Dyfed Powys	—	—	—	—
Gwent	—	—	—	—
North Wales	—	—	—	—
South Wales	—	—	—	—
Total	9,239	169	947	20

[1] Formerly section 13A and 13B of the Prevention of Terrorism (Temporary Provisions) Act 1989 and repealed under the Terrorism Act 2000 which came into force on 19 February 2001.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many of those stopped and searched during the current year under section 44 of the Terrorism Act 2000 have been *(a)* arrested, *(b)* charged with an offence and *(c)* charged with a terrorism offence. [131586]

Mr. Blunkett: The data collected on stops and searches made under Section 44 of the Terrorism Act 2000 is not automatically cross-referenced by the forces with the data they hold on arrests or on those charged. This information could therefore be obtained only at disproportionate cost.

CONSTITUTIONAL AFFAIRS

British-Irish Council

Mrs. Iris Robinson: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many times the British-Irish Council has met since April 1998. [132092]

Mr. Leslie: The British-Irish Council has met on the following occasions since its inception in December 1999:

Summit Level

17 December 1999;

30 November 2001;

14 June 2002; and

22 November 2002.

Sectoral formats

2 October 2000—BIC Environment Ministers;

19 December 2000—BIC Transport Ministers;

25 February 2002—BIC Environment Ministers;

22 March 2002—BIC Drugs Ministers;

16 January 2003—BIC Environment Ministers; and

7 February 2003—BIC Drug Ministers.

The next British-Irish Summit is due to take place in November 2003, and a meeting of BIC Environment Ministers is due later this month. There have also been many official-level meetings and associated events, including seminars and conferences.

Good Friday Agreement

Mr. McNamara: To ask the Parliamentary Secretary, Department for Constitutional Affairs what measures have been taken in the last 12 months to promote co-operation in matters concerning work and pensions through the east-west dimension of the Good Friday Agreement. [131948]

Mr. Leslie: Strand Three of the Belfast or Good Friday Agreement did not identify work and pensions as one of a number of possible issues for early discussion within the British-Irish Council. The Council is currently working on a number of other priority areas.

Post-mortem Retentions

Mrs. Iris Robinson: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether the Government plans to restrict coroners' post mortem retentions only to material that is required for evidentiary purposes of a legal nature. [132339]

Mr. Lammy: The post-mortem examination in Northern Ireland is a key stage in the investigation of deaths referred to a coroner, as the findings identify the medical cause of death and often determine whether or not any further action on the part of the coroner is required. There are two main purposes for which it is necessary to retain organs or tissue samples, i.e. to enable the pathologist accurately to determine the cause of death or for evidential purposes in suspected criminal cases. It will therefore continue to be necessary to retain organs or tissue samples for both these reasons.

Appeals (Terrorism/Immigration and Nationality Acts)

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps he is taking to expedite appeals against *(a)* detention under the Terrorism Act 2000 and *(b)* removal of nationality under the Asylum and Nationality Act 1998; how many appeals (i) have been decided and (ii) remain to be decided in each case; and in relation to (ii) what the (A) longest period since the appeal was lodged and (B) the average period since the appeal was lodged was; and when he expects outstanding appeals to be heard. [133061]

Mr. Lammy: The preparation and listing of appeals takes place under the direction of the Chairman of the Special Immigration Appeals Commission (SIAC), who is an independent member of the judiciary. It is always the intention for appeals to be heard as soon as they can be readied for hearing.

No appeals concerning detention under the Anti-terrorism Crime and Security Act 2001 have been decided by SIAC, although two appeals have been abandoned. No appeals concerning deprivation of citizenship status under the British Nationality Act 1981 as amended by the Nationality Immigration and Asylum Act 2002 have been decided.

18 appeals concerning detention remain to be decided, including 10 appeals where the hearing has taken place and the judgments are pending. One appeal concerning deprivation of citizenship remains to be decided.

The first six appeals concerning detention were lodged in January 2002 and remain to be decided. The 18 appeals concerning detention still outstanding were lodged an average of 14 months ago. The one appeal concerning deprivation of citizenship has been outstanding for six months.

The current schedule of appeals listed for hearing is as follows:

Month	*Detained*	*Citizenship*
November/December 2003	2	—
January/March 2004	2	—
April 2004	—	1
Later	4	—
Total	8	1

Call Centres

Mr. Connarty: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132106]

Mr. Lammy: No.

Law of Limitation (Child Sexual Abuse)

Ms Oona King: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will introduce legislation to implement the recommendations by the Law Commission on revision of the law of limitation in relation to claims for child sexual abuse. [132087]

Mr. Lammy: In July 2002, the Government announced their acceptance in principle of the recommendations for reform of the 1980 Act contained in the Law Commission report, "Limitation of Actions", subject to further consideration of certain aspects. This further consideration will include the recommendations relating to claims for child sexual abuse. Legislation will be introduced to implement those recommendations which are accepted when an opportunity arises.

Magistrates Courts (North Yorkshire)

Mr. Grogan: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the outstanding decision on the appeal of North Yorkshire County Council against the closure of three magistrates' courts in North Yorkshire will be announced. [132405]

Mr. Leslie: Having received representations from North Yorkshire County Council and the North Yorkshire Magistrates' Courts Committee, I have decided that the County Council's appeal should be dismissed and the Magistrates' Courts Committee's decision to close the Courts at Richmond, Picketing and Whitby should be upheld. However, I understand that the Magistrates' Courts Committee have indicated their intention that these courthouses should not close until the courthouses to which the work will be transferred haven been replaced or refurbished.

Magistrates Courts (Private Finance Initiative)

Mr. Grogan: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the decision on the application from the North Yorkshire Magistrates' Courts committee for private finance initiative funding for building new magistrates' courts in York and Selby will be announced. [132406]

Mr. Leslie: Further work is being undertaken on the business case and the Court Service and the Magistrates' Court Service are jointly reviewing their strategy for court provision in the area. This means that the earliest an announcement could be made is in spring 2004.

NORTHERN IRELAND

Anticoagulants

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many coagulometers were provided through the health service in Northern Ireland for patients to monitor international normalised ratio levels at home, in the last year for which figures are available. [131919]

Angela Smith: The Health and Personal Social Services in Northern Ireland does not provide coagulometers for home use. However, Roche Ltd. made a small number of coagulometers available and these were provided to patients for home use on a trial basis.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the cost of monitoring international normalised ratio levels of patients in Northern Ireland on warfarin in the last year for which figures are available. [131920]

Angela Smith: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to make coagulometers more widely available in Northern Ireland for home monitoring of international normalised ratios by patients on warfarin. [131921]

Angela Smith: There are no plans at present to make coagulometers available for home use on the HPSS.

Child Protection Training

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) how many teachers and schools within each education and library board participated in multi-disciplinary training for child protection *(a)* from 1 April 1993 to 31 March 2003 and *(b)* from 1 April 2003 to 31 August 2003; [132215]

(2) how many teachers and schools within each education and library board are participating in multi-disciplinary teaching for child protection. [132216]

Jane Kennedy: Training for teachers in child protection is not multi-disciplinary. It is provided by the Education and Library Boards and is focused on the particular needs of teachers and schools. Multi-disciplinary training has been offered by the Health and Social Services Trusts but information is not available on which teachers may have attended this.

Commercial Rates

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many premises in Northern Ireland were charged a commercial rate for 2002–03. [132088]

Mr. Pearson: I have asked the Chief Executive of the Rates Collection Agency to write to the hon. Lady in response to this question. A copy of the letter will be placed in the Library.

Concessionary Fares

Mr. Dodds: To ask the Secretary of State for Northern Ireland what his policy is on the acceptance by Translink of concessionary public transport passes issued outside Northern Ireland. [133241]

Mr. Spellar: The Northern Ireland Concessionary Fares Scheme provides concessionary travel only for eligible Northern Ireland residents on scheduled public transport services within Northern Ireland. Consequently, Translink does not accept concessionary public transport passes issued outside Northern Ireland. We have no plans to extend the Concessionary Fares Scheme to include people who are not resident in Northern Ireland.

Delayed Discharges

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much money was spent by each health board in Northern Ireland to counter delayed discharges in each of the last three years. [132467]

Angela Smith: Information in the form requested is not readily available and could be provided only at disproportionate cost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many hospital in-patients in Northern Ireland had their discharge delayed while awaiting community care packages on 1 January *(a)* 2000, *(b)* 2001, *(c)* 2002 and *(d)* 2003. [132468]

Angela Smith: Information on delayed discharges is collected in respect of the position at the last day of each month. The numbers of acute hospital in-patients who had their discharge delayed while awaiting community care packages were 265 at 31 December 2000, 341 at 31 December 2001, and 323 at 31 December 2002. Equivalent information is not available for the position at 31 December 1999, but at February 2000 there were 319 in-patients whose discharge was delayed.

Drug Treatment

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the age was of the youngest person in Northern Ireland treated in the last five years with an *(a)* anti-depressant, *(b)* anti-psychotic and *(c)* amphetamine drug. [132472]

Angela Smith: The information requested is not available.

Equality Commission

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many press releases the Equality Commission has released in 2003; and of these how many were wholly or mainly on the issue of fair employment. [132214]

Mr. Spellar: I have asked the Chief Executive of the Equality Commission for Northern Ireland to write to the hon. Gentleman. A copy of the letter will be placed in the Library.

Exotic Pets

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans there are to require the owners of exotic pets in Northern Ireland to register them. [132466]

Angela Smith: On 13 October I published the legislative proposals for public consultation to regulate dangerous wild animals kept by private individuals in Northern Ireland. The proposed legislation will require anyone owning or wishing to own a dangerous wild animal to apply to the Department of the Environment for a licence. It will also establish stringent criteria, on matters such as public safety, security of accommodation and animal welfare, which will need to be met, and confirmed by inspection, before the grant of a licence. The draft legislation also specifies licence conditions which the licence holder will have to meet while any dangerous wild animal is being kept. The consultation paper has been circulated and the Department of the Environment would welcome any views on the legislative proposals.

Fuel Poverty

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many fuel poor households based on the 2001 Northern Ireland House Conditions Survey there are in each local authority area; and what his estimate is of how many children are living in fuel poor households. [132577]

Mr. Spellar: The number of fuel poor households identified in the 2001 House Condition Survey in each local authority area is following table:

Local Authority Area	*Number*
Antrim	6,799
Ards	7,912
Armagh	5,065
Ballymena	8,155
Ballymoney	4,070
Banbridge	4,676
Belfast	42,962
Carrickfergus	3,396
Castlereagh	5,654
Coleraine	6,520
Cookstown	3,606
Craigavon	13,449
Down	6,037
Dungannon	3,671
Fermanagh	6,462
Larne	4,396

Local Authority Area	*Number*
Limavady	4,019
Lisburn	10,569
Londonderry	13,086
Magherafelt	5,690
Moyle	2,170
Newry & Mourne	6,651
Newtownabbey	10,038
North Down	7,656
Omagh	5,101
Strabane	5,449

The 2001 house condition survey estimated that there are some 114,000 children living in fuel poor households.

General Practice

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many general practitioners practices in Northern Ireland are not accepting any new patients on to their lists. [132094]

Angela Smith: The information requested is not available.

Health Service IT

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what comparative studies have been conducted on the cost of improving health service information technology in Northern Ireland and schemes in the rest of the United Kingdom; and if he will make a statement. [131918]

Angela Smith: To date no formal comparative studies have been conducted on the cost of improving health service information technology in Northern Ireland and schemes in the rest of the United Kingdom. My Department published earlier this year a new ICT Strategy for the HPSS, which will set the overall direction of investment for modernising ICT services over the next 10 years. This strategy will be taken forward in a cost-effective way and will make use of developments, products and services sourced as far as possible from the same supplies who supply systems to the NHS.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on standards in NHS information technology; and what costs have been incurred from the recent modernisation of the technology. [131922]

Angela Smith: Northern Ireland works closely with the other UK administrations in the development of standards for use in ICT in healthcare and my Department is fully committed to adopting any UK-wide standards for use in the HPSS.

In addition to using UK standards, within the HPSS the policy has historically been to use common IT solutions for common problems. This has led to the use of standard IT systems throughout the HPSS, for example in patient administration, clinical support services, finance and administration.

Since 1 April 2002, costs incurred in NI-wide ICT modernization projects have been:

i. £4.2 million for the implementation of a unique patient and client identifier for use within health and social care throughout Northern Ireland together with the provision of a highly secure 'always on' communications network and E-Mail and Internet services to all GPs (contract let July 2003).

ii. £4.3 million for the consolidation of 104 obsolescent computers in the HPSS into two highly resilient, mutually supportive computer systems to serve the whole HPSS (Contract let December 2002).

Both of these contracts were let by open competition under EC/GATT rules. £1.2 million has also been made available to HPSS bodies specifically to further encourage and facilitate the use of IT by health and social care clinical and professional staff, mainly through the provision of additional PCs and data communications equipment.

Organ/Tissue Retention

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what payment has been made for organs and tissue removed and retained without informed consent in Northern Ireland in the last five years. [132338]

Angela Smith: No payment has been made for organs and tissue removed and retained without informed consent in Northern Ireland in the last five years.

IRA Weapons Stocks

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the amounts of *(a)* weapons and *(b)* explosives possessed by the Irish Republican Army (i) now, and (ii) in April 1998; and if he will make a statement. [131917]

Jane Kennedy: Estimates of the amount of weaponry held by paramilitary organisations are an intelligence matter on which it would be inappropriate to comment. The Government has consistently made clear that paramilitary groups must end all forms of terrorist activity and decommissioning should be carried out through the Independent International Commission on Decommissioning appointed by the Government for this purpose.

Manufacturing Exports

Mr. Beggs: To ask the Secretary of State for Northern Ireland what estimate he has made of export sales growth in Northern Ireland's manufacturing companies in each of the next three years. [133340]

Mr. Pearson: There are no forecasts of Northern Ireland manufacturing export sales. However, between 1996–97 and 2001–02, manufacturing export sales increased by 45 per cent. in real terms. The Invest NI Corporate Plan and "Building on Progress—Priorities and Plans 2003–06" includes a target for the growth of export sales. The current target is for manufacturing export sales to increase by 10 per cent. each year in real terms between April 2002 and March 2005.

I am confident that a sustained global economic recovery will lead to an improvement in Northern Ireland's manufacturing performance. In that context, these challenging targets remain firm.

Northern Ireland Mother and Baby Association

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what public funding has been received in the last year by the Northern Ireland Mother and Baby Association (NIMBA). [132465]

Angela Smith: A total of £41,000 from public funds was provided to NIMBA to support its activities, in the last financial year.

Planning (Ravenblack)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when a decision will be made on the planning application submitted by Ravenblack in November 2000 for a development in the Gocean area of Killyleagh; and if he will make a statement. [133236]

Angela Smith: In August 2003, I met with locally elected representatives and facilitated a further meeting with representatives at their request to discuss this proposal. I agreed that further consideration would be given to some of the issues raised, and further consultation was subsequently carried out with key organisations. Some of these responses are still outstanding. Once received and considered, the application will be processed to determination as expeditiously as possible.

Police Leisure Facilities

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many applications have been received by the PSNI since 1 January from *(a)* former and *(b)* retired police officers for permission to use police leisure facilities; how many of those applications have been processed; and how many applicants have been informed that permission has been granted. [132078]

Jane Kennedy: The Chief Constable has advised me that to date 54 retired and former officers have applied for permission to use police leisure facilities. Some 33 applications have been processed and approved with the remainder being considered by PSNI Security Branch. No retired officers have been refused permission to use police leisure facilities and it remains the Chief Constable's policy to encourage retired officers to avail of the health and fitness facilities available.

Prison Budgets

Mr. McGrady: To ask the Secretary of State for Northern Ireland what budget was allocated to each prison in Northern Ireland between 1 April and 31 August. [132219]

Jane Kennedy: The Northern Ireland Prison Service receives an annual budget allocation from the Northern Ireland Office through the spending review process. The 2003–04 allocation to the Service is as follows:

	£000
Operating costs	116,895
Capital costs	12,195

The Director General has delegated authority to manage the Service's allocation in an effective, efficient and economic manner. The Service is managed as a whole. Budget allocations are made to budget holders throughout the Service and not on an establishment by establishment basis.

Queen's University

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many members there are of the Senate of Queen's University; and how many of them completed undergraduate degrees at the University. [131923]

Jane Kennedy: There are 32 members of the Senate of Queen's University and 16 of those have completed undergraduate degrees at the University.

Road Deaths

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many people were killed on the roads in Northern Ireland in *(a)* 1973, *(b)* 1983 and *(c)* 1993. [132096]

Jane Kennedy: The information is set out in the following table.

Year	*Fatalities*
1973	335
1983	173
1993	143

Security Measures (Health Service)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much each health trust in Northern Ireland spent on security measures in the last 12 months. [132471]

Angela Smith: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Sports Funding

David Burnside: To ask the Secretary of State for Northern Ireland what funding from Her Majesty's Government has been received by *(a)* the Gaelic Athletic Association, *(b)* the Irish Football Association and *(c)* the Irish Rugby Football Union, Ulster Branch, in each year since 1998. [132829]

Angela Smith: The Sports Council for Northern Ireland is responsible for the development of Sport in Northern Ireland including the distribution of Government Exchequer funding to governing bodies of Sport including the Gaelic Athletic Association (GAA), the Irish Football Association (IFA) and the Irish Rugby Football Union (IRFU), Ulster Branch. The following table provides information detailing the Exchequer funding distributed by the Sports Council NI in each year from 1998–99 to 2002–03 to the GAA, IFA and Ulster Branch of the IRFU:

	1998–99	1999–2000	2000–01	2001–02	2002–03	Total
GAA	30,000	30,000	30,000	30,000	45,000	165,000
IFA	50,000	50,000	50,000	59,000	52,500	261,500
IRFU, Ulster Branch	16,000	16,000	16,000	16,000	45,000	109,000

EDUCATION AND SKILLS

University Applications

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if he will make a statement on levels of applications to universities in the last three years from *(a)* international students, *(b)* UK students and *(c)* students from the West Midlands. [131452]

Alan Johnson *[holding answer 14 October 2003]*: The latest available information from the Universities and Colleges Admissions Service (UCAS) covers applicants to full-time and sandwich undergraduate courses in the UK and is shown in the table. Comparable data for 2003 entry will not be published until January 2004, but the latest data for 2003 shows that, by early October, overall applicants were up by 3 per cent. This continued increase demonstrates that students realise that higher education can bring them better opportunities and are willing to make the investment.

Applicants via UCAS by home domicile

	Year of entry		
Applicant domicile	*2000*	*2001*	*2002*
Overseas[1]	52,937	54,188	59,511
UK	389,091	399,645	401,854
West Midlands	32,717	34,459	33,999

[1] Includes EU and non-EU students

Dyslexia

Jonathan Shaw: To ask the Secretary of State for Education and Skills if he will make a statement on the delivery of the Raising the Achievement of Dyslexia Pupils: Dyslexia Teaching project that was funded in 2002–03. [132204]

Margaret Hodge: The Raising the Achievement of Dyslexia Pupils: Dyslexia Friendly Teaching project was one of 16 projects in receipt of grant under the Department's Special Educational Needs (SEN) Training and Development Fund 2002–03. The fund was established to provide one-off pump priming support to aid the creation of new, or extended, in-service training and development opportunities for teachers and other staff, both in mainstream and special schools. The aim was to help improve and reinforce skills in the area of SEN and disabilities.

This particular project is being delivered by the Institute of Education at Manchester Metropolitan University (MMU), working in collaboration with the British Dyslexia Association. It involves a validated module, targeted at new or recently qualified teachers and learning support assistants, and includes the creation of course materials and video case studies of successful practice in schools and classes. This material has now been completed and is in the process of being edited and transferred to a DVD format for the classroom and a CD-ROM covering the teaching methods and philosophies of the teachers involved. It is proposed that the material will be available via the MMU website.

Additional School Funding (Armed Forces)

Bob Russell: To ask the Secretary of State for Education and Skills what recent progress has been made towards providing additional funding for schools with a high percentage of pupils drawn from families serving in Her Majesty's armed forces. [132804]

Mr. Miliband: Additional funding for such schools would need to come through the budget shares calculated in accordance with the local education authority's school funding formula. Any school concerned with this issue should press for change through local consultative procedures. The Department will be considering the overall needs of such schools through a working group being set up this autumn.

Pregnant Asylum Seekers

Mr. Love: To ask the Secretary of State for Education and Skills what research has been conducted on assistance the Government might provide to pregnant asylum seekers who have been raped as a consequence of war; and if he will make a statement on support services for teenage asylum seekers who are victims of rape. [131959]

Margaret Hodge: On 16 July 2003 my hon. Friend the Parliamentary Under-Secretary of State for Education pledged to commission research into the support networks of pregnant teenage asylum seekers, *Official Report*, column 95WH. Information gained from upcoming national events, organised by the Government's Teenage Pregnancy Unit, will identify areas that require further research, which can be addressed in the near future.

In relation to support services, adult and child pregnant asylum seekers who have been raped as a consequence of war have the same rights of access to the national health service and its specialist services as their peers.

The Government is currently considering how to improve the provision of interpreting services in the UK in addition to providing language support services for NHS Direct. This work is due to be completed by the end of 2003 and a contract for services will be in place by early 2004.

Child Care

Vera Baird: To ask the Secretary of State for Education and Skills what plans he has to make child care more affordable. [132380]

Margaret Hodge: The Government recognises that making child care affordable is a key challenge for the National Childcare Strategy and has made a substantial investment to achieve this. We have funded a substantial expansion in child care provision in the public, private

and voluntary sectors, with a wide variety of types of child care—nurseries, child minders, before and after school provision and increasingly delivered alongside early education and other family services—to ensure diversity and choice for parents and to provide better services for children.

Working parents, subject to the level of their income, may receive support through the child care element of the Working Tax Credit (WTC). Tax credits are rightly targeted at lower and middle income families who may use a range of registered or approved child care. The child care element of the Working Tax Credit provides for up to 70 per cent. of costs of eligible child care. It can pay up to £94.50 a week for one child (where the childcare cost is £135), and up to £140 a week for two or more children (where the cost is £200).

No Government has provided the kind of direct support for the costs of child care that is delivered by the child care element of the Working Tax Credit. Over £650 million a year is now spent on supporting parents with child care costs.

Families are further supported through early education places, which can be used to off-set the cost of child care. As a result of our policies, all four year olds are able to access a free, good quality, part-time early education place. From April 2004, six months ahead of the original target, this will be extended to all three year olds. Currently 88 per cent. of three year olds are able to benefit from some level of free provision.

Support is also available through various grants and access funds for parents studying further and higher education, for participants on the New Deals and those receiving Job Seekers' allowance.

Vera Baird: To ask the Secretary of State for Education and Skills what plans he has to increase the number of childcare places in Redcar. [132381]

Margaret Hodge: The local authority area of Redcar and Cleveland is planning to create an additional 360 childcare places in 2003–04 bringing their total stock of childcare places to approximately 3100 by April 2004. This will represent some 13 places for every 100 children aged 0–14 in the area compared with an estimated national average by 2004 of 15 places for every 100 children.

To help meet the national target for a further 250,000 new childcare places by March 2006 Redcar and Cleveland have been allocated a target to create 598 new childcare places in 2004–06. The local authority has written to confirm acceptance of this target and the funds being made available to support this growth.

Vera Baird: To ask the Secretary of State for Education and Skills if he will make a statement on the level of provision of workplace childcare in Redcar. [132421]

Margaret Hodge *[holding answer 16 October 2003]:* I understand that there are currently no workplace nurseries in Redcar.

The Government provides tax and National Insurance exemptions to encourage employers to provide workplace nurseries.

We are currently reviewing the tax and National Insurance treatment of employer-supported childcare. Our proposals offer improvements to give a better incentive to employers to support a wider range of good quality childcare provision and will benefit a greater number of employees, especially those working for smaller employers who do not have workplace nurseries.

Children and Young People's Unit

Mr. Lazarowicz: To ask the Secretary of State for Education and Skills pursuant to his answer of 6 October, *Official Report*, columns 1127–28W, on the Children and Young People's Unit, what activities have been undertaken by the Unit in co-ordinating the UK's participation in *(a)* the EU Open Method of Co-ordination on Youth Policy and *(b)* the UN Convention on the Rights of the Child. [132745]

Margaret Hodge: The Children and Young People's Unit co-ordinates UK participation in the EU Open Method of Co-ordination on Youth Policy (Youth OMC) and the UN Convention on the Rights of the Child (UNCRC) through a variety of methods.

Co-ordination with the Devolved Administrations

The Unit chairs a Devolved Administrations Liaison Group (DALG) which meets for half a day, four times a year. Membership is comprised of officials with responsibility for EU youth policy and child rights policy from England, Scotland, Wales and Northern Ireland. The Youth OMC and the UNCRC are standing agenda items.

The Unit holds two half-day bilateral meetings per year with officials in each of the Devolved Administrations. Again, the Youth OMC and the UNCRC are standing agenda items.

The Unit has an information sharing arrangement with the Devolved Administrations where written information is circulated quarterly by e-mail to officials updating them on developments and new initiatives for children and young people in each country of the UK.

These formal arrangements are reinforced with regular working-level contact between the Unit and each of the Devolved Administrations.

Co-Ordination with Westminster Departments

At a formal level, co-ordination on both the Youth OMC and the UNCRC has previously been undertaken through the Children and Young People's Unit Interdepartmental Steering Group. With the recent machinery of government changes following the creation of a Children and Families Directorate within the Department for Education and Skills, structures for cross-Whitehall co-ordination are currently being reviewed. Formal co-ordination of the Youth OMC and the UNCRC will become part of the new arrangements.

At working-level, the Unit has daily contact with officials across Whitehall on these two issues.

Examinations

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will list for each local education authority *(a)* the floor target with respect to the percentage of year 11 pupils attending maintained

schools gaining five or more GCSE results at Grades A* to C and *(b)* the date by which the floor target has to be achieved; whether the GCSE results of pupils attending academies will be included in calculating each local education authority's performance; and which local education authorities did not achieve the floor target in 2003. [131402]

Mr. Miliband *[holding answer 16 October 2003]:* The information regarding floor targets is as follows:

The floor target is that 38 per cent. of 16-year-old pupils in schools in each LEA are to achieve five or more grades A*-C at GCSE/GNVQ by 2004. The GCSE/GNVQ results of pupils attending Academies will be taken into account in calculating each Local Education Authority's performance.

Based on 2003 provisional figures, the following Local Education Authorities have not yet achieved the 2004 floor target yet: Bristol City (35.0 per cent.), Greenwich (34.5 per cent.), Hackney (36.8 per cent.), Haringey (37.5 per cent.), Islington (36.9 per cent.), Kingston-upon-Hull (31.6 per cent.), Knowsley (33.2 per cent.), North East Lincolnshire (35.0 per cent.), Nottingham City (34.3 per cent.), Salford (36.2 per cent.), Sandwell (35.3 per cent.) and Southwark (37.7 per cent.).

Mr. Brady: To ask the Secretary of State for Education and Skills what recent discussions his Department has had with *(a)* the Qualifications and Curriculum Authority and *(b)* the exam boards on control procedures for (i) GCSE and (ii) A level exams. [131808]

Mr. Miliband: The control procedures for public examinations are detailed in the GCSE, GCE, VCE, GNVQ and AEA Code of Practice which was jointly drawn up by the Regulatory Authorities in England, Wales and Northern Ireland. The Qualifications and Curriculum Authority (QCA) as Regulator, is responsible for ensuring the three unitary awarding bodies in England fulfil their obligations under the Code of Practice and conduct regular reviews to ensure parity.

Following a recommendation from Mike Tomlinson's Inquiry into A Level standards last year, QCA strengthened the Code of Practice for the 2003 examinations, paying particular attention to the section governing the setting of grade boundaries.

Good Friday Agreement

Mr. McNamara: To ask the Secretary of State for Education and Skills what measures have been taken in the last 12 months to promote co-operation in matters concerning education and skills through the east-west dimension of the Good Friday Agreement. [131949]

Mr. Lammy: I have been asked to reply.

Strand Three of the Belfast or Good Friday Agreement identified education as one of a number of possible issues for discussion within the British-Irish Council. The Council is currently working on a number of other priority areas, although some of them touch on education and skills issues.

Graduate Teacher Scheme

Mr. Brady: To ask the Secretary of State for Education and Skills what estimate he has made of *(a)* the number and *(b)* the percentage of newly qualified teachers trained under the graduate teacher scheme this year who have been unable to find employment in teaching. [132926]

Mr. Miliband: My right hon. Friend has made no such estimates.

Electronics/Electrical Engineering

Mr. Challen: To ask the Secretary of State for Education and Skills what have been the student participation rates in *(a)* electronic, *(b)* electrical and *(c)* combined electronic/electrical engineering courses in the last five years. [131115]

Alan Johnson: The latest available information is in the table.

Undergraduate[1] participation on Electronic and Electrical Engineering courses

	Electronic Engineering		*Electrical Engineering*		*Electronic/Electrical Engineering*	
Academic year	*Number*	*Percentage[2]*	*Number*	*Percentage[2]*	*Number*	*Percentage[2]*
2001–02	21,734	1.42	5,022	0.33	26,756	1.74
2000–01	19,790	133	5,143	0.35	24,933	1.68
1999–2000	18,474	1.28	4,468	0.31	22,942	1.59
1998–99	18,050	1.25	4,567	0.32	22,617	1.57
1997–98	17,828	1.26	4,964	0.35	22,792	1.61

[1] Figures cover all undergraduates studying full and part time courses at UK HE institutions.

[2] Percentage of all undergraduate enrolments

Source:

Higher Education Statistics Agency (HESA)

Minister for Children

Mr. Wray: To ask the Secretary of State for Education and Skills what the responsibilities are of the Minister for Children; what immediate targets she has set; and what funding is available for her Department subsection. [128238]

Margaret Hodge: I have responsibility within the Department for Education and Skills for policy on children, young people and families. The creation of the post of Minister for Children in June brought together within the DfES a number of key responsibilities including some from other Government Departments in order to improve the co-ordination of policy on

children, young people and families. From September the title of this post was changed to Minister for Children, Young People and Families.

The accountability arrangements for PSA and supporting targets affected by this change are:

The transfer from the Department of Health of the PSA target on improving the life chances for children in care together with work on the adoption of looked after children.

Joint ownership of the PSA target on reducing the under 18 conception rate by 50 per cent. by 2010.

The Department of Health will retain the PSA target on improving life outcomes for adults and children with mental health problems with DfES having an important role in ensuring input from social care and other services.

I will also retain responsibilities for the Sure Start targets which aim to ensure that accessible and high quality childcare, early education and other services are available for all young children and families.

I will be reviewing all targets and structures are now being established within the Department to ensure that our policy ambitions are delivered in the most cost effective manner.

School Noise Reduction

Mr. Oaten: To ask the Secretary of State for Education and Skills what his Department is doing to enforce the recommended guidelines in reducing noise in schools; and if he will make a statement. [132568]

Mr. Miliband: Acoustic standards in schools have been subject to the Building Regulations, Approved Document E, since 1 July 2003. Approved Document E quotes DfES Building Bulletin 93 as the normal means of compliance with Regulation E4 which applies to schools. Building Bulletin 93, "The Acoustic Design of Schools", can be downloaded from the DfES acoustics website www.teachernet.gov.uk/acoustics and will be published by the Stationery Office (ISBN 0 11 2711057) in November 2003.

Building Bulletin 93 contains recommendations that also apply to the refurbishment of existing schools which are not subject to Building Regulations. Some aspects of such refurbishment work are subject to the requirements of the Disability Discrimination Act as it applies to pupils with hearing impairments.

Building Bulletin 93 also gives recommendations on noise levels in playing fields and other areas of the school grounds. External noise considerations are subject to Policy Planning Guidance Note 24 and Planning law.

Ofsted

Mr. Chris Smith: To ask the Secretary of State for Education and Skills pursuant to the response from HM Chief Inspector of Schools to the hon. Member for Islington, South and Finsbury on 13 June, how many complaints have been made against Ofsted inspectors in each of the last three years for reasons other than their performance as inspectors in connection with Section 10 inspections; and whether de-registrations have subsequently resulted. [132753]

Mr. Miliband: This is a matter for Ofsted. HM Chief Inspector of Schools, David Bell will write to my hon. Friend and place a copy of his letter in the Library.

PGCE Citizenship Courses

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 18 September 2003, *Official Report*, column 985W, on Post-Graduate Certificate in Education (Citizenship), how many places *(a)* have been taken up and *(b)* were available for PGCE history courses in each year between 2001 and 2003; what percentage of teacher training institutions offer PGCE Citizenship courses; and if he will make a statement. [131950]

Mr. Miliband: The table shows the number of entrants to Postgraduate Certificate in Education courses in history and the number of places allocated to institutions in England by the Teacher Training Agency since 2001/02.

	Places	*Entrants*[1]
2001/02	941	922
2002/03	977	982
2003/04[2]	998	n/a

[1] Does not include trainees on undergraduate or employment-based routes.

[2] The number of entrants to initial teacher training in 2003/04 is not yet available.

Source:
TTA

Currently 13 per cent. of providers of initial teacher training courses in England offer a Postgraduate Certificate in Education course in Citizenship.

School Finance (Essex)

Bob Russell: To ask the Secretary of State for Education and Skills when he expects to respond to the request for additional financial resources made on 26 September by the Essex Secondary Headteachers' Association; and if he will make a statement. [132805]

Mr. Miliband: On 17 July the Secretary of State announced the changes we propose to make to restore stability to school funding in 2004–05 and 2005–06. We are currently working with national partners on the detail of his proposals and the Secretary of State will be announcing the outcome as soon as this work is complete.

Sector Skills Councils

Ms Walley: To ask the Secretary of State for Education and Skills what assessment he has made of the trailblazer sector skills councils; and if he will make a statement. [132497]

Alan Johnson: Five organisations were licensed as Trailblazer Sector Skills Councils in the spring of last year. A business case for Skill set (the Trailblazer SSC for audiovisual industries) is currently being considered and if accepted will lead to the award of a licence before the end of the year.

The other Trailblazer Sector Skills Councils; Cogent Plus, Skillfast-UK, Lantra and Skillsmart, are expected, subject to SSDA Board approval to be awarded licences by June 2004.

Sure Start

Mr. Frank Field: To ask the Secretary of State for Education and Skills (1) what resources were allocated for research for each of the Birkenhead Sure Starts in each of the years since their inception; and how much of the funding has been spent; [129168]

(2) how much *(a)* revenue and *(b)* capital has been allocated to each of the Birkenhead Sure Starts in each year since their inception; [129169]

(3) how much of the *(a)* revenue and *(b)* capital allocation awarded to Birkenhead under the Sure Start programme has been used, broken down by financial year, since 2001–02. [129229]

Margaret Hodge: The available information for the three Sure Start local programmes in the Birkenhead area is shown in the following tables. These programmes were approved at different times—Birkenhead North in August 2000, Ferries in January 2002 and Birkenhead Central in January 2003. Information is drawn from the local programmes' delivery 9 plans and Sure Start Unit's finance and performance monitoring IT system. N/A denotes not applicable where year shown is before a programme's inception.

Table 1—Research

	Research Spend (£)			
Sure Start local programme	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Birkenhead North	nil	21,145	18,545	nil to date
Ferries	n/a	nil	250	nil to date
Birkenhead Central	n/a	n/a	5,803	nil to date

Note:
Programmes are advised to spend around 5 per cent. of their Revenue allocation on research. There are no set amounts allocated.

Table 2—Revenue

	Revenue (£)							
	2000–01		*2001–02*		*2002–03*		*2003–04*	
Sure Start local programme	*Allocation*	*Spend*	*Allocation*	*Spend*	*Allocation*	*Spend*	*Allocation*	*Spend*
Birkenhead North	394,500	140,868	743,400	745,376	745,000	679,216	745,327	339,749
Ferries	n/a	n/a	100,000	120,000	550,000	419,648	714,095	163,577
Birkenhead Central	n/a	n/a	n/a	n/a	338,000	280,971	745,327	178,759

Table 3—Capital

		Capital Spend (£)			
Sure Start local programme	*Total Capital Allocation (£)*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Birkenhead North	1,052,000	21,519	63,204	44,598	nil to date
Ferries	[1]1,173,031	n/a	n/a	17,500	nil to date
Birkenhead Central	1,000,000	n/a	n/a	13,000	nil to date

[1] inclusive of irrecoverable VAT

Note:
Approval of Capital Spend for two of the programmes has been given in full to date. Birkenhead North has had £1,052,000 and Ferries £1,173,031 approved. Approval is on-going for the Birkenhead Central programme.

Teachers (Essex)

Mr. Francois: To ask the Secretary of State for Education and Skills how many full-time secondary school teachers were employed by Essex county council on 1 September. [132638]

Mr. Miliband: The information is not available in the precise form requested. The official survey of teacher numbers and vacancies (Form 618g) is conducted annually on the third Thursday in January. At January 2003, 4,960 teachers were employed full-time in maintained secondary schools in the Essex local education authority area.

Teaching Assistants (Leicestershire)

David Taylor: To ask the Secretary of State for Education and Skills (1) what the pay rates are for teaching assistants in Leicestershire; [132483]

(2) what training opportunities exist for teaching assistants in Leicestershire; [132484]

(3) what assessment he has made of the job content for a teaching assistant in Leicestershire. [132485]

Mr. Miliband: Pay, contractual arrangements and job descriptions are matters for local determination: the Government believe that this is the best way of ensuring a flexible system that can respond to local needs and circumstances. Many local authorities, including Leicestershire, have reviewed support staff pay and undertaken job evaluations in the light of the agreement—commonly known as the Single Status Agreement—made in 1997 by the National Joint Council for Local Government Services. I understand that that National Joint Council is in the process of issuing guidance about the grading of school support staff.

The Standards Fund for 2003–04 contains a grant of £37.45 million for the training and development of support staff and Leicestershire's share of this is £424,542. Responsibility for deciding how to devolve the funding to schools rests with LEAs. The grant can be used for those participating in induction training programmes for teaching assistants, developed by my

Department, as well as for the professional development of more experienced teaching assistants including course fees for training leading to National Vocational Qualifications. Schools have always been able to use their own budgets to fund teaching assistant training and to 'buy in' or pay for any training available locally.

The National Agreement on raising standards and tackling workload signed on 15 January 2003 by the Government, local authority employers and school work force unions will improve training and career progression opportunities for support staff and makes clear that we expect their pay to reflect their level of training, skills and responsibilities. Following the Agreement, the Teacher Training Agency has published standards for Higher Level Teaching Assistants and training and assessment for these standards will be rolled out from April 2004.

Tuition Fees

Mr. Keith Bradley: To ask the Secretary of State for Education and Skills what percentage of university tuition fees will be paid to the university in advance. [132689]

Alan Johnson: We do not expect that any tuition fees will be paid to Higher Education Institutions (HEIs) in advance of the academic year for which they are charged. From 2006, students will decide whether they will defer payment until after they graduate, or whether to pay their tuition fees up front. Where a student chooses to defer payment, the Government will pay the tuition fee to the HEI during the academic year for which it is charged. The details of the arrangements for the timing of the payment or payments during the academic year have yet to be finalised.

Mr. Cousins: To ask the Secretary of State for Education and Skills what the *(a)* maximum and *(b)* minimum ranges of residual parental income are at which students may be (i) wholly and (ii) partly exempt from tuition fees in 2003–04. [132752]

Alan Johnson: For most higher education students, the maximum fee contribution for which they will be liable in 2003/04 is £1,125. Students will be wholly exempt from a contribution to their fees if their parents' residual income is less than £20,970. They will be liable for a partial contribution to their fees if their parents' residual income is between £20,790 and £31,230.

TRADE AND INDUSTRY

Alstom

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's role in the threatened closure of the Alstom works in Birmingham. [131969]

Ms Hewitt *[holding answer 14 October 2003]*: My right hon. Friend the Secretary of State for Trade and Industry has met the President of Alstom UK, constituency MPs and trade unions to discuss Alstom's restructuring plans and their impact on the company's operations in the UK. The Government also have a role through its regional agencies in providing the best available help for the individuals who may be affected.

Arms Sales

Llew Smith: To ask the Secretary of State for Trade and Industry how much has been spent by her Department in each year since 1997–98 on promoting British military equipment and arms sales to foreign customers. [131110]

Mr. Mike O'Brien: The Defence Export Services Organisation (DESO) of the Ministry of Defence takes lead responsibility for promoting British military equipment and arms sales to foreign customers. The Department of Trade and Industry does provide some support to defence companies wishing to export where this is likely to produce economic benefit for the UK and complies with export control regulations imposed by the UK. However, it is not possible to separately identify the Department's overall spend on this activity in each year since 1997–98.

British Trade International, through the Defence Manufacturers Association (DMA), support the presence of UK companies at overseas Exhibitions and Seminars using the Support for Exhibitions and Seminars scheme (SESA) and its predecessor the Trade Fair Support scheme. The amount of grant provided to companies through DMA is as follows:

	Grant (£)
1997–98	67,850
1998–99	707,015
1999–2000	167,832
2000–01	268,592
2001–02	164,089
2002–03	311,934

Note:
The annual variation in amounts reflects the variation in the number and type of major export events occurring each year.

Asbestos

Dr. Cable: To ask the Secretary of State for Trade and Industry how much has been spent by her Department and its agencies on *(a)* asbestos surveys and *(b)* the management and removal of asbestos since 1 January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004. [130917]

Ms Hewitt: The Department of Trade and Industry (DTI) spend on asbestos surveys and on the management and removal of asbestos since 1 January 2001 has been small and the costs for this work are included in the normal operational costs associated with the DTI estate. For 2003 and 2004, there is no specific budget as provision for asbestos surveys and the removal of asbestos from buildings. For those agencies where the Department holds budgetary information, the position is similar.

Letter from Alison Brimelow to Dr. Vincent Cable:

I am replying to your Parliamentary Question 3978 tabled on 16 September 2003, about how much has been spent by the Secretary of State for Trade and Industry's Department and its agencies on (a) asbestos surveys and (b) the management and

removal of asbestos since 1st January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004.

Of the three properties we administer, only one has any asbestos, and we had a survey done this year costing £1350. As a result we are aware that some remedial work needs to be done. There is no budget provision made for this yet as we are negotiating with the Landlord on the best way to proceed.

With regard to the other buildings in our portfolio, Concept House was built in 1989/91 and does not contain any asbestos. Harmsworth House was completely refurbished before our occupation and also does not contain any asbestos.

Letter from Claire Clancy to Dr. Vincent Cable:

I am responding to your recent Parliamentary Question to the Secretary of State for Trade and Industry on behalf of Companies House, which is an Executive Agency of the DTI.

Since 1 January 2001 Companies House has spent £11,500 on asbestos surveys, and £90,724 on the removal of asbestos. No more money has been budgeted to commission surveys as they are now complete. Removal of asbestos in the years 2003 and 2004 will not exceed £50,000 and can be accommodated in the existing budget.

BAC Strikemaster

Norman Lamb: To ask the Secretary of State for Trade and Industry when she will reply to the letter dated 9 July from the hon. Member for North Norfolk concerning issues relating to the export of BAC Strikemaster jet aircraft. [132869]

Nigel Griffiths: I replied to the hon. Member's letter dated 19 June on 27 June. My Department has no record of having received a further letter from the hon. Member about Strikemaster aircraft.

Construction Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what recent discussions her Department has had with trade associations in the construction sector regarding the impact of increasing insurance premiums. [132868]

Nigel Griffiths: The DTI has regular discussions with various trade associations and umbrella bodies in the construction sector, and is working closely with the trade associations, to produce practical advice and guidance to construction firms on insurance matters.

Consultancies

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how many consultancies were commissioned by her Department in the last two years for which figures are available; and what the cost of those contracts was. [130904]

Ms Hewitt: During 2002–03, the Department's recorded expenditure on consultancy was £52 million in respect of some 180 projects. The comparable expenditure in 2001–02 was £55 million. No figures are available in respect of the number of projects commissioned for that year.

The Department is currently undertaking a review of its consultancy expenditure, with the objective of maximising the value for money obtained from the deployment of consultants through:

the effective management of consultancies and exploitation of their conclusions;

more cost-effective procurement practices; and

the consistent capture of data.

Aggregate Exports

Mr. Blizzard: To ask the Secretary of State for Trade and Industry what percentage of UK marine dredged aggregate is exported to *(a)* Holland and *(b)* other EU countries. [133253]

Mr. Mike O'Brien: The information is not collected in the form requested. However, in the year ending June 2003—the latest quarter for which data are available—sales of sand and gravel in Great Britain amounted to 83,318,000 tonnes, of which 12,451,000 tonnes were marine dredged. Exports of sand to the EU totalled 232,000 tonnes over the same period, or slightly less that 0.3 per cent of the total, of which none was exported to the Netherlands. A further 121,000 tonnes were imported, a proportion of which may have been re-exported. It is not possible to identify exports of sand by source, i.e. whether they were obtained from marine dredging or were land won.

Power Supply

Mr. Tynan: To ask the Secretary of State for Trade and Industry what assessment her Department has made of whether *(a)* electricity demand is likely to surpass 54.4 GW in England and Wales during this winter, *(b)* gas demand is likely to surpass 450 Mcm during this winter and *(c)* there is sufficient (i) electricity generation capacity and (ii) gas supply and storage capacity to meet this demand; and if she will make a statement. [132431]

Mr. Timms: National Grid Transco reports annually to Ofgem on the outlook for the forthcoming winter. Ofgem published the latest assessment on 14 October 2003. The assessment covers winter peak electricity and gas demand. It also covers electricity generation capacity and gas supply.

The report is available in the Libraries of the House.

DTI is working with Ofgem, through the joint energy security of supply working group (JESS) to monitor energy security, specifically taking a forward look and make the conclusions publicly available—allowing market participants to react in good time.

Mr. Tynan: To ask the Secretary of State for Trade and Industry what recent assessment she has made of the proportion of electricity demand in the United Kingdom in *(a)* 2005, *(b)* 2010, *(c)* 2015 and *(d)* 2020 that will be met by electricity generated using (i) gas and (ii) renewable fuels. [132432]

Mr. Timms: The latest provisional DTI energy projections which update those in Energy Paper 68, indicate a share for gas generation of 33 per cent. and 50 per cent. in 2005 and 2010 respectively. For renewables, the shares are 5 per cent. and 10 per cent. respectively. Further updating of these estimates is

under way, including estimates for later years. The projections are available at the following website: http://www.dti.gov.uk/energy/sepn/projections.pdf

Environmental Measures

Mrs. Helen Clark: To ask the Secretary of State for Trade and Industry pursuant to her answer of 17 July 2003, *Official Report*, column 509W, on environmental measures, what assessment she has made of the economic benefits to UK environmental industries of the markets created by each measure; what methodology she used to carry out each assessment; and where each assessment is published. [131893]

Ms Hewitt: The regulatory impact assessments referred to in my answer of 17 July took account of the costs and benefits to all relevant sectors, and were produced in accordance with best practice, as set out in the Cabinet Office publication "Better Policy Making: A Guide to Regulatory Impact Assessment". All the assessments were published in the corresponding DTI and Defra consultation papers, and placed on the appropriate Departmental website.

EU Emissions Trading Scheme

Jonathan Shaw: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact on industry of liability for the costs of the EU Emissions Trading scheme, with particular reference to the paper industry. [131972]

Mr. Timms *[holding answer 14 October 2003]:* We are currently working on implementing the EU Emissions Trading Scheme. We have already undertaken a draft consultation on different methodologies and a consultation is under way on draft regulations. A consultation on the draft national allocation plan will start in December 2003. Other analytical work is under way. It is not possible at present to calculate the impact on specific sectors while a number of aspects of implementation are still to be agreed and action by other member states to be finalised.

Hawk Contract

Tony Baldry: To ask the Secretary of State for Trade and Industry (1) what measures the Government will take to ensure that end-use undertakings made in relation to equipment or technology licensed for transfer to India as part of the intended sale of 66 Hawk jets to India will be honoured; [130773]

(2) what conditions will be placed on the end-use of any equipment and technology licensed for transfer to India in relation to the 66 Hawk jets intended for sale to India. [130774]

Mr. Mike O'Brien: I have been asked to reply. All licence applications are assessed on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria. The stated end-use of the equipment is one factor taken into account when making the assessment.

The Hawk trainer aircraft are intended solely for training purposes, although they would have limited combat capability as they are fitted with the necessary systems and interfaces to allow them to carry a range of weapons for training for combat.

Beyond the standard end-user undertaking requirements for export licences (which our Posts overseas will monitor), no specific additional conditions would normally be placed on the end-use of any equipment and technology licensed for transfer to India.

The Indian Air Force already has a range of other aircraft that are much more suitable for combat purposes, including modern Mirage 2000 and SU-30 aircraft. Although it would be possible for the Indians to convert the aircraft in an operational role, we are confident they are purchasing the aircraft for training purposes to fill a gap between their existing trainer aircraft and their front-line fast jets. The Hawk is to be used to teach Indian pilots to fly fast jets safely.

Iraq

Mr. Keetch: To ask the Secretary of State for Trade and Industry whether components of British manufacture from the two vehicles suspected of weapons of mass destruction production were bought with Export Credit Guarantee Department credits; and if she will make a statement. [131486]

Mr. Mike O'Brien *[holding answer 14 October 2003]:* The coalition has not yet made a definitive identification of the vehicles and the components in question. From the information available to date, ECGD has no reason to believe that its cover was given in respect of such components.

IT Industry

Chris Grayling: To ask the Secretary of State for Trade and Industry what her policy is on the relationship between the number of work permits granted to overseas applicants to work in the IT industry and vacancy levels and unemployment levels among domestic employees in that sector. [132309]

Ms Hewitt: The government's Sector Advisory Panel for IT meets regularly to assess the system for issuing work permits. The composition of the panel is broad and includes members from representative organisations and contractor groups. This panel advises in the UK's national interest and ensures that we strike the right balance between enabling employers to move skilled staff from within their companies while protecting job opportunities for resident workers. This policy is kept under regular review.

Liverpool John Lennon Airport

Mrs. Ellman: To ask the Secretary of State for Trade and Industry if she was consulted on Royal Mail's proposal to withdraw air freight operations from Liverpool John Lennon airport; and if she will make a statement. [131476]

Mr. Timms *[holding answer 14 October 2003]*: DTI Ministers and officials meet representatives from the Royal Mail on a regular basis to discuss a wide range of issues, including the company's transport review.

Decisions about the future structure of the company's air freight operations is a matter for the Royal Mail Board. I understand that while the company has proposed the closure of its operations at John Lennon airport, the Communication Workers Union has asked

to put forward alternative proposals that could mean the retention of this site. Royal Mail has agreed to consider their proposals before any final decision is made.

National Grid

Mr. Tynan: To ask the Secretary of State for Trade and Industry whether *(a)* the continental gas interconnector, *(b)* the beach terminals, *(c)* the compressor stations, *(d)* the National Transmission System and *(e)* the national control centre in Hinckley rely on power from the National Grid to operate. [132436]

Mr. Timms: Yes, but all have back-up arrangements in place.

Post Office Closures

Sarah Teather: To ask the Secretary of State for Trade and Industry what consultations she has had with the Post Office about *(a)* the closures of Crown post offices and *(b)* the consequences of closing the Crown Post Office at Brondesbury. [132725]

Mr. Timms: Decisions on closures of individual post offices are an operational matter for Post Office Ltd., but all such proposals are subject to public consultation under the Code of Practice agreed between Post Office Ltd. and Postwatch. Post Office Ltd's decision to close Brondesbury Crown post office has been taken in the context of its programme to restructure the urban post office network and the need to address the substantial losses made by the Crown office part of the network. I understand from Post Office Ltd. that there are three alternative offices between half and three-quarters of a mile from Brondesbury.

Power Stations

Mr. Tynan: To ask the Secretary of State for Trade and Industry how many gas-fired power stations are classified as *(a)* shipper nominated interruptible, *(b)* Transco nominated interruptible and *(c)* network sensitive loads. [132435]

Mr. Timms: There are 19 interruptible Combined Cycle Gas Turbine stations (CCGTs) in England and Wales. Transco has rights of interruption over all of these CCGTs. The shippers' contractual arrangements are not fully known, but it is thought that in the great majority of cases, they do have interruption rights. Even if they do not, the stations may still be self-interrupted in order to arbitrage between the gas and electricity markets. One of these CCGTs is a Network Sensitive Load, which means that its position within one of the Transco Networks makes it more likely to be interrupted for reasons of local capacity constraints. Another CCGT is in a network sensitive position from an electricity perspective. Based on National Grid Transco's latest information and experience of this station switching fuels when interrupted in the past, there is a high degree of confidence in the station's alternative fuel capability.

Science Research Councils

Mr. Meacher: To ask the Secretary of State for Trade and Industry if she will list the members of each science research council. [132495]

Ms Hewitt: The following are the names of all members of the seven Research Councils.

Members of the Seven Research Councils

BBSRC

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Professor Anne Glover—Department of Molecular and Cell Biology, University of Aberdeen

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Mr. Edwin Jenner—Formerly of AstraZeneca plc

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Professor Keith Mason—Mullard Space Science Laboratory

Professor Chris Sachrajda—University of Southampton

Professor Anneila Sargent—California Institute of Technology

Mrs. Judith Scott—British Computer Society

Mr. David Steeds

Mr. Meacher: To ask the Secretary of State for Trade and Industry if she will list the financial and commercial links with industry of each member of the Science Research Council. [132523]

Ms Hewitt: Details of Research Council members' financial and commercial links with industry are available from each Council's Register of Members' Interests available from their website: Biotechnology and Biological Science Research Council, www.bbsrc.ac.uk; Council of

the Central Laboratory of the Research Councils, www.cclrc.ac.uk; Engineering and Physical Sciences Research Council, www.epsrc.ac.uk; Economic and Social Research Council, www.esrc.ac.uk; Natural Environment Research Council, www.nerc.ac.uk; Medical Research Council, www.mrc.ac.uk; Particle Physics and Astronomy Research Council, www.pparc.ac.uk. For the convenience of Members I am placing paper copies in the Libraries of the House. A full list of Research Council members was given in my answer to my right hon. Friends Question No. 132495.

SMEs

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what information her Department has collected regarding the number of small- and medium-sized enterprises that have gone out of business in the past 12 months owing to the high cost of employer's liability compulsory insurance. [132859]

Nigel Griffiths: In my discussions with the British Chambers of Commerce, Federation of Small Business, Institute of Directors, CBI SME Council and the Forum of Private Business in the past 12 months, during which time this subject has been raised, they have provided no figures and no specific cases of businesses citing these cases as the sole reason for ceasing to trade. Nor has the DTI been able to source such information elsewhere.

I have been working with these organisations and the insurers to address issues arising from employer's liability insurance.

South Africa

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many officials from her Department assisted in the negotiations with the National Industrial Participation and the Defence Industrial Participation programmes with South Africa; what their role was in these negotiations; and what posts they held in her Department at the time of the negotiations. [132378]

Ms Hewitt: None.

WTO Conference

Mr. Gibb: To ask the Secretary of State for Trade and Industry pursuant to her oral statement of 17 September 2003, *Official Report*, columns 861–67, on the WTO Ministerial Conference, what assessment she has made of the role of NGOs in the collapse of the World Trade Organisations talks. [131957]

Ms Hewitt: The NGO community played an important role in the run-up to Cancun and at the WTO Ministerial-Conference. As I said in my statement to the House on 17 September, I warmly welcomed the UK Trade Network participation at Cancun.

The Government will continue to work with NGOs, and developing country members of the WTO, to ensure that this is a true 'development' round and that trade rules are improved to benefit the world's poorest people.

Mr. Steen: To ask the Secretary of State for Trade and Industry when she will reply in full to the letter from the hon. Member for Totnes dated 24 July 2003 concerning the World Trade Organisation negotiations in Cancun. [132591]

Mr. Mike O'Brien: A reply was sent out on 15 October 2003.

MINISTER FOR WOMEN

Special Advisers

Miss McIntosh: To ask the Minister for Women what proportion of special advisers working in Government Departments are women. [131478]

Mr. Alexander: I have been asked to reply.

At 14 October, there are 77 special advisers in post of which 23 are women.

HEALTH

Water Fluoridation

Mr. Rosindell: To ask the Secretary of State for Health (1) what proportion of the public must be in agreement before water may be fluoridated in their area; [132113]

(2) how the Government plans to assess local opinion on the fluoridation of water supplies; [132115]

(3) to what extent local public opinion will be binding on the Strategic Health Authority in relation to water fluoridation. [132118]

Miss Melanie Johnson: It is Government policy that no area will be required to fluoridate its water supply unless the local population is in favour. Detailed provision on the local consultations required and the assessment of public opinion will be the subject of regulations to be made under Clause 61 of The Water Bill, currently in Committee before this House.

Accident and Emergency Services

David Davis: To ask the Secretary of State for Health how many patients admitted to Accident and Emergency in Hull and the East Riding in *(a)* 2002 and *(b)* 2003 waited for more than 12 hours before being treated or transferred to a ward. [132394]

Miss Melanie Johnson: The NHS Plan set a target for accident and emergency (A&E) to reduce the maximum wait in A&E from arrival to admission, transfer or discharge to four hours by 2004.

In line with this target from 2001, the Department has collected data on total time spent in A&E from arrival to admission, transfer or discharge. The available figures for Hull and East Yorkshire National Health Service Trusts are shown in table 1.

Table 1. Total time spent in A&E Departments, Hull and East Yorkshire Hospitals NHS Trust

Year	Quarter	Total attendances at major A&E	Percentage of patients who spent less than 4 hours in A&E	Number of patients spending more than 4 hours in A&E
2003–04	1	26,147	91.4	2,237
2002–03	4	23,919	84.6	3,695
2002–03	3	23,082	74	6,000
2002–03	2	24,313	64	8,827

The Department collects data on waiting times in A&E post decision to admit patients to a hospital ward. The figures for Hull and East Yorkshire NHS Trusts for the two years ended March 2002 and March 2003 are shown in table 2.

Table 2. Admissions through major A&E Departments, Hull and East Yorkshire Hospitals NHS Trust

Year	Quarter	Number of patients admitted through major A&E	Patients not placed in bed in a ward within 4 hours of a decision to admit	Percentage
2003–04	1	6,249	205	3.3
2002–03	4	6,411	349	5.4
2002–03	3	6,051	252	4.2
2002–03	2	6,068	249	4.1
2002–03	1	6,243	260	4.2
2001–02	4	5,812	288	5.0
2001–02	3	3,976	119	3.0
2001–02	2	4,745	40	0.8

Source:
Hospital Activity Statistics, Department of Health

Breast Cancer

Dr. Julian Lewis: To ask the Secretary of State for Health (1) what measures other than advising women of lifestyle changes his Department is taking to prevent breast cancer; [131315]

(2) what discussions he has had with other Departments on possible *(a)* environmental and *(b)* other causes of breast cancer. [131316]

Miss Melanie Johnson: It is not clear exactly what causes breast cancer, but it is thought that there are many risk factors, some already well established and some still being investigated. The main risk factors are being female and increasing age. The majority of other risk factors are linked to lifestyle. Key prevention measures include improving dietary intake, including increasing fruit and vegetable consumption, increasing physical activity and staying at a healthy weight.

About five per cent. of all breast cancer cases (fewer than 2,000 per year) may be caused by breast cancer genes. The National Institute for Clinical Excellence is developing a clinical guideline on the classification and care of women at risk of familial breast cancer in primary, secondary care and tertiary care. The guideline is expected to be published in February 2004.

The Government's White Paper, "Our Inheritance, Our Future—Realising the Potential of Genetics in the NHS", was published in June 2003. The Department has collaborated with Macmillan Cancer Relief to develop a model approach to genetic cancer services for people at risk of, or concerned about, familial cancer. The model is patient-centred, describing a continuum of advice and care involving primary care, local cancer services and specialised genetic and cancer services. A tendering exercise has begun to pilot all or certain aspects of the model. It is envisaged that there will be six evaluated pilot sites in England to inform the future development of cancer genetic services, as envisaged in the National Health Service Cancer Plan. Bids for pilot project funding must be submitted by 31 October 2003.

Women should be breast aware at all times. The Government promote the overriding importance of teaching women to be breast aware, knowing that 90 per cent. of breast cancers will be found by women themselves. The breast awareness five point code is as follows:

know what is normal for you;

look and feel;

know what changes to look for;

report any changes without delay; and

attend for breast screening if aged 50 or over.

The Department, together with Cancer Research UK, produces a leaflet entitled "Be Breast Aware". The leaflet is widely available from general practitioner's surgeries and breast screening units. 1.5 million copies were printed in 2002–03.

Officials from the Department have had discussions with the Department for Environment, Food and Rural Affairs regarding possible links between environmental chemicals, in particular, organochlorine pesticides, and breast cancer.

In 1999, the independent Committee on Carcinogenicity of Chemicals in Food Consumer Products and the Environment (COC) considered this issue and concluded that lindane and other organochlorine pesticides were not a significant risk factor in breast cancer. The remit of the COC is to advise Government Departments on all aspects of the carcinogenicity of chemicals. The COC is currently reviewing new data on this issue.

The COC has also considered the possible association between alcoholic beverages and breast cancer. A statement was issued in 1995, indicating that there was not enough evidence to conclude that the ingestion of alcoholic beverages was a cause of breast cancer. The COC is reviewing new data on this issue with a view to updating its statement next year.

There have been allegations of an association between environmental radiation and breast cancer and these are being considered by the independent Committee on Medical Aspects of Radiation in the Environment. The remit of this Committee is to advise Government Departments on the health effects of environmental exposure to radiation.

Call Centres

Mr. Connarty: To ask the Secretary of State for Health whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132112]

Ms Rosie Winterton: The Department has no plans to outsource call centre work for which it is responsible to premises outside the United Kingdom.

Cancelled Operations

David Davis: To ask the Secretary of State for Health how many operations in Hull and the East Riding in *(a)* 2002 and *(b)* 2003 were cancelled for non-clinical reasons; and what proportion of admissions these figures represent in each case. [132398]

Miss Melanie Johnson: The information requested is shown in the table.

RWA Hull and East Yorkshire Hospitals NHS Trust			*Number of last minute cancellations for non clinical reasons in the quarter*	*Number of elective admissions*	*Cancellations as a percentage of elective admissions*
2002	2001–02	Q4	301	13,893	2.2
	2002–03	Q1	189	14,329	1.3
		Q2	202	15,771	1.3
		Q3	237	14,966	1.6
2003		Q4	249	15,515	1.6
	2003–04	Q1	199	15,146	1.3

Source:
Hospital Activity Team, QMCO

Criminal Records

Mr. Hammond: To ask the Secretary of State for Health what assessment he has made of the impact on voluntary organisations concerned with the delivery of personal care to elderly and vulnerable people of the cost of Criminal Records Bureau checks. [130701]

Paul Goggins: I have been asked to reply.

A Regulatory Impact Assessment which assesses the impact on different sectors of the recent fee increase was placed in the Library on 5 June.

Mr. Stephen O'Brien: To ask the Secretary of State for Health what discussions he had with the National Care Standards Commission (NCSC) on the Care Home Regulations in place since 1 April 2002, with particular reference to Criminal Records Bureau checks on staff to be employed in the care home sector; what directions have been given to the NCSC; and what representations have been received by his Department. [131621]

Dr. Ladyman: Ministers and officials meet regularly with the National Care Standards Commission (NCSC) to discuss a wide range of matters, including the regulation of care homes and Criminal Records Bureau (CRB) checks. I last met with representatives of care homes organisations on 24 September 2003. In the last few months I have received 125 letters from right hon. and hon. Members and five letters from members of the public on CRB checks for the care home sector. I have given no directions to the NCSC on this matter.

Mr. Hancock: To ask the Secretary of State for Health what factors underlay the decision to bring into effect the Care Home Regulation, from 1 October, that stipulates that all new staff should have a Criminal Records Bureau check completed before starting work; what assessment he has made of the effectiveness of the interim guidance on this matter from the National Care Standards Commission; what assessment he has made of the effect of enforcing the regulation on the long-term care sector; and if he will make a statement. [132444]

Dr. Ladyman: Since 1 April 2002, all new staff in care homes have been required to obtain a satisfactory Criminal Records Bureau (CRB) check as part of their pre-employment checks. The impact of this requirement was assessed as part of a Regulatory Impact Assessment.

However, in the light of the initial difficulties experienced by the CRB in dealing with the level of demand for checks, in June 2003 the National Care Standards Commission (NCSC) issued interim guidance on how to deal with recruitment of care home staff, while steps were taken to improve the CRB's performance. The intention of the guidance was to enable care homes to recruit staff while ensuring residents were protected.

Following significant improvements made at the CRB, the NCSC rightly decided to look again at its guidance. Where CRB clearances are not in place, the NCSC will continue to apply its discretion on the use of its enforcement powers on a case by case basis, where this is appropriate.

The Department has not made an assessment of the effectiveness of the NCSCs interim guidance. However, we are aware that provider organisations welcomed the guidance and their recent concerns were not with its operation, but its withdrawal.

Care Homes

Mr. Laurence Robertson: To ask the Secretary of State for Health (1) how many *(a)* residential care home and *(b)* nursing home places have been lost in each of the last 10 years for which figures are available in Gloucestershire; [133294]

(2) if he will make a statement on the provision of *(a)* nursing home and *(b)* residential home care in Gloucestershire. [133295]

Dr. Ladyman: In the period 1993–2001, there was an overall increase in the number of places in residential and nursing care homes in Gloucestershire. In 1993 there were 2,854 residential care and 3,228 nursing care home places totalling 6,082. This is compared to 4,241 residential care and 2,966 nursing care places totalling 7,207 in 2001.

Source:
Department of Health stats.

Figures for later years have been collected by the National Care Standards Commission.

Child Health Statistics

Mr. Paul Marsden: To ask the Secretary of State for Health how many children in each year since 1997 have been diagnosed with *(a)* eczema, *(b)* asthma, *(c)* AIDS and *(d)* glaucoma. [132210]

Dr. Ladyman: Information on eczema, asthma and glaucoma is not collected centrally in the form requested.

Hospital episode statistics collect data on admissions. Table 1 shows hospital admissions—this does not represent numbers of children diagnosed with these conditions, as a child may have more than one admission within the year, or may not be admitted at all.

Table 1—Primary diagnoses (ICD10 various codes) eczema, asthma, glaucoma. Count of finished in-year admission episodes. Age on admission 0–17 years. NHS hospitals England—1997–98 to 2001–02

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Eczema	3,655	3,840	3,853	4,184	3,792
Asthma	32,430	29,384	26,317	23,910	25,324
Glaucoma	942	1,092	1,116	1,208	1,227

Notes:
1. Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.
3. Grossing—figures have not been adjusted for shortfalls in data (ie the data are ungrossed).
Source:
Hospital Episode Statistics (HES), Department of Health.

Information is collected centrally by the Communicable Disease Surveillance Centre on the numbers of children diagnosed with HIV/AIDS in England. Data from 1997 is shown in table 2.

Table 2—Year of HIV/AIDS diagnosis aged 14 or younger at diagnosis

	Number
1997	77
1998	95
1999	80
2000	101
2001	78
2002	102

Note:
Numbers will rise as late reports are received.
Source:
Communicable Disease Surveillance Centre, data to the end of June 2003.

Dental Access Centres

Mr. Paul Marsden To ask the Secretary of State for Health how many patients were treated in the last year in each dental access centre. [132295]

Ms Rosie Winterton: The table shows the number of patients treated in each dental access centre during 2002–03.

Wave	*Dental Access Centre*	*Number of patients treated*
1	Cornwall	21,708
	Shropshire	9,112
2	Bromley	792
	Manchester (Kath Locke)	1,481
	Gloucestershire	9,916
	Wiltshire	7,220
	Wolverhampton	4,544
	Worcestershire	10,442
3	Peterborough	3,763
	Hereford	11,405
	West Norfolk and Wisbech	6,113
	North Staffordshire	12,725
	Oxfordshire	9,478
	South Staffordshire	10,518
	Hull and East Riding	9,519
	Lincolin	3,394
	Avon	7,256
	Portsmouth and South East Hampshire	2,156
	Easy Access	5,892
	Egremont	1,562
	Somerset	4,828
	Surrey	10,927
	Walsall	3,671
	Warrington	11,149
	North and East Devon	9,585
	Warwickshire	2,107
	Macclesfield	5,016
	Plymouth	11,323
	Morecambe Bay	3,657
	North Mersey DAC	3,639
	Brighton	1,213
	Milton Keynes	4,938
	Leicester	1,896
	Solihull	3,710
	Victoria Mill	54
	Newcastle	859
	Slough	5,641
	Barnet Enfield and Haringey[1]	65
	Bury and Rochdale[1]	3,624
4	Bury and St. Edmunds and W S	2,613
	Scarborough	3,431
	Nottingham	2,237
	Northampton	1,832
	North Norfolk	1,425
Total		248,436

[1] Dental Access Centre opened within the 2002–03 financial year.

Diagnostic and Treatment Centres

Dr. Fox: To ask the Secretary of State for Health which Government agencies are involved in schemes to offer patients choice in their NHS treatment. [129611]

Mr. Hutton: Nine choice pilot schemes are in operation. Local schemes covering a wide range of specialties are operating in Berkshire, Dorset and Somerset, Greater Manchester, London, Trent, Surrey and Sussex and West Yorkshire. In addition, we have a national coronary heart disease choice pilot and an ophthalmology choice pilot operating across the south of England. Strategic health authorities, primary care trusts and national health service trusts are involved in the planning and delivery of choice pilots. NHS Direct has also provided support to three pilot schemes that are operating with call centre based patient care advisers.

NHS Direct

David Davis To ask the Secretary of State for Health what call statistics have been collated for the East Riding NHS Direct call centre in Willerby for the last 12 months. [132412]

Ms Rosie Winterton: In the last twelve months (October 2002—September 2003), NHS Direct Tees, East and North Yorkshire handled 257,347 calls. For the corresponding time period in the previous twelve months (October 2001—September 2002), NHS Direct Tees, East and North Yorkshire handled 229,961 calls. This represents an 11 per cent. increase in call volumes.

Dr. Fox: To ask the Secretary of State for Health what role NHS Direct is expected to have in Government schemes to offer patient choice. [129596]

Mr. Hutton: NHS Direct is currently involved in three pilot schemes to offer choice of hospital to national health service patients. NHS Direct's existing infrastructure and expertise is being used to support call centre based patient care advisers. Strategic health authorities are currently planning for the national roll-out of choice of hospital and booking. This will include their plans for the role and provision of telephone services to support booking and choice.

Dr. Fox: To ask the Secretary of State for Health what schemes to offer patients choice in their NHS treatment will be operating in conjunction with NHS Direct. [129598]

Mr. Hutton: A number of pilot schemes are currently offering patients choice over the hospital in which they receive their treatment. NHS Direct is involved in pilots in London, Greater Manchester and Surrey and Sussex, using its existing infrastructure and expertise to support call centre based patient care advisers. The experience and learning of the choice pilots will support the national roll-out of patient choice.

Efexor

Paul Flynn: To ask the Secretary of State for Health how many children under the age of 18 years have been prescribed the anti-depressant Efexor in each of the past five years. [132314]

Dr. Ladyman: Information is not available in the form requested. The table shows the estimated number of prescription items of venlafaxine (Efexor being a branded form) dispensed in the community in England for children between 1999 and 2002. Children are defined as 0 to 15-year-olds and those aged 16 to 18 in full-time education.

On 19 September an expert group of the Committee on Safety of Medicines advised that venlafaxine should not be used in children and adolescents under the age of 18 years for the treatment of depressive illness. Advice was also issued on stopping treatment with venlafaxine.

Estimated number of prescription items of all venlafaxine dispensed in the community in England for children between 1999 and 2002

	Number
1999	5,000
2000	6,000
2001	9,000
2002	13,000

Paul Flynn: To ask the Secretary of State for Health how many reports the Medicines Control Agency has received of suicides attributed to Efexor in each of the last five years; and how many yellow card reports the Medicines Control Agency has received about Efexor in each of the last five years. [132315]

Miss Melanie Johnson: The number of adverse drug reactions received by the Medicines and Healthcare Products Regulatory Agency (MHRA) under the yellow card scheme in respect of venlafaxine (Efexor) over the last five years is shown in the table, together with the number of reports of completed suicide.

	Number of UK reports for venlafaxine (Efexor)	*Number of reports of completed suicide for venlafaxine (Efexor)*
1998	589	2
1999	444	3
2000	349	3
2001	303	1
2002	316	1

The number of reports received via the yellow card scheme does not directly equate to the number of people who suffer adverse reactions to drugs for a number of reasons, including an unknown level of under-reporting. It is important to note that the reporting of a reaction does not necessarily mean it was caused by the drug and may relate to other factors, such as the patients underlying illness or other medicines taken concurrently.

As with all medicines, the MHRA and the Committee on Safety of Medicines are keeping the safety of venlafaxine under continuous review. The summary of product characteristics for venlafaxine advises prescribers about the risk of suicide that is inherent in patients with depressive illness.

Energy Use Targets

Sue Doughty: To ask the Secretary of State for Health whether the voluntary targets for energy use in NHS capital schemes have been made mandatory; what progress his Department has made in revising the NHS carbon dioxide standard of heat insultation; if it is his intention to bring the revised NHS carbon dioxide standard into line with the current British Standard for heat insulation (BS 5422, as revised in 2001); and whether any further upward revision of BS 5422 resulting from this review will be followed without delay by an equivalent upward revision of NHS carbon dioxide. [132333]

Miss Melanie Johnson: I refer the hon. Member to the response I gave on Monday 6 October 2003, *Official Report*, column 1289W.

In that reply, MES CO2 is purely a reference number for the NHS Estates model engineering specification on thermal insulation and does not relate to carbon dioxide.

Epsom and St. Helier Hospitals

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the number of people admitted to Epsom and St. Helier hospitals via the accident and emergency departments in each of the past 24 months. [131636]

Mr. Hutton: The table shows the total number of admissions to Epsom and St. Helier National Health Service Trust via its accident and emergency (A&E) department, in the latest 24 months for which figures are available.

RVR Epsom and St. Helier NHS Trust—In-year admissions via Accident and Emergency Department by month of admission NHS hospitals 2000–01 and 2001–02

Month of admission	*In-month admissions*
2000	
April	1,390
May	1,274
June	1,300
July	1,343
August	1,266
September	1,170
October	1,326
November	1,354
December	1,352
2001	
January	1,417
February	1,228
March	1,140
April	1,419
May	1,469
June	1,441
July	1,446
August	1,355
September	1,372
October	1,446
November	1,499
December	1,502
2002	
January	1,523
February	1,311
March	1,081

Notes:

1. Admissions are defined as the first period of in-patient care under one consultant within one health care provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Grossing—figures have not (yet) been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:

Hospital Episode Statistics (HES), Department of Health.

The table implies an increasing trend in admissions via A&E for this trust.

Eye Tests

Ann Taylor: To ask the Secretary of State for Health how many free sight tests were given to *(a)* pensioners and *(b)* other people in (i) Kirklees and (ii) England in each year since 1997. [132141]

Ms Rosie Winterton: The table shows the number of national health service sight tests paid for in Calderdale and Kirklees Health Authority (HA) for 1997–98 to 2002–03. Figures for the number of sight tests by constituency or age are not collected centrally. The table shows the number of sight tests where "patient aged 60 and over" was given as the eligibility category and all other sight tests.

Eligibility to NHS sight tests was extended to those aged 60 and over from 1 April 1999. There was an increase of 2.4 million sight tests between 1998–99 and 1999–2000 in England. It is fair to assume that the vast majority of this increase was due to newly eligible people aged 60 or over obtaining NHS sight tests.

However, some patients aged 60 and over will be eligible for sight tests for other reasons as well (for example, on income grounds). The classification for such patients will depend on the patient and the practitioner. The increase in the number of sight tests for those over 60 may therefore reflect an increasing awareness of the eligibility of over 60s.

General Ophthalmic Services: Number of sight test paid in Calderdale and Kirklees HA and England for the year's 1997–98 to 2002–03

Thousand

	Eligibility categories:		
	Patients aged 60 and over	*Other categories*	*Total number of sight tests*
Calderdale and Kirklees			
1997–98	—	—	88.1
1998–99	—	—	87.9
1999–2000	41.0	73.0	113.9
2000–01	46.0	68.5	114.4
2001–02	44.1	72.7	116.8
2002–03	49.1	68.5	117.6
England			
1997–98	—	—	6,991.3
1998–99	—	—	6,992.3
1999–2000	3,301.4	6,098.0	9,399.4
2000–01	3,753.3	5,813.8	9,567.1
2001–02	4,013.0	5,794.4	9,807.4
2002–03	4,135.7	5,526.3	9,662.1

Note:

Data on eligibility is derived from a 2 per cent. sample.

Food Products (Health Claims)

Chris Grayling: To ask the Secretary of State for Health pursuant to his answer to question ref. 130174, on health claims about food products, what estimate he has made of the cost to a manufacturer of making such an application. [132418]

Miss Melanie Johnson: No such estimate has yet been made. The Food Standards Agency is currently consulting on the proposed regulation on nutrition and health claims, and preparing an assessment of the potential impact, including application costs, on industry. The consultation package specifically requests information from manufacturers to inform that assessment.

Good Friday Agreement

Mr. McNamara: To ask the Secretary of State for Health what measures have been taken in the last 12 months to promote co-operation in health matters through the east-west dimension of the Good Friday Agreement. [131947]

Mr. Leslie: I have been asked to reply.

Strand Three of the Belfast or Good Friday Agreement identified health as one of the possible issues for discussion within the British-Irish Council. Work focusing on telemedicine and e-health is being taken forward by the Isle of Man. A working group has met seven times since February 2001 and members have visited a number of telemedicine applications either being piloted or in everyday use. This work has been particularly useful to those administrations with the challenge of delivering health and social care in rural and remote communities.

GPs/Dentists

Mr. Amess: To ask the Secretary of State for Health how many practising NHS *(a)* dentists and *(b)* general practitioners there were in Southend West in (i) 1997 and (ii) 2002. [130956]

Dr. Ladyman: Figures for general dental services (GDS) dentists by primary care trust (PCT) were not collected prior to 2002. The number of GDS dentists in Southend on Sea PCT at 31 December 2002 was 54. This figure includes principals, assistants and vocational dental practitioners. Figures for hospital and community health services dental staff are shown in the table.

Hospital and community health services dental staff

As at 30 September

		1997	*2002*
Southend Community Care NHS trust	RDK	8	[1]—
Southend Healthcare NHS trust	RAJ	11	11

[1] Not available.

Source:
Department of Health Medical and Dental Workforce Census

Information on numbers of general practitioners by PCT have been collected centrally since 1999. Figures for 1999 and 2002 are shown in table 2.

Table 2: General Medical Practitioners for Southend on Sea PCT

Numbers (headcount)

	Southend on Sea PCG 4KH89	*Southend on Sea PCT 5AK*
1999		
All Practitioners[1]	85	[3]—
of which:		
Unrestricted Principals and Equivalents (UPEs)[2]	84	[3]—
March 2002		
All Practitioners	[3]—	85
of which:		
Unrestricted Principals and Equivalents (UPEs)	[3]—	83

[1] All Practitioners include UPEs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (para 52 SFA), PMS Other, GP Retainers and Flexible Career Scheme GPs

[2] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

[3] Not available.

Note:
Data as at 1 October 1999, 31 March 2002

Source:
Department of Health General and Personal Medical Services Statistics

Health Services (Battersea)

Martin Linton: To ask the Secretary of State for Health if he will make a statement on the impact on the Battersea constituency of his Department's health policies and actions since 2 May 1997. [123709]

Mr. Hutton: Detailed information on the impact of departmental policies nationally is set out in the Department of Health annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2003/2004" is available in the Library and on the Department's website.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Wandsworth Primary Care Trust (PCT), St. George's Healthcare National Health Service Trust and the former Merton, Sutton and Wandsworth Health Authority (HA).

Allocations to Merton, Sutton and Wandsworth HA

	Allocation	*Cash increase*		*Real terms increase*	
Period	*£000*	*£000*	*Percentage*	*£000*	*Percentage*
1997–98	309,318	10,104	3.38	4,039	1.35
1998–99	322,343	12,806	4.14	4,179	1.35
1999–2000[1]	422,995	25,270	6.35	14,953	3.76
2000–01	455,914	35,177	8.36	24,058	5.72
2001–02	498,646	42,445	9.30	30,283	6.64
2002–03	563,125	49,830	9.80	36,215	7.12

[1] Figures for 1997–98 and 1998–99 are not comparable to the later figures, as these are for Hospital and Community Health Services (HCHS) only.

Note:
From 1999–2000 allocations have included HCHS, QMS cash limited and prescribing components (2002–03 saw the addition of HIV/Aids and QMS non cash limited components).

Merton, Sutton and Wandsworth HA and the NHS trusts within it have also received additional funding for certain policies. This includes:

£6.6 million for accident and emergency modernisation in 2000–01.

Nationally, in 2000–01 recurrent investment of £50 million was available for the improvement of cancer services. For 2001–02, an additional £255 million is available nationally for cancer care. Merton, Sutton and Wandsworth HA has received £300,000 for the investment of cancer equipment. This has already been delivered and is now in use.

£4.5 million, £453,000 and £406,000 to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively.

£2.25 million to expand critical care services in 2000–01.

£3.3 million and £2.9 million to deal with winter pressures in 1998–99 and 2000–01.

£228,000 for heart disease services in 2000–01.

£35,000 invested into dentistry in 2000–01.

I am informed by South West London Strategic Health Authority that in 2002–03, the Wandsworth PCT's overall allocation included the following earmarked funding for certain policies (there has been no earmarked funding in 2003–04):

£470,000 for mental health.

£376,000 for coronary heart disease.

£471,000 for cancer.

£348,000 for information management and technology.

£523,000 for primary care.

£2.7 million for capacity.

One of the public's principal concerns about the NHS has been waiting times. Waiting list information for St. George's is shown in the table.

Patients waiting for elective admission: St. George's Healthcare NHS Trust

Month end	*Total waiting list*	*Patients waiting over nine months*	*Patients waiting over 12 months*
March 1997	7,185	777	311
May 2003	6,623	329	0

Source:
Department of Health form KH07.

Waiting times for first consultant out-patient appointment: St. George's Healthcare NHS Trust

	GP written referrals			
	Patients seen		Patients still waiting	
Quarter	Total	Percentage seen within 13 weeks	More than 13 weeks	More than 26 weeks
Q4 1996–97	15,508	89	931	602
Q4 2002–03	12,599	72	757	5

Source:
Department of Health form QM08

Information regarding staffing within Merton, Sutton and Wandsworth has been placed in the Library.

Hospitals (Leicestershire)

Mr. Dorrell: To ask the Secretary of State for Health how many patients were treated in Leicestershire hospitals in each year since 1997–98. [127271]

Dr. Ladyman: The tables show the number of out-patients and in-patients treated in Leicestershire hospitals since 1997–98.

Out-patient Activity

Name	First attendances seen	Subsequent attendances seen
2002–03		
Charnwood and North West Leicestershire PCT	15,172	25,020
Leicester City West PCT	580	4,000
Hinckley and Bosworth PCT	9,296	59,170
South Leicestershire PCT	354	480
University Hospitals of Leicester NHS Trust	175,758	456,121
Total	201,160	544,791
2001–02		
Hinckley & Bosworth PCT	7,828	47,018
University Hospitals of Leicester NHS Trust	187,426	462,721
Total	195,254	509,739
2000–01		
Leicestershire and Rutland Healthcare NHS Trust	38,399	95,687
University Hospitals of Leicester NHS Trust	161,329	416,068
Total	199,728	511,755
1999–2000		
Leicester General Hospital	27,757	85,546
Leicester Royal Infirmary	101,379	227,477
Leicestershire and Rutland Healthcare NHS Trust	36,611	94,044
Glenfield Hospital	26,480	85,010
Total	192,227	492,077
1998–99		
Fosse Health; Leicestershire Community	35,413	58,022
Leicester General Hospital	26,591	83,077
Leicester Royal Infirmary	96,116	234,485
Leicestershire Mental Health Service	6,728	43,765
Glenfield Hospital	30,204	75,862
Total	195,052	495,211
1997–98		
Leicester General Hospital	26,598	80,148
Leicester Royal Infirmary	92,317	239,958
Leicestershire Mental Health Service	5,669	42,512
Glenfield Hospital	28098	74,596
Total	152,682	437,214

In-patient Activity

Name	1997–98	1998–99	1999–2000	2000–01	2001–02
Leicester General Hospital	45,618	48,967	50,993		
Leicester Royal Infirmary	103,127	111,319	113,818		
Glenfield Hospital	22,101	25,723	27,469		
Leicestershire Mental Health Service	2,253	4,207			
Fosse Health; Leicestershire Community	9,482	9,392			
Leicestershire and Rutland Health Care			14,427	7,810	9,607
University Hospitals of Leicester NHS Trust				180,940	198,878
Total (Leicestershire HA)	182,581	199,608	206,707	188,750	208,485

Notes:
Admissions Grossing:
Figures have not been adjusted for shortfalls in data (i.e. the data are ungrossed)
Trust Mergers:
On 1 April 1999, Leicestershire and Rutland Healthcare NHS Trust was formed from a merger of Fosse Health NHS Trust (which provided community health services) and Leicestershire Mental Health Services NHS Trust.
On 1 April 2000, University Hospitals of Leicester was formed through a merger of the three acute hospital trusts in Leicestershire—those trusts were Leicester Royal Infirmary NHS Trust, Leicester General Hospital NHS Trust, and Glenfield Hospital NHS Trust.
Source:
Hospital Episode Statistics (HES), Department of Health

Housing Benefit

Mr. Truswell: To ask the Secretary of State for Health what steps he has taken to ensure that people with learning disabilities are not deprived of housing benefit as a result of their accommodation being registered under the Care Standards Act 2000. [133167]

Dr. Ladyman: This is a matter for the Department of Work and Pensions.

Hypertension

Chris Grayling: To ask the Secretary of State for Health what progress the Government are making towards their target on hypertension. [130110]

Miss Melanie Johnson: High blood pressure is addressed through the national service framework (NSF) for coronary heart disease, which identifies the importance of prevention, detection and effective treatment of high blood pressure.

National Institute for Clinical Excellence (NICE) guidelines for the management of hypertension in primary care to be published in February 2004, and the new general medical services contract, will further support national health service action to tackle high blood pressure.

It is also essential that individuals across the population be made aware of the risks associated with high blood pressure and the importance of regular testing. The Department has contributed to the funding of the Blood Pressure Association's national blood pressure testing week in September 2002 and again this year. This voluntary screening event offers people the chance to visit temporary blood pressure testing stations in order to check their own blood pressure numbers and find out more about high blood pressure.

The Department, working jointly with the Food Standards Agency, has called on industry to take a lead in reducing salt in processed foods and together will lead a salt stakeholders meeting to highlight the role of all sectors including industry health and consumer bodies.

Wider initiatives, such as five-a-day, to increase fruit and vegetable consumption and the recently formed, cross-government activity co-ordination team to increase mass participation in physical activity and sport, also have the potential to reduce the risk of high blood pressure in individuals.

Influenza Vaccinations

Mr. Hancock: To ask the Secretary of State for Health if he will fund a scheme to offer influenza vaccinations to employees of large organisations on their work premises; and if he will make a statement. [132461]

Miss Melanie Johnson: The Department's policy for recommending influenza vaccination is to protect those most at risk from serious illness should they catch influenza.

If employees of companies are in the recommended risk group to be vaccinated they can receive their flu vaccination from their general practitioner free of charge. Otherwise it is a decision for individual companies as to whether or not they offer their employees influenza vaccination under an occupational health scheme.

Mr. Hancock: To ask the Secretary of State for Health what plans he has to extend the provision of free influenza vaccinations to citizens under 65; what assessment he has made of the cost of extending provision; and if he will make a statement. [132462]

Miss Melanie Johnson: Departmental policy is determined following recommendations from the Joint Committee on Vaccinations and Immunisation (JCVI). This is an independent group of experts, which reviews all current research on the subject of immunisation and its recommendation is based on reducing morbidity and mortality among the population.

Based upon current scientific research, the JCVI recommends that people aged 65 years and over and those aged under 65 years of age in certain clinical risk groups benefit most from being immunised against influenza.

This advice is kept under regular review.

IVF Treatment

Mr. Hancock: To ask the Secretary of State for Health what assessment he has made of the draft NICE guidance on IVF treatment. [132350]

Miss Melanie Johnson: The Department commissioned the National Institute for Clinical Excellence in July 2001 to produce a clinical guideline for National Health Service fertility services. The guideline will cover primary, secondary, and tertiary care, including in vitro fertilisation treatment.

A draft guideline was issued to a stakeholder group for consultation on 2 June 2003. A second draft was published for public consultation on 26 August.

Publication of the final document is expected in February 2004.

Licensing of Medicines

Paul Flynn: To ask the Secretary of State for Health if he will give the Medicines and Healthcare Products Regulatory Agency powers to require pharmaceutical companies to provide all available data and reports on products submitted for licensing. [132316]

Miss Melanie Johnson: The Medicines and Healthcare Products Regulatory Agency (MHRA), already has the necessary powers to require pharmaceutical companies to provide all available data and reports when submitting an application for product licensing.

The Medicines for Human Use (Marketing Authorisation Etc.) Regulations 1994 require companies to make applications in accordance with the relevant European Community legislation, including Directive 2001/83/EC on the Community code relating to medicinal products for human use. All information which is relevant to the evaluation of the medicinal product concerned must be included in the application, whether favourable or unfavourable to the product.

NHS Compensation Payments

Mr. Battle: To ask the Secretary of State for Health how much compensation was paid to patients and relatives by the NHS in each year since 1990. [132739]

Ms Rosie Winterton: This information is not held centrally.

NHS Dental Registration (Children)

David Davis: To ask the Secretary of State for Health how many children in Hull and East Riding were registered with an NHS dentist on *(a)* 1 September 2002 and *(b)* 1 September 2003. [132392]

Miss Melanie Johnson: The table shows the number of children registered with a general dental services (GDS) dentist in the Hull and East Riding area for 31 August 2002 and 2003.

Number of children registered with a GDS dentist in the Hull and East Riding Area, at 31 August 2003

	2002[1]	*2003*
Hull and East Riding HA[1]	79,056	—
East Yorkshire PCT	—	21,564
Yorkshire Wolds and Coast PCT	—	14,270
Eastern Hull PCT	—	14,712
West Hull PCT	—	24,668

[1] In October 2002, responsibilities for dentistry were moved from health authorities (HAs) to primary care trusts (PCTs).

Note:

Registrations lapse if patients do not return to their dentist within 15 months. The registration figures for children therefore exclude those who have not been to their GDS dentist within the past 15 months. The figures also exclude children who receive dental treatment from other national health service dental services, including dental access centres.

NHS Dentists

Dr. Fox: To ask the Secretary of State for Health what proportion of children were registered with an NHS dentist in each primary care trust in the last year for which figures are available. [131030]

Ms Rosie Winterton: At 30 June 2003, 6.7 million children were registered with a general dental service (GDS) dentist in England, 60.4 per cent. of the population of children. Information on the percentage of the population and of children registered with a dentist in each strategic health authority area and primary care trust (PCT) area by region at 30 June 2003, has been placed in the Library.

Primary care trusts have little influence over the provision of general dental services in their area under the current statutory arrangements. Proposals in the Health and Social Care (Community Health and Standards) Bill will give PCTs a duty to secure the provision of primary dental services. The proposed changes will help underpin a modernised high-quality primary dental service provided through contracts between PCTs and dental practices properly integrated with the rest of the national health service. With these new responsibilities will go the £1.2 billion financial resources currently held centrally.

Registrations lapse if patients do not return to their dentist within 15 months, and so the registration figures exclude patients who have not been to their GDS dentist within the past 15 months. The figures also exclude patients who receive dental treatment from other NHS dental services including dental access centres.

Otitis Media

Mr. Paul Marsden: To ask the Secretary of State for Health what proportion of children diagnosed with otitis media have parents who smoke. [132211]

Miss Melanie Johnson: This information is not held centrally.

Paediatric Continence Services

Mrs. Calton: To ask the Secretary of State for Health (1) whether his Department has completed an audit of whether the guidance "Good Practice in Continence Services" has improved paediatric continence services; [132876]

(2) what assessment his Department has made of how the children's national service framework will improve services for children with continence problems; [132885]

(3) what assessment his Department has made of how many children in England suffer from *(a)* nocturnal enuresis, *(b)* daytime wetting and *(c)* constipation and soiling. [132887]

Dr. Ladyman: Good Practice in Continence Services was issued by the Department in April 2000 and provides guidance to primary care trusts (PCTs) on continence services. This includes that PCTs should have specialist continence services in place, which provide patients with an individual assessment of their needs. Provision of these services in England is a matter for PCTs, which are responsible for determining the level of services required to meet the needs of their local populations.

The children's national service framework (NSF) will set out standards covering a broad range of services, including the management of common childhood conditions. Whilst few specific conditions will be covered, the standards are likely to cover what support should be available to children and their parents in managing a wide range of conditions and problems, including enuresis and soiling. The NSF will emphasise the promotion of evidence-based clinical guidelines and a number of examples of good practice in a range of different areas.

Information on the prevalence of these common conditions in childhood is not collected centrally.

Private Operations

Dr. Evan Harris: To ask the Secretary of State for Health how many people classed as self pay undertook operations in the private sector in each year since 1997, broken down by type of operation. [122791]

Mr. Hutton: The Department of Health does not collect information on the number of patients having operations carried out in the private sector, nor on the source of funding for those operations.

Rheumatoid Arthritis

Mr. Amess: To ask the Secretary of State for Health pursuant to his response to the Adjournment Debate on rheumatoid arthritis of 17 July 2003, *Official Report*, columns 537–42, what the evidential basis was for his statement that postcode prescribing of anti-TNF therapy is now rare. [131899]

Dr. Ladyman: Implementation of the National Institute of Clinical Excellence drug appraisals in the national health service has had an impact in reducing

postcode prescribing. More patients are now able to get the drugs they need. The Arthritis and Musculoskeletal Alliance report appears to support this, as almost two-thirds of the rheumatologists surveyed reported no problems. Anti-TNF drugs should help approximately 15,000 people. The manufacturers of these drugs estimate that around 9,000 patients are already benefiting.

Sexual Health

Mr. Burstow: To ask the Secretary of State for Health what plans his Department has to introduce a national service framework for sexual health. [132779]

Miss Melanie Johnson: The Government have no plans to introduce a national service framework for sexual health. The Government have already published the national strategy for sexual health and HIV in 2001 and has outlined progress and plans in the response to the Health Select Committee's report on sexual health, published in September 2003.

This recognises the value of developing and spreading good practice and identifying recommended standards for sexual health and HIV. Recommended standards for HIV treatment and care were published on 6 October this year and similar work is under way for sexually transmitted infections, reproductive health and psychosexual services.

Smoking

Chris Grayling: To ask the Secretary of State for Health (1) what steps his Department is taking to encourage other Government Departments and agencies to become smoke-free; [130062]

(2) what plans the Government have to bring in legislation to control smoking in the workplace; [130063]

(3) what guidance the Government give to employers regarding smoking in the workplace; [130064]

(4) what plans he has to introduce a code of practice on smoking in the workplace in *(a)* England and *(b)* Wales; [130065]

(5) whether he plans to ban smoking on government premises. [130066]

Miss Melanie Johnson: The White Paper, "Smoking Kills", states that smoke-free places are the ideal. We will continue to encourage employers and the managers of public places to introduce smoke-free policies.

An employer already has a duty, under Section 2 of the Health and Safety at Work Act 1974, to

> "ensure so far as is reasonably practicable, the health, safety and welfare at work of all his employees",

and the Workplace (Health, Safety and Welfare) Regulations 1992 require that

> "rest rooms and rest areas shall include suitable arrangements to protect non-smokers from discomfort caused by tobacco smoke".

Guidance and advice on protecting people from second-hand smoke and on introducing smoke-free policies is available from the Health and Safety Executive and the Department in the form of leaflets and website material.

Psychologists (South Essex)

Mr. Francois: To ask the Secretary of State for Health how many psychologists were employed by South Essex Mental Health and Community Care NHS Trust on September. [132629]

Dr. Ladyman: South Essex Mental Health and Community Care National Health Service Trust was replaced by South Essex Partnership NHS Trust in April 2002. The number of psychologists employed by South Essex Partnership NHS Trust in September 2003 has not been published. Figures for September 2002 are shown in the table.

NHS hospital and community health services: Qualified clinical psychologists employed by the South Essex Partnership NHS Trust[1] as at 30 September 2002

		Headcount
RWN	South Essex Partnership NHS Trust	31

[1] The services provided by South Essex Mental Health and Community Care NHS Trust, as at 30 September 2002, were provided by South Essex Partnership NHS Trust.

Source:

Department of Health Non-medical Workforce Census.

Stroke Services

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what action his Department is taking to accelerate the spread of information on functional electrical stimulation techniques for the rehabilitation of stroke sufferers; [132586]

(2) what steps his Department is taking to raise awareness of functional electrical stimulation techniques for the rehabilitation of stroke sufferers; [132587]

(3) how many NHS trusts provide functional electrical stimulation as a treatment for stroke sufferers. [132588]

Dr. Ladyman: Functional electrical stimulation (FES) is available only in specialist centres where there is an interest in the procedure. It requires physiotherapists who have specialist training in the technique supported by specialist medical physicists. The forthcoming National Clinical Guidelines for Stroke from the Royal College of Physicians states that FES should not be used on a routine basis and that it should only be considered for a very select group of stroke patients as determined by local protocols. We do not know how many national health service trusts provide FES as a treatment for stroke.

Chris Grayling: To ask the Secretary of State for Health how many stroke physicians there were in *(a)* 1998 to 1999 and *(b)* 2002 to 2003. [130115]

Mr. Hutton: The Department does not collect data on stroke physicians; a number of specialties are linked with the treatment of patients with strokes. The main specialties are geriatric medicine, neurology and rehabilitation medicine but it is not possible to say how many of the physicians within these specialties specialise in the treatment of strokes.

The table shows the number of hospital medical staff in geriatric medicine, neurology and rehabilitation medicine from 1998 to 2003.

Between September 1997 and June 2003, total consultant numbers in geriatric medicine, neurology and rehabilitation medicine increased by 380 (37 per cent.).

Written Answers to Questions

Tuesday 21 October 2003

TRANSPORT

Trains (Television Cameras)

14. **Mr. Key:** To ask the Secretary of State for Transport what assessment he has made of proposals by train operating companies to install television in railway carriages. [132973]

Mr. McNulty: Television may be installed in railway carriages for either onboard entertainment or security purposes. The first is a commercial matter for operators. CCTV for security purposes has already been installed by some operators and the Department is working with the Strategic Rail Authority to continue to improve security on trains.

Channel Tunnel Rail Link

15. **Jonathan Shaw:** To ask the Secretary of State for Transport was assessment he has made of the possibility of Channel Tunnel Rail Link domestic service trains stopping in the Medway towns. [132974]

Mr. McNulty: The Strategic Rail Authority yesterday launched a further public consultation on Channel Tunnel Rail Link domestic services, building on one carried out earlier this year. A particular issue for the consultation will be whether CTRL domestic services should run to the Medway Towns.

Bus Industry

16. **Norman Lamb:** To ask the Secretary of State for Transport what recent steps his Department has taken to disseminate best practice within the bus industry. [132975]

Mr. McNulty: The Department will shortly be publishing two good practice guides, one drawing on experience with Rural Bus Grant and Rural Challenge, and one on tendering of bus subsidy contracts. The Bus Partnership Forum has produced a report on Understanding Customer Needs and a code of conduct on Service Stability. Guidance on Quality Bus Partnerships was published in 2001.

School Transport

17. **Mr. Stunell:** To ask the Secretary of State for Transport what recent discussions he has had with other Government Departments on the relationship between home to school transport and children's health. [132976]

Dr. Howells: My Department works closely with the Department of Health on all aspects of school travel policy. We are keen to encourage walking and cycling to school.

Bus Deregulation

18. **Mr. Stringer:** To ask the Secretary of State for Transport what studies he has undertaken to assess the impact of bus deregulation in metropolitan areas. [132977]

Mr. McNulty: The impact of bus deregulation was studied in the years following 1986. No recent studies have been undertaken but we continue to publish statistical data on kilometres operated, the cost of services, passenger satisfaction etc. We are in constant touch with the Passenger Transport Executives and major bus operators about local developments. Later today I shall be meeting representatives from Greater Manchester about bus regulation issues.

Transport Provision

19. **Nick Harvey:** To ask the Secretary of State for Transport, if he will make a statement on the relationship between transport provision and access to public services. [132978]

Mr. McNulty: The Social Exclusion Unit's February 2003 report "Making the Connections" showed that provision of good local transport and provision of public services in accessible places are both essential to enable people to access the services they need when they need them. The increased funding for local transport we have already provided, and inclusion of accessibility planning in local authorities' next transport plans, will help authorities deliver real improvements in accessibility for their communities.

Air Travel (Compensation)

Mr. Chope: To ask the Secretary of State for Transport (1) what measures the Government will put in place to ensure that the proposed regulation establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights is proportionate and workable; and if he will make a statement; [133568]

(2) if he will publish a regulatory impact assessment in respect of the proposed EU regulation establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. [133569]

Mr. McNulty: The UK is supportive of the basic aim of this regulation, which is to protect passengers who are denied boarding or are the victims of commercial cancellations. However, we also believe a balance should be struck between the rights of passengers and the additional costs to airlines, which may ultimately be passed through to the consumer. Accordingly, we have been working hard to improve the original text, to try to make it more balanced and workable. Once the regulation comes into force it will be binding in its entirety and directly applicable in member states, who will be required to designate a body responsible for its enforcement and ensure that sanctions laid down for infringements are effective, proportionate and dissuasive.

When the text of the regulation has been finalised we will be in a position to complete our Regulatory Impact Assessment, which will appear on the Department for Transport website in due course.

Driving Licences

Mr. Dhanda: To ask the Secretary of State for Transport if he will require drivers to be retested for their driving licence on a regular basis. [133540]

Dr. Howells: The Government do not consider that the regular retesting of all drivers would be a proportionate measure to deliver road safety benefits. Courts already have powers to require those drivers who offend to undergo a driving test. Where a driver is guilty of a serious offence, this involves an extended length driving test.

Mr. Brady: To ask the Secretary of State for Transport what the average waiting time was for a driver aged over 70 between applying for a licence renewal and the issue of the licence in each of the last three years. [133590]

Dr. Howells: The Driver and Vehicle Licensing Agency (DVLA) aims to return licences 15 working days following receipt of a valid application (i.e. one complete in all respects). This can take longer where further inquiries are required into an individual's health or personal details. This is published in the DVLA's literature that supports application forms. Apart from a courtesy reminder system there are no separate arrangements specifically for processing applications from drivers aged over 70.

Flight Paths (Walthamstow)

Mr. Gerrard: To ask the Secretary of State for Transport what altitude restrictions apply to aircraft on flight paths above Walthamstow; and how these have changed in the last five years. [131582]

Mr. McNulty *[pursuant to his answer, 14 October 2003, Official Report, c. 168–69W]:* The airspace over all of Walthamstow above 2,500 ft has been classified as 'controlled' for many years. Over the southernmost quarter of the Walthamstow constituency the airspace has been controlled to ground level since the opening of London City Airport. Aircraft using Heathrow and City operate within this controlled airspace. Aircraft inbound to Heathrow will normally be above 5,000 ft.

Over the remainder of my hon. Friend's constituency below 2,500 ft, helicopters and general aviation aircraft from smaller aerodromes can determine routes and altitudes according to their particular requirements. Such flights are subject to the Rules of the Air Regulations, notably Rule 5, which means most will be above 1,500 ft.

There have been no changes to the airspace over Walthamstow in the last five years.

Grosvenor Square (Street Closure)

Mr. Kidney: To ask the Secretary of State for Transport, what the costs to his Department were of the *(a)* closure of Grosvenor Square and *(b)* policing of the private event held there on 11 September. [131411]

Mr. McNulty: The event was organised by the Department for Culture, Media and Sport, and was policed by officers from the Home Department.

The closure of Grosvenor Square incurred no costs to the Department for Transport. The cost of the ad hoc policing arrangements to Government was approximately £7,000.

Light Rail Schemes

Mr. Gordon Marsden: To ask the Secretary of State for Transport (1) what assessment his Department has made of the risk factors associated with light rail schemes *(a)* where there is a pre-existing light rail passenger base and *(b)* that rely on projections of passenger growth; and how this is reflected in his Department's costs and other assessments of such schemes; [131924]

(2) what risk assessment his Department has made of the Blackpool and Fleetwood Tramway renewal proposals; [131925]

(3) what account his Department took of the *(a)* extent and *(b)* costs of Disability Discrimination Act 1995 compliance in 2004 in its assessment of the costs and value for money of the minimal option of works to keep the Blackpool and Fleetwood Tramway operational; [131927]

(4) whether his Department has included regeneration benefits from the upgrade of the Blackpool and Fleetwood Tramway in its assessment of its value for money and cost-benefit ratios; [131928]

(5) what assessment his Department has made of the success of *(a)* light rail and *(b)* bus schemes in attracting users to public transport; [131963]

(6) what his Department's policy is on the upgrade of existing light rail networks; [131964]

(7) what research his Department has undertaken of the *(a)* benefits and *(b)* costs of (i) upgrading existing and (ii) building new light rail systems; [131965]

(8) what *(a)* assessment his Department has made of the cost-benefit ratios and *(b)* value for money of the options for the renewal of the Blackpool and Fleetwood Tramway. [131966]

Mr. McNulty: The Department is nearing completion of its assessment of the proposals by Blackpool borough council and Lancashire county council to upgrade the Blackpool Tramway. In common with all transport projects considered by the Department, it is being assessed using the New Approach To Appraisal (NATA) framework, which pays attention both to those impacts which can readily be monetarised (such as time savings) and to others of policy significance (such as environmental impacts) which can only be considered qualitatively.

The NATA framework also requires the preparation of an Economic Impact Report on the possible regeneration impact of the scheme and a thorough quantified risk assessment, both of which the Council has provided. My right hon. Friend will take into account the findings of the appraisal in the light of all the other pressures on his programmes in deciding whether to fund the scheme.

Lower-cost alternatives to the full scheme have also been appraised, taking account of the requirements of the Disability Discrimination Act.

A crucial, and difficult, part of the assessment of any light rail project is the forecasting of patronage. The uncertainties are always considerable, though greater in the case of proposals for an entirely new system than for an upgrading of a long-established line. Different scenarios, including optimistic and pessimistic, are examined to help capture the inherent uncertainty in forecasting future demand.

There has been no research on the relative costs and benefits of upgrading existing tram systems and of building new systems, since the circumstances and characteristics of individual schemes vary too greatly for such a comparison to be useful. For the same reason, the Department does not have any general policy as regards tram upgrades. Each proposed major local transport scheme is considered on its individual merits.

Evaluation Studies have been completed for new light rail systems, such as Croydon Supertram and Manchester Metrolink, which suggest that around 15 per cent. to 20 per cent. of passenger journeys on these systems would otherwise have taken place by car, and that generated trips can increase demand by up to 15 per cent. in the off-peak. However, there is also evidence that investment in buses can be successful in increasing public transport use. There is as yet only very limited experience in this country of guided bus schemes, which are the nearest bus-based equivalent to tram systems, and assessments of their relative attractiveness are therefore uncertain.

Light Rapid Transit Schemes (Hampshire)

Mr. Viggers: To ask the Secretary of State for Transport if he will make a statement on progress with light rapid transit schemes in South Hampshire. [132963]

Mr. McNulty: The South Hampshire Rapid Transit scheme was approved for funding in March 2001. Unfortunately the cost estimates now exceed the threshold figure agreed at the time and my right hon. Friend is reviewing the options for its future.

Mersey Tunnels

Mr. Ben Chapman: To ask the Secretary of State for Transport if he will make a statement on the proposed increase in tolls on the Mersey Tunnels. [133670]

Dr. Howells: The application by the Merseyside Passenger Transport Authority (Merseytravel) to increase the toll charges for the use of the Mersey Tunnels and representations against that application are currently being considered.

Motor Insurers Bureau

Mr. Simmonds: To ask the Secretary of State for Transport whether the Motor Insurers Bureau receives Government funding. [133730]

Mr. McNulty: The Motor Insurers' Bureau (MIB) is a Company which was set up and is managed by the insurance industry. It is funded entirely by a levy on the insurance industry and receives no Government funding.

Motorway Resurfacing

Mr. Oaten: To ask the Secretary of State for Transport if he will make it his policy to take into account minimising noise disruption to schools as part of the criteria for resurfacing motorways; and if he will make a statement. [132567]

Mr. McNulty: Government policy is that lower noise surfaces should now be used, except for practical reasons, when any trunk road is resurfaced and it is currently anticipated that over 60 per cent. of the strategic road network will have been surfaced with lower noise materials by 2011. The phasing of resurfacing is usually based on the need to keep the road in optimum condition without causing excessive delays to traffic. Noise mitigation measures on roads built after 1988 take into consideration the need to reduce their impact on noise sensitive facilities such as schools, as well as residential properties.

Railways

Mr. Redwood: To ask the Secretary of State for Transport how much money has been granted to *(a)* Railtrack in Administration and *(b)* to Network Rail (i) by way of grant and (ii) in loan guarantees since the appointment of the Administrator. [133667]

Dr. Howells: Network grants paid to Railtrack in Administration and Network Rail are as set out in the Rail Regulator's Periodic Review Final Conclusions of October 2000, as amended by agreements between Railtrack and the Department for Transport in April 2001 and between Network Rail and the Strategic Rail Authority in June 2002.

Railtrack in Administration received network grants of £654 million. The Secretary of State guaranteed loans and other liabilities of Railtrack in Administration up to £4.5 billion. To date, Network Rail has received network grants of £1.8 billion. The SRA has made available standby credit facilities of up to £21 billion to support Network Rail's borrowing.

Recorded Crime (Railways)

Mr. Jenkin: To ask the Secretary of State for Transport if he will list the recorded crime figures on the Great Eastern/Anglia railway for the past four years; and if he will make a statement. [133658]

Mr. McNulty: The British Transport police have provided the following information on serious offences reported to the force:

	Total notifiable offences	
	First Great Eastern	*Anglia Railways*
1999–2000	1,425	390
2000–01	1,584	324
2001–02	1,841	415
2002–03	1,696	409

Road Schemes

Gregory Barker: To ask the Secretary of State for Transport what recent representations he has received from the Royal Automobile Club about new road building projects. [133025]

Dr. Howells: The RAC Foundation have contributed to several of the Multi Modal Studies, including those involving new road building projects, on which the Secretary of State made announcements in December 2002 and July 2003. Since then my officials have had regular dialogue with the RAC Foundation.

Salisbury Transportation Package

Mr. Key: To ask the Secretary of State for Transport when he will complete his review of the Salisbury Transportation Package. [132923]

Mr. McNulty: Department for Transport Officials are currently working with Wiltshire County Council and Salisbury District Council to complete a re-appraisal of the transport package following an increase in scheme costs since the initial bid in the 2000 Local Transport Plan.

It is anticipated that this work will be completed in time for an announcement on future funding to be made in the Local Transport Plan settlement, which we expect to announce in December 2003.

US Warship Disposal

Norman Baker: To ask the Secretary of State for Transport what the planned route within UK waters is of the ships from the US Reserve Fleet intended for dismantling on Teesside which have set sail from the US; what control he has over this route; and if he will make a statement. [133362]

Mr. McNulty: The routing for the first four ships within the contract will be through the English Channel, observing mandatory IMO traffic separation schemes, and up the east coast of the UK. Generally, international rights of freedom of navigation apply, although upon entry into UK waters the tows could be directed by the Secretary of State's Representative to change routing or to leave UK waters if he believed it necessary for safety reasons or to prevent pollution or to conduct salvage operations.

Norman Baker: To ask the Secretary of State for Transport what recent guidance he has issued to the Marine Coastguard Agency in respect of the proposal to bring ships from the US Reserve Fleet to Teesside for disposal; what policy the Marine Coastguard Agency has adopted on this matter; what discussions the Marine Coastguard Agency has had with the US Marine Administration; and if he will make a statement. [133363]

Mr. McNulty: The Maritime and Coastguard Agency (MCA) must be satisfied that the ships can make the passage without undue risk to the marine environment or safety. The MCA has had a number of meetings with both the US Coast Guard and the US Maritime Administration. MCA marine surveyors have accompanied Coast Guard surveyors during inspections of the ships. The US authorities refused to allow the vessels to sail until the MCA confirmed it was satisfied with all arrangements. The MCA did so only when it had completed a detailed scrutiny of all aspects of the company's proposals in relation to towing the first four ships within the contract; the remaining ships have yet to be considered or approved.

Norman Baker: To ask the Secretary of State for Transport what representations he has received from the EU Environment Commissioner in respect of the proposal to bring ships from the US Reserve Fleet to Teesside for disposal; and if he will make a statement. [133366]

Mr. McNulty: None.

Vehicle Excise Duty

Mr. Laws: To ask the Secretary of State for Transport what his latest estimate is of the annual cost to the Exchequer of the evasion of vehicle excise duty; and if he will make a statement. [132901]

Mr. McNulty: In March 2003 the Department published the results of a roadside survey which estimated the level of revenue lost from vehicle excise duty in 2002–03 to be £193 million, equivalent to 4.5 per cent. of the total revenue that should be raised.

TREASURY

Disabled Employees

Mr. Waterson: To ask the Chancellor of the Exchequer how many people with registered disabilities are in full-time employment. [132642]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nigel Waterson, dated October 2003:

As National Statistician, I have been asked to reply to your recent question about the number of registered disabled people who are in full-time employment. (132642)

The Labour Force Survey (LFS) asks a series of questions which determine whether respondents are subject to the provisions of the Disability Discrimination Act 1995. In the three month period ending August 2003, an estimated total of 1.88 million such people of working age were in full-time employment.

Further information on the definition of disability used in the above Act is available from: http://www.disability.gov.uk/dda/

National Minimum Wage

Mr. Battle: To ask the Chancellor of the Exchequer how many people have benefited from the national minimum wage since its introduction *(a)* in Leeds, West and *(b)* in total; and in each case how much was given to them. [132741]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. John Battle, dated 21 October 2003:

As National Statistician I have been asked to reply to your recent question on the number of people in the Leeds West parliamentary constituency and in the UK who have benefited from the national minimum wage (NMW) since its introduction, and how much has been given to them. (132741)

The Office for National Statistics (ONS) calculates estimates of the number of jobs paid less than NMW rates for the United Kingdom and Government Office Regions. A guide to measuring low pay and associated articles and data can be found on the National Statistics website at:

http://www.statistics.gov.uk/StatBase/Product.asp?vink=5837&Pos=1&ColRank=1&Rank=272

Estimates for Parliamentary Constituencies are not available.

No information is available on how much money has been given to people as a result of the National Minimum Wage.

British Troops (Tax and National Insurance)

Mr. Rosindell: To ask the Chancellor of the Exchequer if he will introduce reliefs on tax and National Insurance payments for British troops serving in Iraq. [133478]

Dawn Primarolo: I refer the hon. Gentleman to the answer I gave the hon. Member for Colchester (Bob Russell) on 6 May 2003, *Official Report*, column 625W.

Business Taxation

Mr. Swire: To ask the Chancellor of the Exchequer what plans he has to change the levels of taxation levied on the business sector; and if he will make a statement. [132654]

Dawn Primarolo: The Government keeps all taxes under review and any changes will be made as part of the normal Budget process. Since 1997 the Government has introduced a wide-ranging package of measures to make the UK an attractive place for business to locate and help small business, including cuts in corporation tax and the introduction of targeted measures such as the R&D tax credit, permanent 40 per cent. first year capital allowances and improvements to the capital gains tax regime.

Correspondence

Norman Lamb: To ask the Chancellor of the Exchequer when he will reply to the letter dated 9 September from the hon. Member for North Norfolk to the Paymaster General concerning the export of BAC Strikemaster aircraft. [132866]

John Healey: I have done so.

Customs and Excise (Vehicle Seizure)

Miss McIntosh: To ask the Chancellor of the Exchequer under what powers Customs and Excise officers may seize private vehicles at ports of entry in connection with duty paid goods. [133585]

John Healey: Section 141(1)(a) of the Customs and Excise Management Act 1979 (CEMA) gives Customs the power to seize vehicles used in the carriage, handling, deposit or concealment of goods liable to forfeiture.

Travellers may bring back to the UK as many duty-paid excise goods from another EU member state as they wish for their own use. But such goods which are not for their own use may not be brought back into the UK without payment of UK taxes, and are liable to forfeiture.

Economic Growth

Mr. Simmonds: To ask the Chancellor of the Exchequer if he will make a statement on the economy's predicted level of growth for 2003–04. [132989]

Ruth Kelly: The Government's latest economic forecasts were published in the Financial Statement and Budget Report 2003 (HC 500) on 9 April. GDP growth was forecast to be 2 to 2.5 per cent. in 2003 and 3 to 3.5 per cent. in 2004. Updated growth forecasts will be published in the forthcoming pre-Budget report 2003.

Energy Efficiency

Alan Simpson: To ask the Chancellor of the Exchequer pursuant to his answer of 25 June 2003, *Official Report*, column 760W, if he will set out the timetable for the detailed consultation on specific fiscal instruments to encourage household energy efficiency announced in the November 2002 pre-Budget statement. [132744]

John Healey: A consultation paper 'Economic instruments to improve household energy efficiency' was published on 1 August 2003, and the consultation will close on 24 October 2003. Responses will inform decisions made as part of the usual pre-Budget report and Budget process.

European Court of Justice

Mrs. Dunwoody: To ask the Chancellor of the Exchequer if he will list the *(a)* reference number, *(b)* date and *(c)* subject of the decisions of the European Court of Justice that have a bearing on UK taxation regimes; and what the effects of these decisions are. [132557]

Dawn Primarolo: The European Court of Justice ensures that Community Law is uniformly interpreted and effectively applied, including in relation to tax matters. All judgments of the European Court of Justice are set out in full in the *Official Journal of the European Communities* (C Series), a copy of which is available in the Library of the House.

Income Tax

Mr. Milburn: To ask the Chancellor of the Exchequer what the impact on marginal tax rates would be of reducing the starting rate of income tax by each one per cent. between 10 per cent. and 0 per cent. assuming no change in entitlement to tax credits or benefits. [133176]

Dawn Primarolo: I refer my right hon. Friend to table 2.1 on the Inland Revenue website www.inlandrevenue.gov.uk/stats/income_tax/it_t01_1.htm and table 1.6 on the Inland Revenue website www.inlandrevenue.gov.uk/stats/tax_expenditures/g_t06_1.htm.

Influenza

Mr. Hepburn: To ask the Chancellor of the Exchequer how many people aged 65 years or over have died of influenza in *(a)* South Tyneside, *(b)* Tyne and Wear, *(c)* the North East and *(d)* the UK in each year since 1997. [133214]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Hepburn, dated 21 October 2003:

As National Statistician, I have been asked to reply to your recent question asking how many people aged 65 years or over died of influenza in *(a)* South Tyneside, *(b)* Tyne and Wear, *(c)* the North East and *(d)* the UK in each year since 1997. (133214)

The information requested is given in the table below.

Numbers of deaths from influenza for people aged 65 and over,[1] 1997 to 2001[2], for South Tyneside local authority, the former county of Tyne and Wear, North East Government Office Region and the United Kingdom[3]

Number of deaths

Year	*South Tyneside*	*Tyne and Wear*	*North East*	*United Kingdom*
1997	-	*	7	413
1998	-	-	*	129
1999	*	17	35	598
2000	*	8	32	630
2001	-	-	*	27

- Zero deaths
* Fewer than 5 deaths
[1] Deaths with an underlying cause of influenza defined using the International Classification of Diseases, Ninth Revision (ICD-9) code 487 for the years 1997 to 2000 and, for the year 2001, the International Classification of Diseases, Tenth Revision (ICD-10) codes J10 and J11.
[2] Figures are for deaths occurring in each calendar year, except for data for Scotland and Northern Ireland included in the United Kingdom totals. These are deaths registered in each calendar year.
[3] Deaths of usual residents of these areas.

Investment Trusts

Mr. Caton: To ask the Chancellor of the Exchequer what assessment the Treasury has made of the Financial Services Authority's ability to regulate split capital investment trusts. [132990]

Ruth Kelly: The Treasury has full confidence in the way that the FSA is carrying out its regulatory responsibilities. Split-capital investment trusts are not currently directly regulated by the FSA—the Treasury has undertaken to consult on whether the FSA should regulate these companies.

Mr. Caton: To ask the Chancellor of the Exchequer what assessment the Treasury has made of the security of investment in split capital trusts. [132991]

Ruth Kelly: Investments in split-capital investment trusts have many risks in common with other forms of equity investment. It is for individual investors to take appropriate financial advice before investing in the shares of these companies.

The Treasury, however, welcomes the changes to the listing and conduct of business rules, as they apply to investment trust companies, recently announced by the Financial Services Authority. We believe that these will improve investor protection and effectively tackle the issues which have arisen at some split-capital investment trusts.

Mr. Caton: To ask the Chancellor of the Exchequer (1) if he will bring investment trusts fully into the regulation regime of the Financial Services Authority; [132992]

(2) if he will accept the recommendation of the Treasury Committee to bring investment trusts directly within the scope of investment product regulation by the Financial Services Authority. [132993]

Ruth Kelly: In its response to the Treasury Committee (published in the Committee's Fourth Special Report of Session 2002–03, HC651) the Treasury said:

'The Treasury welcomes the proposals put forward by the FSA in CP164 and believe that, when implemented, these will effectively tackle the issues which arose directly from split capital investment trusts. However, we accept that there may be a case for bringing investment trusts fully within regulation by the FSA. There are a number of ways in which this could be done and it is by no means clear which, if any, might be the most appropriate. The Treasury will, therefore, in conjunction with the FSA consider the available options for doing so and will, in due course, consult fully on these.'

This remains the Treasury's position.

Lorry Road User Charging Project

Pete Wishart: To ask the Chancellor of the Exchequer what the estimated revenues for the lorry road user charging project are for each year for which figures are available; and what proportion of the estimated revenues for the project are expected to come from Scotland. [132776]

John Healey: There will be reductions in fuel duty for those paying the charge so that there is no increase in the overall tax burden for that sector of the haulage industry that buys fuel in the UK.

No assessment of revenues can be made until it is decided at what level the charge will be set, and what level of offsetting fuel duty reduction will be available to charge-payers. Decisions on fuel duties and other taxes are made on a Budget-by-Budget basis.

Money Laundering Regulations

Mr. Chope: To ask the Chancellor of the Exchequer if he will publish a regulatory impact assessment in respect of the Money Laundering Regulations 2003. [133537]

Ruth Kelly: A full Regulatory Impact Assessment will be completed for the Money Laundering Regulations 2003. Copies will be deposited in the Library of the House and it will also be available on the Treasury website.

Non-departmental Public Bodies (Expenditure)

Mr. Redwood: To ask the Chancellor of the Exchequer what the expenditure on non-departmental public bodies was *(a)* in the last year for which figures are available and *(b)* in 1996–97. [133662]

Mr. Boateng: Total spending by non-departmental public bodies for 1998–99 to 2002–03 is shown as follows. Data on a comparable basis is not readily available for earlier years. For each department, the total of their NDPB spending is contained within their Departmental Expenditure Limit (DEL), so that any increase in spending on their NDPBs is offset elsewhere within their total DEL.

	NDPB spending (£ million)
Outturn	
1998–99	12,238
1999–2000	13,846
2000–01	14,670
2001–02	20,151
Estimated outturn	
2002–03	24,843

Source:
Supplementary Budgetary Information to the Central Government Supply Estimates 2003–04 (Cm 5797).

Productivity Growth

Mr. Simmonds: To ask the Chancellor of the Exchequer if he will make a statement on average projected productivity growth for 2003–04. [132987]

Ruth Kelly: The Government's latest published forecasts for the UK economy were set out in this year's Financial Statement and Budget Report (HC500). A full update will be made in the forthcoming pre-Budget report.

Professional Indemnity Insurance

Dr. Cable: To ask the Chancellor of the Exchequer how many financial advisers he estimates are operating without professional indemnity insurance; and if he will make a statement. [132880]

Ruth Kelly: The Financial Services Authority (FSA) tell me that as at 30 September 2003 of the 4,047 firms that are required to hold professional indemnity insurance (PII) cover, 749 have yet to notify the FSA that they have obtained cover. At that same date, 82 firms have been granted a waiver from the requirement to hold PII and are, in effect, self-insuring. Under current market conditions, there can be a time lag of three months or more for a firm to obtain suitable cover and notify FSA of that fact.

The FSA published a consultation paper in July 2003 with new proposals on its PII policy and revised rules for firms. The new PII policy will give firms a more flexible framework within which they can choose how to combine PII and financial resources. This will help firms remain in business and will continue to protect consumers who may have claims against firms.

Public Bodies

Mr. Grogan: To ask the Chancellor of the Exchequer what progress is being made in relocating *(a)* Civil Service Departments and *(b)* public bodies from London. [132957]

Mr. Boateng: The Chancellor and Deputy Prime Minister asked Sir Michael Lyons, Director of the Institute of Local Government Studies at the University of Birmingham, to conduct an independent study into the scope for relocating a substantial number of public sector activities from London and the South East of England to other parts of the United Kingdom.

Sir Michael has now received responses from Government Departments to his review and is currently assessing these before preparing his final report.

Registered Maternities

Mr. Hoban: To ask the Chancellor of the Exchequer how many registered maternities to women resident in *(a)* Fareham, *(b)* Gosport, *(c)* Portsmouth and *(d)* Havant local authority areas took place in (i) Blackbrook Maternity Unit, (ii) the Mary Rose Unit, St. Mary's Hospital Portsmouth, (iii) other Portsmouth Hospitals NHS Trust, (iv) other NHS hospitals, (v) at home and (vi) elsewhere in each of the last three years for which figures are available. [133578]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. Mark Hoban, dated 21 October 2003:

The National Statistician has been asked to reply to your request for the number of registered maternities to women resident in *(a)* Fareham, *(b)* Gosport, *(c)* Portsmouth and *(d)* Havant local authority areas, which took place in (i) Blackbrook Maternity Unit, (ii) the Mary Rose Unit, St Mary's Hospital Portsmouth, (iii) other Portsmouth Hospitals NHS Trust, (iv) other NHS hospitals, (v) at home and (vi) elsewhere in the each of the last three years for which figures are available. I am replying in his absence. (133578)

The attached table gives data for 2000, 2001 and 2002.

Maternities to residents of Portsmouth UA, Fareham CD, Gosport CD and Havant CD by place of occurrence 2000–2002

	Mothers Local Authority of Residence			
Year and place of maternity	*Portsmouth*	*Fareham*	*Gosport*	*Havant*
2000				
(i) Blackbrook Maternity Unit	5	51	*	—
(ii) Mary Rose Unit, Portsmouth	2,118	703	737	1,087
(iii) Other Portsmouth NHS trusts	—	27	170	—
(iv) Other NHS hospitals	38	181	16	90
(v) At Home	39	19	22	33
(vi) Elsewhere	*	*	*	*
Total	2,202	984	953	1,211

Maternities to residents of Portsmouth UA, Fareham CD, Gosport CD and Havant CD by place of occurrence 2000–2002

	Mothers Local Authority of Residence			
Year and place of maternity	*Portsmouth*	*Fareham*	*Gosport*	*Havant*
2001				
(i) Blackbrook Maternity Unit	*	44	*	—
(ii) Mary Rose Unit, Portsmouth	2,052	704	613	1,039
(iii) Other Portsmouth NHS trusts	*	29	177	—
(iv) Other NHS hospitals	46	259	25	96
(v) At Home	29	22	14	35
(vi) Elsewhere	*	*	—	*
Total	2,133	1,061	833	1,174
2002				
(i) Blackbrook Maternity Unit	—	79	*	—
(ii) Mary Rose Unit, Portsmouth	2,078	583	577	960
(iii) Other Portsmouth NHS trusts	*	19	233	—
(iv) Other NHS hospitals	46	272	32	159
(v) At Home	31	19	21	27
(vi) Elsewhere	*	—	*	*
Total	2,161	972	868	1,148

— Zero maternities
* Fewer than 5 maternities

Regulatory Impact Assessments

Dr. Cable: To ask the Chancellor of the Exchequer how many regulatory impact assessments have been produced by his Department since August 2001; if he will list those *(a)* produced following initial consultation with affected parties about the most appropriate methodology for assessing costs and other impacts and *(b)* which set out full commercial impacts, including profitability, employment, consumer prices and competitiveness, as recommended in Good Policy Making; and if he will make a statement. [132883]

Dawn Primarolo: HM Treasury, HM Customs and Excise and the Inland Revenue have produced 50 final Regulatory Impact Assessments since August 2001. These are listed below and are available from the House Libraries and departmental web sites.

HM Treasury

The Building Societies Act 1986 (Electronic Communications) Order 2003; The Credit Unions Act 1979 (Commencement No.3) Order 2003; The Regulatory Reform (Credit Unions) Order 2003; Implementation of the Insurers Reorganisation and Winding-up Directive; Extension of Financial Services Regulation to Mortgages; Statutory Instruments Needed under the Financial Services and Markets Act 2000; Undertakings for Collective Investment in Transferable Securities (UCITS) (Second Amending Directive); Regulating Insurance Mediation; Regulating Mortgages; Orders to be made in support of the transfer of Audit responsibility for the Special Health Service Health Authorities from the Audit Commission to the Comptroller and Auditor General; The Electronic Commerce Directive (Financial Service & Markets) Regulations 2002—July 2001; FSMA Regulated Activities (Amendment) (No 2) Order 2002—July 2001; Fourth Motor Insurance Directive Regulations 2002—October 2001; FSMA 2000 (Administration Orders relating to Insurers) Order 2002; Implementation of the Money Directive 2002; The Money Laundering Regulations 2001; The Protection of the Euro against Counterfeiting Regulations; The Insurance (Fees) regulation 2001; The Credit Unions (Increases in Limits on Deposits by persons too young to be members of Periods for Repayments of Loans) Order 2001; FSMA 2000 (Promotion of Collective Investment Schemes) (Exemptions) Order 2001; The Open Ended Investment Companies Regulations 2001.

Inland Revenue

Mandatory Electronic Payment for Large Employers, Payroll Services; National Insurance Contributions—Offshore Manning Taxation of UK Branches of Foreign Companies; Payments by Employers towards the incidental costs of Home working; Simplification of Employee Share Schemes; Stamp Duty in Disadvantaged Areas Extension of the Relief to all Non-Residential Property; Corporation Tax Relief and Employee Share Schemes ISAS—Simplified Voiding for Investor Error; Tax Law Rewrite Project—Income Tax (Earnings and Pensions) Bill; The New Tax Credits; National Insurance Contributions Bill; Fuel Scale Charge; Reform of the Taxation of Intangible Assets; Construction Industry Scheme; Research and Development Tax Credits for Large Companies/ Vaccines Research Relief; Exemptions for Gains and Losses on Substantial Shareholdings; Reform of the Corporate Debt, Financial Instruments and Foreign Exchange; Gains and Losses Regimes; Community Amateur Sports Club; Appendix to Enterprise Management Incentive.

Construction Industry Scheme: Issue of CIS5 (Partner) Certificates; Life Insurance Policies Etc.—Information Duties of Insurers.

HM Customs and Excise

Simplified Import VAT Accounting 2003; VAT Strategy: Joint and Several Liability 2003; VAT Strategy: Input Tax deduction without a valid VAT invoice 2003; Extension of the VAT Annual Accounting Scheme and the Flat Rate Scheme, and relaxations to the VAT Default Surcharge Scheme 2003; Oils Fraud Strategy 2002; VAT Flat Rate Scheme and changes to the Annual Accounting Scheme 2002; New VAT registration forms 2001; Proposal for a Council Directive Amending the Sixth VAT Directive to simplify, modernise and harmonise the conditions laid down for VAT invoicing 2001.

The costs associated to regulatory proposals are considered at the policy development stage. A Regulatory Impact Assessment is completed for regulatory proposals unless there are no or negligible costs.

An RIA considers the consequences of proposals, improving the quality of advice to Ministers and encouraging informed public debate. An RIA sets out the impact, in terms of costs, benefits and risks of the proposed regulation that could affect businesses, charities or the voluntary sector.

Research and Development Tax Credit

Dr. Cable: To ask the Chancellor of the Exchequer how much was allocated to small firms using the research and development tax credit in financial years *(a)* 2001–02 and *(b)* 2002–03; and if he will make a statement. [132884]

Dawn Primarolo: It is not possible to separately identify small firms from our data. However, it is possible to identify Small or Medium Enterprises (SMEs). Latest estimates of the total cost, on an accruals basis, of the research and development tax credit for 2001–02 and 2002–03 are available on the Inland Revenue's website at http://www.inlandrevenue.gov.uk/stats/tax_expenditures/g_t05_1.htm. For 2002–03, the first year that large companies were eligible to claim R&D tax credits, the estimated cost of support for companies which are defined as SMEs for the purposes of the tax credit is £200 million.

Vehicle Excise Duty

Mr. Laws: To ask the Chancellor of the Exchequer for what reasons the Government imposes vehicle excise duty on vehicle ownership; and if he will make a statement. [132902]

John Healey: Vehicle Excise Duty (VED) helps ensure that all motorists contribute to the costs of maintaining and policing the road network. The VED system is also important in helping the enforcement of vehicle insurance and registration rules, and it enables discounts to be offered to help disabled drivers. The graduation of VED from March 2001 in relation to the carbon dioxide emissions and the pollution of cars has been important in helping to strengthen the signals for environmentally responsible behaviour by motorists.

Research Science

Mrs. Gillan: To ask the Chancellor of the Exchequer how many people were employed in research science in each year since 1 January 1996. [132332]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mrs. Cheryl Gillan, dated 21 October 2003:

As National Statistician, I have been asked to reply to your recent question about people employed in research science since 1996 (132332)

The attached table shows the number of people employed in four occupational groups that comprise workers in research science. This data is derived from the Labour Force Survey (LFS) and is only available from Spring 2001, when the last major change to the Standard Occupational Classification (SOC2000) was implemented.

Estimates for previous years have not been given as they are not available on a consistent basis. This is because the Standard Occupation Classification (SOC)2000 classification was introduced to the LFS in spring (March to May) 2001 and is not comparable with the SOC90 classification used in earlier periods.

People employed in research science occupations[1]
United Kingdom, March to May 2001, 2002, 2003 not seasonally adjusted

Thousand

	2001	*2002*	*2003*
All research science occupations	837	852	833
211 Science Professionals	120	117	117
212 Engineering Professionals	427	429	443
311 Science and Engineering Technicians	273	290	258
2321 Scientific researchers	17	16	14

[1] People whose occupation in their main job is Standard Occupation Classification (SOC) 2000 codes 211, 212, 213, or 2321.
These LFS estimates have not been adjusted to reflect the 2001 Census results
Source:
ONS Labour Force Survey

Vehicle/Fuel Taxation

Mr. Peter Ainsworth: To ask the Chancellor of the Exchequer (1) what assessment he has made of the impact on emissions of carcinogens from road vehicles of *(a)* company car tax, *(b)* other vehicle taxation and *(c)* fuel tax; [132836]

(2) what assessment he has made of the impact on emissions of oxides of nitrogen from road vehicles of *(a)* company car tax, *(b)* other vehicle taxation and *(c)* fuel tax. [132840]

John Healey: The Government has incorporated tax differentials into the company car tax, vehicle excise duty and fuel duty regimes to facilitate the use of alternative fuels and cleaner technologies to improve air quality.

Much of the reduction in pollution from road transport results from tougher emissions standards for new vehicles. The tax system provides some incentives for the earlier take-up of cleaner vehicles, as well as incentives for switching to less-polluting fuels and technologies.

Transport taxation is also intended to encourage the use of more fuel-efficient cars with lower carbon dioxide emissions.

Key air pollutants, including carcinogens, have reduced by around 50 per cent. over the last decade and are forecast to fall by a further 30 per cent. over the next decade. The specific information requested is not available; although further details of emissions of all pollutants from road transport are available from the National Atmospheric Emissions Inventory (www.naei.org.uk).

Written Consultation

Dr. Cable: To ask the Chancellor of the Exchequer how many *(a)* consultation documents and *(b)* consultative drafts of legislation have been issued by his Department

since January 2001; what proportion of these have observed Criterion 5 of the Code of Practice on Written Consultation; and if he will make a statement. [132882]

Ruth Kelly: A list of consultation documents issued since January 2001 can be found on the HM Treasury website at http://www.hm-treasury.gov.uk/consultations and legislation/. In 2001, a third of consultation documents met Criterion 5. In 2002 and to date in 2003, more than three-quarters have done so. Most of the consultations that did not meet Criterion 5 related to market-sensitive financial service areas. In those cases where the consultation period is due to be shorter than normal, the reasons for this are now routinely set out in the text of the document.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Foxes

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what methods of controlling the fox population her Department will recommend if the Hunting Bill receives Royal Assent. [133476]

Alun Michael: The Department's advice on fox control will remain unchanged if the Hunting Bill receives Royal Assent (assuming that it does so in its current form).

At present, shooting is the recommended method of fox control in rural areas. Snaring, which is also an effective technique when used by experienced personnel, may have advantages over shooting in certain situations.

Lethal control is not generally recommended in urban areas. Killing or relocating foxes usually only provides transient relief from the problems foxes cause, as vacant territories are rapidly reoccupied once the control measures cease. In addition, shooting and snaring are unlikely to be appropriate control methods for reasons of safety, and in the case of shooting, public disturbance. Advice on alternative strategies for preventing problems is given in the Department's "Urban Fox" leaflet (code WM08) which is available from the Defra website (www.defra.gov.uk/wildlife-countryside/vertebrates).

High-risk Chemicals

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for the development of comparative risk assessment for high-risk chemicals; what the timescale is for each of the steps envisaged; and if she will list the chemicals to which it is intended to apply this system. [132454]

Alun Michael: When putting in place measures to reduce the risks of high-risk substances we consider the availability of substitutes and their hazards to ensure that the best option is taken. This is done following guidance set out by the EU and we currently have no plans to further develop this. The full examination to reduce risks—which includes this comparison—is divided into a five-stage process and generally takes between six and nine months. This process is applied to chemicals which have been demonstrated to be a high risk and examples of those completed include: short chain chlorinated paraffins, octa and penta bromodiphenyl ether, bis phenol A and nonyl phenol ethoxylate.

Pesticides

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment has been made of the costs of the safe disposal from farms of stocks of those pesticides which have been withdrawn from the market this year as a result of the review taking place under EU Agricultural Pesticides Directive 91/414; and if she will list the cost to *(a)* the Government, *(b)* farmers and *(c)* the pesticide industry arising from the review. [133108]

Alun Michael: Pesticides are regularly withdrawn from the market as a result of regulatory reviews or commercial decisions taken by crop protection companies. However, when there are not over-riding safety concerns a 'use up' period is provided. The purpose of this period is to allow the pesticide industry and farmers to use up existing stocks of the pesticide products concerned and thus avoid significant disposal costs. We believe that this is the best environmental option as well as minimising the costs for all parties.

The withdrawals of products under the EC review programme has been taking place progressively since 1995 although the largest batch of withdrawals is taking place this year. In all cases a use-up period has been provided. In anticipation of this years withdrawals the department undertook special publicity campaigns, both this year and last, supported by the crop protection industry and farmers organisations. These were designed to ensure that those affected used their stocks by the end of this year thus minimising the need for disposals.

Because of this costs would only arise at the end of this year for farmers or pesticide companies if they have failed to take advantage of the use up period and we do not envisage that there will be additional costs to Government.

Dr. Gibson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the information contained on the Pesticides Safety Directorate website on the mixing of individual compounds after sale in relation to Regulation 4 of the Control of Pesticides Regulations 1986 and Regulation 4 of the Plant Protection Regulations 1997. [133502]

Alun Michael: The information on the Pesticide Safety Directorate's website describing the mixing of individual pesticides after sale refers to the published 'Guidelines on the Provision of Pesticide Mixing Services and Sale of Twin Packs and Kits'. These guidelines confirm the requirement that only pesticides formulated in accordance with approved formulations may be sold or supplied. However once sale has taken place a pesticide may legally be mixed with another pesticide or with other substances without the need for a further product approval. This is provided that the mixing process is carried out by the user or on behalf of the user, and that specific conditions of use set for

the individually approved pesticides concerned are complied with. Many users choose to employ mixing services provided at retailer or distributor premises, or by mobile mixing services that visit farms. The mixing service guidelines stipulate that these services must be provided only after sale has taken place, that mixing must be carried out only in accordance with any restrictions placed on the individual pesticides used, and that mixed product should be used promptly.

TRADE AND INDUSTRY

British Energy

Llew Smith: To ask the Secretary of State for Trade and Industry what level of public funds will be made available to British Energy in respect of the agreement announced in her written statement of 14 October 2003, *Official Report*, columns 10–12WS. [133310]

Mr. Timms: Government's underlying commitment is the same as it was last year. Up until restructuring, we have made the credit facility (currently £200 million) available to British Energy, which has been approved by the European Commission. That will be repaid by the company under the terms of the restructuring plan at no cost to the taxpayer. Post restructuring we will take financial responsibility for British Energy's historic spent fuel liabilities, with an average cost to Government of £150 to £200 million per annum for the next 10 years, falling thereafter. We will also underwrite British Energy's arrangements for funding decommissioning and uncontracted liabilities to the extent that British Energy's contributions are insufficient.

Christmas Opening

Andrew Selous: To ask the Secretary of State for Trade and Industry what assessment she has made of the response to her request that retailers not open on Christmas Day 2002; and what action she proposes to take in relation to Christmas Day 2003. [133154]

Mr. Sutcliffe: A consultation of individual major retailers in summer 2002 indicated that the majority did not plan to open on Christmas Day in 2002 or in future years. However, it was apparent that opening by competitors or changes in customer demand would lead to plans being reviewed in some cases.

A public consultation on legislation to prohibit opening by large stores on Christmas Day took place earlier this year. This showed the majority of respondents in favour of maintaining the special nature of the day. The Government may introduce legislation as soon as parliamentary time permits.

Civil Relationships Registration

Mr. Hoban: To ask the Secretary of State for Trade and Industry pursuant to her answer of 15 September 2003, *Official Report*, column 539W, on the civil relationships registration scheme, which significant rights and responsibilities have not been addressed in the consultation paper on civil relationships. [133324]

Ms Hewitt *[holding answer 20 October 2003]:* The Government have so far not become aware of any significant rights and responsibilities that were omitted from the consultation paper on civil partnerships. We are still considering the many responses to the consultation paper and will publish a report in due course.

Fireworks

Mr. Dismore: To ask the Secretary of State for Trade and Industry if she will make a statement on the control of fireworks. [132583]

Mr. Sutcliffe: The Fireworks Act 2003, which received Royal Assent on 18 September 2003, will allow the Department to make regulations covering a range of firework issues which we are currently unable to regulate under the Consumer Protection Act 1987. These include restricting firework sales and use, licensing of retailers and controlling noise and nuisance.

We hope to implement those parts of the Act dealing with anti-social issues before Christmas. This means that we will create a curfew for the use of fireworks, create an offence for possession of fireworks by those under 18 years of age, and prohibit the supply of air bombs.

The Act's other principal provisions—setting a maximum noise limit for fireworks, licensing of suppliers, rules for public firework displays, importation of fireworks and training of display operators—require more detailed consultation with all the interested parties. We will start implementation of this part of the Act in the New Year.

Shona McIsaac: To ask the Secretary of State for Trade and Industry (1) when she expects to introduce regulations prohibiting the supply, purchase, possession and use of fireworks during anti-social hours; [132646]

(2) when she expects to introduce regulations to prohibit the purchase, possession and use of fireworks by those under 18 years; [132647]

(3) when she expects to introduce regulations to prohibit consumer sales for excessively noisy fireworks; [132648]

(4) when she expects to introduce regulations to license fireworks retailers. [132649]

Mr. Sutcliffe: The Department is committed to implementing and ensuring proper enforcement of the Fireworks Act 2003.

We hope to implement those parts of the Act dealing with anti-social issues before Christmas. This means that we will create a curfew for the use of fireworks, create an offence for possession of fireworks by those under 18 years of age, and prohibit the supply of air bombs.

The Act's other principal provisions—setting a maximum noise limit for fireworks, licensing of suppliers, rules for public firework displays, importation of fireworks and training of display operators—require more detailed consultation with all the interested parties. We will start implementation of this part of the Act in the New Year.

Interest Charges

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what steps her Department is taking to protect consumers from excessive levels of interest charged on *(a)* small loans, *(b)* credit cards and *(c)* store cards. [132861]

Mr. Sutcliffe: There are currently in excess of 200,000 businesses licensed under the Consumer Credit Act 1974 and monitoring the activities of all these businesses would create a significant burden on legitimate business.

The Consumer Credit Act 1974 contains provisions that allow a consumer to challenge an extortionate credit bargain. However, only about 30 extortionate credit cases are known to have reached the courts since the Act came into force and, of those, in only 10 did the court find the agreement to be extortionate.

I believe that these provisions have not operated effectively in enabling consumers to challenge unfair credit agreements and I intend to publish a White Paper this autumn, which will contain details of how I intend to make it easier for consumers to challenge unfair credit transactions.

Minimum Wage

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what estimates she has made of the costs to employers of standardising the minimum wage rate for all employees aged 18 and above. [131356]

Mr. Sutcliffe *[holding answer 14 October 2003]:* When the Low Pay Commission recommended in their 4th report that the rate for 18 to 21-year-olds should be increased to £3.80 an hour from October 2003, they took into account the need to maximise employment opportunities for young people in work. A significantly higher rate rise for young adult workers could have an impact on employment levels and this would make the cost to employers uncertain.

Newspapers

Mr. Drew: To ask the Secretary of State for Trade and Industry what plans she has to take action on monopoly power in the newspaper wholesale industry. [133613]

Mr. Sutcliffe: None. The investigation of anti-competitive behaviour is a matter for the competition authorities.

Post Office Card Accounts

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of Post Office card accounts. [133171]

Mr. Timms *[holding answer 20 October 2003]:* I understand from the Department for Work and Pensions that as of 3 October 2003, 1.25 million customers had requested a Post Office card account and that the Government now expect the total number of card accounts to exceed the three million operating assumption. It is too early to make a firm prediction of the ultimate number of Post Office card accounts because it will depend on the pattern of customer choices.

Precious Metals Directive

Mr. Viggers: To ask the Secretary of State for Trade and Industry what voting method will be used by the European Union to decide whether to implement the Precious Metals Directive. [133063]

Mr. Sutcliffe *[holding answer 20 October 2003]:* Qualified Majority Voting will be used.

Mr. Viggers: To ask the Secretary of State for Trade and Industry what effect the Precious Metals Directive would have upon UK hallmarking of gold and silver. [133064]

Mr. Sutcliffe *[holding answer 20 October 2003]:* Third party testing and marking would no longer be mandatory in the UK, and manufacturers would be able to choose whether to mark their own goods or send them to an assay office for marking. A full Regulatory Impact Assessment (RIA) will be done if the draft Directive is agreed.

Road Haulage

Phil Sawford: To ask the Secretary of State for Trade and Industry what measures are in place to regulate the activities of franchise operators in the road haulage industry. [132200]

Mr. Sutcliffe: My right hon. Friend the Secretary of State for Trade and Industry is not aware of any measures that are in place to specifically regulate the activities of franchise operators in the road haulage industry.

Phil Sawford: To ask the Secretary of State for Trade and Industry if she will conduct an inquiry into the activities of franchises, franchisors and recruitment agencies operating in the road haulage industry. [132202]

Mr. Sutcliffe: My right hon. Friend the Secretary of State for Trade and Industry has discretionary powers under the Companies Acts to make inquiries into companies when there appears to be sufficient grounds to do so, for instance, in cases of fraud or other serious misconduct.

The Department's Companies Investigation Branch is always ready to receive for consideration any information with regard to companies whose activities give cause for concern.

Employment agencies and employment businesses, including those supplying drivers for the road haulage industry, are required to meet minimum standards of conduct established under the Employment Agencies Act 1973 and associated regulations.

The Department's Employment Agency Standards Inspectorate is responsible for enforcing the provisions of the Act and would encourage anyone who has reason to believe an agency is not complying with these provisions to call the Employment Agency Standards helpline on 0845 955 5105.

TUPE Regulations

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the

implementation of TUPE regulations with respect to *(a)* final salary pension schemes and *(b)* other pension rights. [132864]

Mr. Sutcliffe: An announcement by my right hon. Friend the Secretary of State for Work and Pensions was made on 11 June 2003 to the effect that a degree of protection will in future be provided for occupational pension rights on transfer. My right hon. Friend intends to take forward these proposals through primary legislation when parliamentary time allows. I do not propose therefore to implement them through the forthcoming revision of TUPE regulations, on which I expect to consult publicly around the turn of the year.

Working Time Directive

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what studies her Department has made comparing the regulations to implement the working time directive in the United Kingdom with those in other EU member states, with particular reference to France; what plans she has to *(a)* improve the clarity and *(b)* reduce the length of the United Kingdom regulations; and if she will make a statement. [132852]

Mr. Sutcliffe: My officials are in regular contact with their counterparts from other member states, and share ideas for the implementation of the working time directive. They have followed developments in France with particular interest. However, direct comparison of the legislation is difficult because of the legal codes on which they are based.

I am fully committed to the Better Regulation principles of clarity in regulation. The Commission are currently reviewing elements of the working time directive and we will need to look at the UK regulations again in the light of that work. In consultation with the stakeholders we will look to see if there is scope to simplify and reduce the length of the regulations, but would need to balance any reduction in length against the corresponding potential reduction in clarity.

EDUCATION AND SKILLS

Teacher Salaries

Mr. Michael Foster: To ask the Secretary of State for Education and Skills what assessment he made of *(a)* teacher salaries in each local authority and *(b)* teacher salary costs as a percentage of overall education spending share, for each local authority when setting the Revenue Support Grant for 2003–04. [131685]

Mr. Miliband: The Department does not collect information on the distribution of teaching salaries by local education authority.

The calculation of Revenue Support Grant takes account of differing wage pressures across England and Wales through the area cost adjustment using data from the New Earnings Survey (NES). This contains information on the occupation and workplace of participants. Teaching professionals1 is one of the minor occupational classifications into which all NES participants are placed. The occupation of each individual in the NES at the minor level makes up 81 of the variables we examine in calculating the area cost adjustment. Full details of the ACA calculation are available on the ODPM website at http://www.local.odpm.gov.uk/finance/0304/acatechs.pdf

Academies

Mr. Chaytor: To ask the Secretary of State for Education and Skills what his policy is in respect of applications by individuals and organisations to establish and maintain academies solely intended for gifted and talented pupils. [131227]

Mr. Miliband: Academies are a key element of the Government's drive to raise standards and increase the diversity of education provision in disadvantaged and challenging areas. All academy proposals that have been approved to date have been for all ability schools. Any future proposal to establish an academy solely intended for gifted and talented pupils would be treated on its merits, subject to the Government's commitment that there may be no increase in *(a)* grammar schools, and *(b)* selection at 11 (depending on best definition of policy).

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Education and Skills how much has been spent in each year by his Department in preparing for United Kingdom entry to the euro; how much his Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131603]

Mr. Stephen Twigg: I refer the hon. Member to the written reply to the same question given by my hon. Friend the Financial Secretary on 14 October 2003, *Official Report*, column 142W.

Further Education

Paul Holmes: To ask the Secretary of State for Education and Skills how many further education colleges have had their three-year development plans returned by their local learning and skills council with *(a)* an upward financial revision, *(b)* a downward financial revision and *(c)* no change; and if he will make a statement. [132856]

Alan Johnson: Discussions between local learning and skills councils and further education colleges and other providers about three-year development plans are on-going. The Learning and Skills Council (LSC) expect this process to be completed by the end of October. I have therefore asked the chief executive of the LSC to write to the hon. Member as soon as the planning dialogue is complete, providing the information requested and to place a copy of his reply in the House Library.

The introduction of three-year development plans allows colleges and other providers to plan on a more secure and predictable basis. Colleges and providers will set out their plans for improving the customer focus of their provision; raising standards of teaching and learning; and improving the capability of the workforce.

Resources will be allocated by the LSC based on a provider's success in meeting its targets. This provides clear incentives for colleges to improve their performance.

Paul Holmes: To ask the Secretary of State for Education and Skills what specific funding his Department has provided to the Learning and Skills Council for further education colleges to meet targets set in relation to *(a)* the attainment of Level 3 qualifications and *(b)* meeting employers' needs; and if he will make a statement. [132857]

Alan Johnson: It is for the Learning and Skills Council (LSC) to determine for itself the right level of investment in the programmes and initiatives that it delivers. The Department does not provide specific funding to the LSC for further education colleges to meet targets set in relation to *(a)* the attainment of Level 3 qualifications, or *(b)* meeting employers' needs. The Department expects the LSC to use the funds allocated to it for learning participation and capital to allocate funds to colleges to help them meet these and other targets. Assumed learning participation funding for further education allocated to the Learning and Skills Council is £4,278 million in 2003–04; £4,625 million in 2004–05; and £4,987 million in 2005–06. Capital funding allocated by the Department to the LSC will rise by over 60 per cent. in real terms to over £400 million by 2005–06, compared with 2002–03. This will help providers to develop new, and enhance existing, vocational provision that is focused on meeting the skills needs of employers.

GCSEs

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 1 September 2003, *Official Report*, column 733W, and to his answer of 11 September 2003, *Official Report*, column 409W, when he will place the data requested in the Library. [132284]

Mr. Miliband: The information requested has been placed in the Library.

Learning and Skills Council

Mr. Hancock: To ask the Secretary of State for Education and Skills what assessment he has made of the effect of the proposed budget for the next three years of the Learning and Skills Council, on *(a)* the number of people employed and *(b)* the level of service provided in (i) England and (ii) Portsmouth; and if he will make a statement. [129791]

Mr. Ivan Lewis: The budget for the Learning and Skills Council in 2003–04 is £8.1 billion, rising to £9.2 billion in 2005–06. This substantial increase will allow the LSC to improve the range and quality of learning opportunities available to young people and adults in all parts of England. Within the LSC's budget I have allocated £218 million in each year for the LSC's administration costs and I have asked the LSC to find administrative economies so that it can manage with a flat cash administrative budget. The LSC is also undertaking a reshaping exercise which will build on its strengths, resulting in fewer staff but an enhanced capacity to improve services and deliver against targets. This is a matter for the LSC and Mark Haysom, the Council's Chief Executive, will write to the hon. Member with more information about the reshaping exercise and place a copy of his reply in the Library.

Mr. Goodman: To ask the Secretary of State for Education and Skills pursuant to his letter to the hon. Member for Wycombe of 21 July when he plans to lay a draft order in relation to complaints of maladministration against local learning and skills councils. [133599]

Alan Johnson: The Learning and Skills Council will be brought within the jurisdiction of the Parliamentary Commissioner for Administration (The Ombudsman) shortly. Officials in my Department have been in contact with the relevant officials in the Cabinet Office to ensure that this happens as quickly as possible. I will write to the hon. Member when this happens.

Minister for Children

Bob Spink: To ask the Secretary of State for Education and Skills what the *(a)* areas of responsibility, *(b)* targets and *(c)* priorities of the Minister for Children are. [122339]

Margaret Hodge: I have responsibility within the Department for Education and Skills for policy on children, young people and families. The creation of the post of Minister for Children in June 2003 brought together within the DfES a number of key responsibilities including some from other Government Departments in order to improve the co-ordination of policy on children, young people and families. From September 2003, the title of this post was changed to Minister for Children, Young People and Families.

The accountability arrangements for PSA and supporting targets affected by this change are:

the transfer from the Department of Health of the PSA target on improving the life chances for children in care together with work on the adoption of looked after children;

joint ownership of the PSA target on reducing the under-18 conception rate by 50 per cent. by 2010; and

the Department of Health will retain the PSA target on improving life outcomes for adults and children with mental health problems with DfES having an important role in ensuring input from social care and other services.

I will also retain responsibilities for the Sure Start targets which aim to ensure that accessible and high quality child care, early education and other services are available for all young children and families.

My priorities are set out in the Green Paper, published in September 2003. We need to ensure we properly protect children at risk within a framework of universal services which support every child to develop their full potential and which aim to protect negative outcomes.

I will be reviewing all targets and structures are now being established within the Department to ensure that our policy ambitions are delivered in the most cost effective manner.

Modern Apprenticeships

Mr. Blizzard: To ask the Secretary of State for Education and Skills what his targets are for the number

of modern apprenticeships to be provided; and how many have been achieved for each year since they were introduced. [133250]

Mr. Ivan Lewis *[holding answer 20 October 2003]:* The Public Service Agreement (PSA) for Modern Apprenticeships states that:

"By 2004, at least 28 per cent. of young people to start a Modern Apprenticeship by age 22".

The technical note for this target clarifies this to mean first-time entrants to Foundation or Advanced Modern Apprenticeships by those aged 16 to 21. The outturn will be starts, defined above, during the Learning and Skills Council (LSC) academic year 2004/05, expressed as a proportion of the most recent population estimate for that cohort from the Office for National Statistics (ONS).

While Modern Apprenticeships have a longer history, fit for purpose data for the PSA target have been compiled only since 2001/02:

Modern Apprenticeship starts

	Number	*Percentage*
2001/02	137,000	[1]22.8
2002/03	[2]144,900	[1]23.9

[1] Proportion calculated using ONS population estimates DME50 Table 4.
[2] Data for 2002/03 outturn are provisional; due to be finalised by the LSC in January 2004.

Physical Assaults

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many teachers have been attacked by *(a)* pupils and *(b)* parents in each education authority, in each academic year since 1997. [133700]

Mr. Ivan Lewis: In my answer to a similar question from the hon. Member on 8 September 2003, *Official Report*, column 148W, I stated that the number of serious injuries to primary and secondary school teachers in Great Britain caused by physical violence reported to the Health and Safety Executive (HSE) was as follows:

1996–97—83
1997–98—119
1998–99—124
1999–2000—135
2000–01—135
2001–02—110.

The injuries reported to the HSE are major injuries and those resulting in more than three days' absence from work as a result of assault. Information about who caused the injury is not available and the figures cannot be broken down by education authority.

School Funding

Mr. Brady: To ask the Secretary of State for Education and Skills when he will make a statement on school funding for the next financial year. [133602]

Mr. Miliband: In his statement to the House on 17 July, my right hon. Friend the Secretary of State outlined initial steps in responding to the practical concerns raised about the present system of funding schools, and promised a further report in the autumn. He expects to make that report shortly.

Mr. Jenkin: To ask the Secretary of State for Education and Skills what recent representations he has received in respect of the funding of schools in Essex; and if he will make a statement. [133710]

Mr. Miliband: My right hon. Friend has received a number of representations about school funding issues in Essex. He made a statement to the House on 17 July about changes we propose to make to restore stability to school funding in 2004–05 and 2005–06. We are currently working with national partners on the detail of his proposals and the Secretary of State will be announcing the outcome as soon as this work is complete.

School Places

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many children failed to gain a place at the school of their choice in *(a)* primary schools, *(b)* secondary schools, *(c)* special schools and *(d)* all schools in each year since 1997, broken down by local education authority. [133674]

Mr. Miliband: The Department does not keep statistics on how many children fail to gain a place at the school of their choice at primary, secondary and special schools. Individual local education authorities may have information. Collecting reliable data is difficult, because many parents apply for places at more than one school and it may not be clear which is their first preference. Research published by the Department in June 2001 suggested that, nationally, 96 per cent. of parents receive an offer of a place at one, at least, of the schools for which they express a preference.

School Transport

Bob Russell: To ask the Secretary of State for Education and Skills what his policy is towards the funding of free school transport for pupils attending faith schools. [132810]

Mr. Charles Clarke: The Education Act 1996 sets out the local education authorities (LEAs) responsibilities in providing free transport to school for pupils of compulsory school age. Section 509(1) requires LEAs to make arrangements for the provision of transport as they consider necessary, so that pupils can attend school. This transport must be free. Section 509(3) enables authorities to pay the whole of part of a pupil's travelling expenses.

LEAs must provide free transport to denominational schools, where pupils live beyond the statutory walking distances, where they are the nearest suitable school that pupils can attend. Where pupils live closer to a non-denominational school, LEAs will provide free transport to a denominational school of their choice if they consider that transport is necessary, and they may otherwise provide assistance with travel costs. This is an area where LEAs exercise local discretion, taking into account the religious beliefs of parents and local circumstances.

Our recent document, "Travelling to School: an Action Plan", set out our plans for boosting walking, cycling and bus use on the journey to school. We are planning to put legislation in place as soon as possible which will allow LEAs to trial new approaches to school transport.

We hope that one or more exemplar scheme will examine fresh approaches to denominational transport.

Sector Skills Councils

Ms Walley: To ask the Secretary of State for Education and Skills which sector skills councils are accredited; when they were accredited; and when the remainder will be operational. [132498]

Mr. Ivan Lewis: We are making good progress in setting up the Sector Skills Councils (SSCs). I expect the network of around 25 SSCs will be in place by summer 2004, as outlined in the recently published White Paper, "21st Century Skills. Realising Our Potential". Between April and October this year, four SSCs have been awarded full five-year licences to operate. They cover IT, Telecommunications and Contact Centres; Science, Engineering and Manufacturing Technologies; Construction and Active Leisure and Learning. Plans are well advanced for the development of proposals for a further 17 SSCs, including the five trailblazer SSCs. In addition, the SSDA continues to work with a number of other sectors to ensure the right coverage.

Ms Walley: To ask the Secretary of State for Education and Skills what discussions he has had with the Department for Trade and Industry about joint funding streams for *(a)* sector skills councils and *(b)* related training opportunities; and if he will make a statement with specific reference to the ceramics industry. [132496]

Mr. Ivan Lewis: The Skills Strategy White Paper, "21st Century Skills, Realising our Potential", set out our intention that the DTI should jointly sponsor, with DfES, the Skills for Business Network.

Discussions are taking place at official level regarding the details of this arrangement, including funding. The Secretaries of State for Education and Skills and Trade and Industry will receive proposals for their consideration at the end of this year.

Although the ceramics industry does not meet the criteria for establishing a dedicated Sector Skills Council (SSC), the Sector Skills Development Agency (SSDA) is working with the Association of Ceramic Training and Development to put in place effective arrangements for bringing the ceramics industry fully within the Skills for Business Network.

Teacher Vacancies

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many teacher vacancies in each subject there were in *(a)* primary schools, *(b)* secondary schools, *(c)* special schools and *(d)* all schools in each year since 1997, broken down by local education authority; and if he will express the numbers as a percentage of all teachers. [133676]

Mr. Miliband: The tables showing the number of teacher vacancies in maintained secondary schools in England have been placed in the Libraries. Vacancies by subject are available only for secondary schools. The most recent data available at local education authority level are for January 2003. Vacancy rates are not available because data for the denominator (teacher numbers by subject, by local education authority) are not collected.

Teacher vacancies are defined as advertised vacancies for full-time permanent appointments (or appointments of at least one term's duration). This includes vacancies being filled on a temporary basis unless filled by someone with a fixed term contract of one term or more.

Truancy

Chris Ruane: To ask the Secretary of State for Education and Skills how many prosecutions of parents per thousand pupils for truancy at school there were in descending order by local authority, in the latest year for which figures are available. [133048]

Mr. Ivan Lewis: Information about the number of prosecutions for truancy is not collected centrally.

Tuition Fees

Mr. Edwards: To ask the Secretary of State for Education and Skills what representations he has received from vice-chancellors in Wales about proposals to introduce differential tuition fees for university students. [129408]

Alan Johnson: My right hon. Friend has received a number of representations from various stakeholders in Wales about variable fees for university students.

University Medical Schools

Mr. Clappison: To ask the Secretary of State for Education and Skills pursuant to his answer of 6 October 2003, *Official Report*, column 1150W, on university medical schools (funding), which universities have received funding from the improving retention pot as a result of admitting full-time students under 21 with an A-level points score of less than 3 C grades to study medicine; how many such students each university has admitted; and how much of such funding each school has attracted. [133325]

Alan Johnson: The Higher Education Funding Council for England (HEFCE) allocated funds for the first time in 2003–04 to institutions to improve retention based on the profile of their students and an assessment of the risks of students failing to complete their studies. The HEFCE does not publish sensitive student or financial data at course level for individual institutions, but the institutions set out below received part of their funding from this exercise as a result of the profile of their medical students. Across these institutions, some 480 full-time medical students attracted a total of £126,092 in additional funding from the improving

retention pot because they were under 21 years of age and their points score was less than the equivalent of 3 Cs at A level.

University of Bath
University of Birmingham
University of Bristol
University of Cambridge
University of Durham
University of Leeds
University of Leicester
University of Liverpool
Imperial College
Queen Mary, University of London
University College, London
University of Newcastle
University of Oxford
University of Southampton
King's College London
St George's Hospital Medical School
University of Manchester
University of Nottingham
University of Sheffield
University of Warwick.

HOUSE OF COMMONS COMMISSION

House Tours

Mr. Evans: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the ticket revenue was in each of the years that the House has been opened to members of the public for guided tours; and what the staffing cost was in each year of *(a)* the tour guides, *(b)* ticket booth staff and *(c)* other staff costs. [132438]

Sir Archy Kirkwood: Revenue and costs for the four years that the House has been open during the summer to members of the public for guided tours are given as follows:

£

	2000 (trial)	*2001 (trial)*	*2002*	*2003 (Estimated)*
Net ticket revenue	80,357	185,568	440,000	482,900
Tour guide costs	93,497	171,928	185,000	230,000
Ticket booth staff	Costs of ticket booth staff not differentiated from 'other staff costs' until 2003			29,989
Other staff costs	65,948	77,235	85,000	Figures not yet available

Medical Services

Mr. Paul Marsden: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what services are available to hon. Members in accessing *(a)* a nurse, *(b)* a general practitioner and *(c)* a mental health professional within the precincts of the Palace of Westminster. [132302]

Sir Archy Kirkwood: The Occupational Health, Safety and Welfare Service (OHSWS) in the Department of Finance and Administration is an advisory service provided to both Houses of Parliament. The OHSWS assesses the effects work has on health and offers specialist advice on all aspects of health and safety in the workplace.

A walk-in treatment and advisory service is located in Lower Waiting Hall and is available to hon. Members and Peers during parliamentary sessions between 9am and 5pm on Mondays to Thursdays and between 9am and 4pm on Fridays.

A medical screening service is also offered on a three yearly rolling programme and an earlier appointment can be requested if required. This service is located in 7 Millbank and has been provided without interruption for more than ten years.

The OHSWS currently has two doctors: a consultant occupational physician working one day a week and a medical adviser who works three days a week. There are three qualified nurses (one full-time, two part-time). In addition, the Occupational Health Manager is a qualified nurse, and is full-time. The House does not employ any mental health professionals, but the doctors maintain close links with consultant psychiatrists at St Thomas's Hospital from whom advice can be sought.

The House does not provide general practitioner services but the OHSWS is in discussion with a local practice about the possibility of providing an emergency GP service for Members and Peers. hon Members will be informed should such a service become available.

September Sittings

Mr. Martyn Jones: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission if he will estimate the additional expense to public funds of the two week September sitting of the House; and if he will make a statement. [131860]

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what extra costs have been incurred as a result of the sitting of the House in September, broken down by *(a)* staff costs, *(b)* costs relating to building works and *(c)* other costs; and if he will make a statement. [131867]

Sir Archy Kirkwood: The sitting of the House in September has not increased the total number of sitting days. The main costs of accommodation and staff were not affected appreciably by the two week return. The building work was planned, as far as was practicable, on the basis of the revised arrangements in order to cause minimum disruption. It is impossible to determine with any accuracy what the actual costs of alternative contracts might have been, but it is estimated that some £90,000 of additional House of Commons works-related expenditure was incurred directly by the change to the recess period, out of a total forecast spend of around £24 million. In addition, it is estimated that the income from public tours was about £40,000 less as the result of moving them to later in September.

SOLICITOR-GENERAL

Parliamentary Questions

Miss McIntosh: To ask the Solicitor-General when she will reply to question 128333 of 15 September from the hon. Member for Vale of York. [133596]

The Solicitor-General: The question was answered on 14 October 2003, *Official Report*, column 155W.

INTERNATIONAL DEVELOPMENT

Bosnia

Angus Robertson: To ask the Secretary of State for International Development how many *(a)* casualties and *(b)* injuries have been recorded each month in Bosnia (i) during the mandate of the International Peacekeeping Force and (ii) since the establishment of the Stabilisation Force; and if he will make a statement. [131792]

Mr. Gareth Thomas: We do not hold this information. In regard to UK military personnel, there have been a total of 29 deaths since December 1995.

Angus Robertson: To ask the Secretary of State for International Development how many de-mining programmes have been in operation in Bosnia per annum since 1997; how much aid his Department has contributed to each programme per annum *(a)* directly, *(b)* through the EU and *(c)* through the UN; and if he will make a statement. [131891]

Mr. Gareth Thomas: The UK bilateral contribution to demining in Bosnia since 1997 is £1 million which was paid in 2000–01 into the International Trust Fund (ITF) for demining. The ITF is an international body of which the UN is a partner. These funds were used to support demining operations in the Kupres region of the country with priority being given to agricultural areas and areas being used for refugee return.

The following table shows the contribution from the EU to demining operations in Bosnia from 1998–2001 (figures obtained from the United Nations Mine Action Service (UNMAS) website).

	EU contribution to demining in Bosnia US$	*Total UK share of EU funding (%)*
1998	2,583,000	19.1
1999	5,640,000	17.75
2000	3,330,806	19.66
2001	5,293,412	18.9

DFID will make a further contribution to demining in Bosnia this year of £150,000 which will be paid via the United Nations Development Programme (UNDP). This is our first direct contribution to the UN for demining in Bosnia. These funds will be used to support capacity building of the National Mine Action Authority, improving national survey mechanisms, database co-ordination, development of transparent priority-setting processes, and improving senior and middle management skills through UNDP-sponsored training courses.

Angus Robertson: To ask the Secretary of State for International Development what de-mining programmes were *(a)* initiated and *(b)* directly run in Bosnia since 1997. [131892]

Mr. Gareth Thomas: Since 1997 National and International NGOs, the UN, the International Trust Fund for Demining (supported by various donors) working through the Bosnian mine action authorities have run programmes covering the following activities in Bosnia; advocacy and prevention, co-ordination, information, integrated mine action, mine awareness, mine clearance, research and development and victim assistance.

Ethiopia

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the status of the food shortage in Ethiopia; and what provisions are being made to prevent it recurring in the longer term. [133563]

Hilary Benn: The August 2003 update of the Ethiopian Government/UN Emergency Assistance Requirements and Implementation Options stated that for the period August-December unmet requirements were 37,458 metric tonnes of pulses and vegetable oil, while cereal food needs were covered.

Our Country Assistance Plan for Ethiopia, which was published in March, outlines the various methods that we are using to take forward our longer-term food strategy. We are working with the Ethiopian Government and Ireland Aid to pilot new approaches to improving roads and transport in rural areas. We are also working at federal and regional level in Ethiopia to learn policy-relevant lessons about key food security issues; for example we have also supported a study of destitution and the policy options available to address this.

The Ethiopian Government has itself established a task force to address the issue of food insecurity.

Foreign Aid

Mr. Connarty: To ask the Secretary of State for International Development which poor countries are considered to be committed to reform and therefore received or are due to receive increased allocations of direct budget support. [132098]

Hilary Benn: The UK will provide Direct Budget Support to a country where that country's government demonstrates a credible commitment to poverty reduction and where the development benefits of providing direct budget support outweigh the fiduciary risks, as outlined in the DFID guidelines "Managing Fiduciary Risk When Providing Direct Budget Support".

Countries where, subject to these criteria being met, allocations of direct budget support have increased or are expected to increase are India, Afghanistan (where we make contributions to the Afghanistan Reconstruction Trust Fund), Ethiopia, Ghana, Mozambique, Rwanda, Sierra Leone and Tanzania. Funding agreements in some countries are still being negotiated.

Fossil Fuels

Mr. Drew: To ask the Secretary of State for International Development if he will make a statement on his Department's policy towards the provision of loans and loan guarantees by multi-national banks to fossil fuel projects overseas; and what plans he has to amend his policy. [133632]

Hilary Benn: The UK is a shareholder in a number of multilateral Development Banks which provide loans and loan guarantees for fossil fuel projects. The Government's policy is to ensure that these institutions comply with their own policies and procedures in all projects for which they provide finance. In considering whether to provide loans or loan guarantees this should include an assessment of the possible social and environmental impacts. In addition, our policy is to fully understand the developmental implications of fossil fuel projects. We are particularly concerned that the management of revenues from such projects occurs transparently and with a positive developmental impact. We hope that initiatives such as the Extractive Industries Transparency Initiative will help to achieve this.

Overseas Development Aid

Chris McCafferty: To ask the Secretary of State for International Development when he expects the United Kingdom Government will reach the target of 0.7 per cent. of gross national product spent on overseas development aid; and if he will make a statement on the percentage allocated to reproductive health programmes. [132310]

Hilary Benn: The Government remain firmly committed to the 0.7 per cent. target. Although there is no timetable for reaching the target, the trend in the ratio of official development assistance (oda) to Gross National Income (GNI) has been upward since 1997, when it was 0.26 per cent. By 2005–06 the ratio will be 0.4 per cent. the highest since 1981.

DFID spent over £270 million on reproductive health and HIV/AIDS programmes in the financial year 2002–03. We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

The allocation of funds under the UK international development programme is decided on the basis of country programmes, agreed following discussions with partner governments, and also depends on the existence of effective partners in the country, either government, international or civil society organisations, to ensure that the funding is well spent and achieves its objectives.

DFID support for reproductive health is wide ranging. It covers HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. Reproductive health also encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity and to preventing unplanned or unwanted pregnancy. Family planning services also provide an important opportunity to improve sexual health and in particular to increase women's access to methods that help prevent HIV infection. DFID's total expenditure cannot therefore be apportioned between HIV/AIDS and Family Planning, as many reproductive health programmes and projects contribute to both objectives (for example through the provision of information on family planning and HIV/AIDS prevention or the provision of condoms).

Refugee Camps

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October, reference 131643, how many refugee camps are *(a)* directly run and *(b)* indirectly aided by UNHCR; and if he will make a statement. [132907]

Hilary Benn: UNHCR estimates there are nearly 116,000 Liberian refugees in the south of Guinea, including some 67,000 assisted in four camps managed by them. The rest are spontaneously settled in urban centres. UNHCR is registering newly arrived refugees in border areas and arranging for them to be transferred to the camps. They are coordinating with other agencies to provide food, water and sanitation to newly arriving refugees.

My reply of 14 October to the hon. Member should have made it clear that, while our support to refugees is through UNHCR and other agencies, and in that sense is not direct, £600,000 of our support to UNHCR this year was specifically allocated for Liberian and Ivorian refugees in Guinea. I apologise for my misunderstanding.

Reproductive Health

Chris McCafferty: To ask the Secretary of State for International Development if he will make a statement on the availability of reproductive health supplies globally; and what steps the Government is taking to increase availability. [132311]

Hilary Benn: Estimates suggest that 350 million couples worldwide lack access to modern family planning methods, and as many as 150 million women want to prevent or delay pregnancy but are not using any method of family planning.

The aim of family planning programmes is to enable couples and individuals to decide freely and responsibly the number and spacing of their children and to have the information and means to do so.

The Department for International Development (DFID) is one of the leading bilateral providers of condoms and other forms of contraceptives to developing countries. We are also supporting a number of male and female condom social marketing programmes. We are helping the United Nations Population Fund (UNFPA) to provide the widest achievable range of safe and effective family planning and contraceptive methods, including condoms to prevent HIV/AIDS. In January 2001, we provided

UNFPA with a grant of £25 million to help meet immediate needs for reproductive health commodities, including condoms, in a range of countries facing immediate shortages. We have increased our core annual funding to UNFPA from £15 million to £18 million.

The Government have committed £16 million (over five years) to the Medical Research Council's Microbicide development programme. New technologies such as the female condom and microbicides will be an important step forward. They will give women the power to protect themselves from unwanted pregnancies and sexually transmitted infections.

The Government champions reproductive health issues at a country level, including through support for UNFPA. DFID works through Sector Wide Approaches (SWAPS) and Direct Budget Support as ways of supporting countries' Poverty Reduction Strategies. Within these processes it is important to ensure that sufficient attention is given to reproductive health issues, for example the assured supply and availability of reproductive health commodities. In many circumstances DFID is also continuing to ring-fence its support for reproductive health and HIV/AIDS work, including for example social marketing programmes. DFID spent £31 million in 2002–03 on activities within SWAPS that had support for reproductive health services as one of their objectives.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, *Official Report*, column 74W, on reproductive health, what the structure of the Open Health Institute in Russia is; and if he will make a statement. [133200]

Mr. Gareth Thomas: The Open Health Institute is a Russian non-governmental organisation which works to resolve the most pressing health problems facing the Russian population. It was established in January 2003 as an independent NGO and previously was part of the Open Society Institute (Soros Foundation) in Russia. It continues to have a close affiliation with the Open Society Institute, from which it currently receives core funding. DFID is providing £4.2 million to OSI/OHI for three years from September 2001 for a project which aims to reduce the transmission of HIV among injecting drug users and commercial sex workers in a network of over 40 harm reduction sites in Russia. The project was most recently reviewed in September 2003 and its outcomes are expected to be largely achieved by the project's end in August 2004.

DFID's collaboration with the Open Health Institute is a valuable part of the Department's HIV prevention programme in Russia. The purpose of the programme is to influence the Russian Government and society to make a timely and effective response to HIV/AIDS by targeting vulnerable groups. There are over 250,000 officially-registered HIV cases in Russia, but the real number may be significantly higher. This is one of the fastest-growing HIV epidemics in the world.

Southern African Development Community

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 13 October, reference 131644, how much of the £7.65 million committed to the Southern African Development Community's work on HIV/AIDS has already been provided; what the per annum break-up for the provisioning of the committed amount is; when the commitment amount was last reviewed; when a new commitment will be made; and if he will make a statement. [132909]

Hilary Benn: Of the £7.65 million committed to SADC, £2.79 million has already been provided. The indicative per annum budget breakdown in the Programme Memorandum was as follows—year 1, £1.09 million; year 2, £1.295 million; year 3, £2.045 million; year 4, £2.065 million and year 5, £1.155 million. But actual disbursement is flexible, based on the needs of the programme.

The commitment amount was last reviewed in late 2002 and will be considered again during a review of the programme in the first half of 2004. As the current commitment runs until 2006, no further commitment to this particular programme is planned at this time.

Sudan

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the recent peace talks in Sudan. [133560]

Hilary Benn: We are optimistic about the prospects for peace. There is a good chance of agreement this year. There are outstanding problems which need to be resolved, on power and wealth sharing, the three conflict areas (of Southern Blue Nile, the Nuba Mountains and Abyei) and ceasefire and security issues. But discussion of these issues has now begun. On 25 September, the parties signed a Framework Agreement on Security Arrangements during the Interim Period. We will continue to offer the parties and mediators our full support and advice and remain actively involved in helping them reach a comprehensive peace agreement. Sudan will remain a priority for our diplomacy.

We have committed to over £220 million (including UK's share of EC food aid) to Sudan since 1991, predominantly for humanitarian purposes. Since the start of the peace process, we have broadened our assistance to Sudan to include direct support for this process and for rehabilitation work where possible. Funds for Sudan in 2002–03 total £20 million, including £5 million from the Africa Conflict Prevention Pool.

With others in the international community, we are now planning for recovery, rehabilitation and reconstruction when there is peace. We are considering what support we can provide in Sudan immediately following a peace agreement, to ensure that the Sudanese people see early benefits of peace. We are also considering how we might support Sudan in the longer term. For example, re-integration of displaced persons, refugees, and armed forces; support for improvements to governance in Sudan; and relief of Sudan's huge debt arrears.

We recognise that a sustained international effort will be needed to help Sudan after a peace agreement and remain determined to play a full part in it.

Tanzania

Mrs. Spelman: To ask the Secretary of State for International Development what assessment he has made of food shortages in *(a)* Tanzania and *(b)* the Singida region. [133556]

Hilary Benn: The Government of Tanzania carried out an initial crop assessment in May followed by further assessment in July. DFID has accepted the findings of the latter which identified 1.9 million people in 16 areas, including 135,000 in Singida region, as being particularly vulnerable to food shortage following the failure of the June harvest. DFID continues to await the formal appeal for assistance being coordinated by the WFP on behalf of the Government of Tanzania.

Mrs. Spelman: To ask the Secretary of State for International Development how much aid his Department has given and is giving to meet the food shortages in *(a)* Tanzania and *(b)* the Singida region. [133557]

Hilary Benn: During the current year DFID has made £60 million available through direct budget support to the Government of Tanzania to support its Poverty Reduction Strategy, which includes provision for food security. In response to recent shortages, the Government of Tanzania has begun to distribute food from its strategic grain reserve in 16 areas (including Singida) identified as being particularly vulnerable. DFID continues to await the formal appeal for assistance being coordinated by the WFP on behalf of the Government of Tanzania.

WORK AND PENSIONS

Disability Bill

Mr. Lansley: To ask the Secretary of State for Work and Pensions when he expects to publish the Disability Bill. [133083]

Maria Eagle: We will publish a draft Disability Bill later this year with the intention that it will undergo pre-legislative scrutiny. The draft Bill would amend the Disability Discrimination Act (DDA) to make fundamental improvements to disabled people's rights in areas like the public sector, premises, transport, private clubs and the definition of disability.

This is the next step toward meeting our 2001 Manifesto commitment to extend basic rights and opportunities for disabled people. It builds on other legislation we have already introduced, including the Disability Discrimination Act 1995 (Amendment) Regulations 2003, which were approved by Parliament on 1 July. Those regulations make significant and far-reaching changes to the DDA which will, among other things, bring within scope of its employment provisions a further 1 million small employers, 7 million jobs and 600,000 disabled people already working in those jobs. The final step toward meeting our Manifesto commitment will be when a Disability Bill is passed in this Parliament.

By the end of this Parliament, we will have taken forward the most significant package of changes to civil rights for disabled people ever seen.

Housing Benefit

Mr. Truswell: To ask the Secretary of State for Work and Pensions what steps he has taken to ensure that people with learning disabilities are not deprived of housing benefit as a result of their accommodation being registered under the Care Standards Act 2000. [133166]

Mr. Pond *[holding answer 20 October 2003]:* Housing benefit is generally withdrawn when accommodation becomes registered under the Care Standards Act 2000. The Department of Health is responsible for providing appropriate funding, through local authority social services, for places in accommodation registered under the Act.

However entitlement to Housing Benefit may be retained in certain cases where the accommodation would not have been required to be registered under the previous Registered Homes Act 1984.

Middlesbrough Pathfinder Project

Mr. Goodman: To ask the Secretary of State for Work and Pensions what progress has been made in relation to the Middlesbrough Pathfinder Project; and if he will make a statement. [133707]

Mr. Pond: As a result of their commitment to restructure the regional housing market through the Tees Valley Market Renewal Project, Middlesbrough Council have reconsidered their decision to take part in testing the Local Housing Allowance.

They recognise the benefits of the Local Housing Allowance and would have continued their involvement had it not been for this commitment. We are disappointed with this outcome, given the amount of work that has been put in by both the council and ourselves, but we respect what was a difficult decision for Middlesbrough and the reasons behind it. Their withdrawal in no way alters our commitment to proceed with the remaining nine Pathfinders.

Pensions

Mr. Webb: To ask the Secretary of State for Work and Pensions what powers his Department has to reclaim duplicate payments of retirement pension paid because of official error. [133565]

Malcolm Wicks: Social Security legislation does not provide for recovery of such duplicate overpayments arising as a result of official error. Although these duplicate payments are not recoverable under Social Security legislation, repayment can be sought under common law in exceptional circumstances.

Mr. Webb: To ask the Secretary of State for Work and Pensions in how many cases order books including payment of pension credit have been issued where the previous order book for retirement pension had not been cancelled; what the value of duplicate payments was in such cases; how many such duplicate payments have been made to those receiving direct payments into an account and of what value; and if he will make a statement. [133566]

Malcolm Wicks: We are aware that a number of duplicate order books were issued in the South West Region in June 2003. Although it is not possible to say

precisely how many cases were involved, corrective action was taken to prevent any further cases and we are satisfied that the number was small. Payment arrangements have been corrected where cases have been identified. Pension Credit has been payable only from 6 October and information on duplicate payments is not yet available.

SCOTLAND

Bechtel

Malcolm Bruce: To ask the Secretary of State for Scotland if he will list the contracts for consultancy and work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133019]

Mrs. McGuire: The Scotland Office was established on 1 July 1999. Since that date no consultancy or other work has been carried out by Bechtel for the Office.

CABINET OFFICE

Government Websites

24. **Miss Begg:** To ask the Minister for the Cabinet Office what steps the Government is taking to ensure that the design of government websites is focused on the needs of the general public. [132955]

Mr. Alexander: The Cabinet Office publishes "Guidelines for UK Government Websites", a best practice guide for the design and management of websites.

The guidelines were last updated in December 2002 to reflect advancements in technology and to clarify and extend the range of advice.

Public Appointments

Rob Marris: To ask the Minister for the Cabinet Office what age restrictions there are on public appointments. [132956]

Mr. Alexander: I refer my hon. Friend to the answer I gave earlier to my hon. Friends the Members for Preston (Mr. Hendrick) and South Ribble (Mr. Borrow).

Ministerial Responsibilities

Mr. Chope: To ask the Minister for the Cabinet Office if he will revise the list of ministerial responsibilities published by his office in July so that the Ministries are set out in the same alphabetical order as in previous editions of the same publication. [133535]

Mr. Alexander: The List of Ministerial Responsibilities (LMR) is now available in both electronic and paper form. LMR now lists Departments in alphabetical order consistent with the style adopted in previous editions. Copies have been placed in the Library of the House and the Vote Office. A copy is also being sent direct to the hon. Member.

DEFENCE

AWE Aldermaston

Llew Smith: To ask the Secretary of State for Defence what the purposes are of the refurbishment of buildings and other infrastructure at AWE Aldermaston; and what estimate he has made of the final cost. [132439]

Mr. Ingram: The refurbishment and replacement of older facilities and the decommissioning of those no longer required at AWE is an on-going programme of work to meet safety, regulatory and operational requirements. This work also offers potential environmental and efficiency benefits.

The costs of this work are included in the overall incentivised price of the 25-year AWE Management and Operation contract. It will be for AWE to determine the scope and level of investment necessary to maintain the infrastructure that will underpin the ability both to deliver the requisite contract outputs and to generate the efficiencies that we expect the incentivised arrangements will produce.

Challenger 2 Tank

Mr. Jenkin: To ask the Secretary of State for Defence what future plans there are for the digitalisation of the Challenger 2 Main Battle Tank fleet; what the predicted cost of digitising the Challenger 2 Main Battle Tank fleet is; and when the digitisation of the Challenger 2 Main Battle Tank fleet is due to start. [133708]

Mr. Ingram: The digitisation of Challenger 2 will be achieved through the installation and integration of Bowman radios, Platform Battlefield Information Systems Application (P BIS A) and the Commander's Crew Station Screen with the current fire control and sighting systems within the tank. This work will be completed by the Design Authority Alvis Vickers Ltd. The approved cost for the Bowman project is £2.073 billion (resource cost, VAT inclusive, for the Demonstration and Manufacture phases) and the approved cost for the Combat Infrastructure and Platform BISA (CIP) project is £410 million (P BISA is an integral part of the CIP project). Both projects involve digitisation of a number of platforms over-and-above Challenger 2, it is therefore not possible to determine the elements attributable to a specific platform. The programme to digitise the Challenger 2 fleet is due to start in January 2004.

Colchester Garrison

Bob Russell: To ask the Secretary of State for Defence whether *(a)* the Ministry of Defence and *(b)* Her Majesty's Treasury will receive a payment from Annington Homes as a result of the sale of former Ministry of Defence dwellings and land at the Colchester Garrison; and if he will make a statement. [132816]

Mr. Caplin: Under the terms of the 1996 Sale Agreement between the Ministry of Defence and Annington Homes, the Exchequer benefits from a Profit Share arrangement when properties that have become surplus are returned to the owners (Annington) and sold. This arrangement applies for the first 15 years

following the 1996 sale and is based on a sliding percentage scale of the profit made by the Company after allowable overheads have been deducted.

Compensation Claims

Mr. Battle: To ask the Secretary of State for Defence how much compensation has been paid by his Department in each year since 1990. [132736]

Mr. Caplin: Records going back to 1990 on how much compensation has been paid by the Ministry of Defence are not held centrally and could be provided only at disproportionate cost. However, the information sought in relation to compensation paid, which includes legal costs, since financial year 1997–98 is shown in the following table.

	Compensation paid (£million)
1997–98	70
1998–99	76
1999–2000	83
2000–01	88.5
2001–02	91.5
2002–03	104

The increase in the value of settlements in recent years is mainly attributable to changes in the level of general damages recommended to the courts by the Judicial Studies Board and a change in the multiplier used to calculate future losses as directed by the Lord Chancellor. For a breakdown of the figures, as well as further details regarding compensation issues associated with the Ministry of Defence, I refer my hon. Friend to the Department's Claims Annual Report, a copy of which is placed in the Library of the House each year.

Postal Services

Mr. David Stewart: To ask the Secretary of State for Defence what plans he has to continue with free postal and parcel services for armed forces personnel on detached duties abroad. [133157]

Mr. Ingram: A scheme to allow only those personnel deployed on Operation Telic to be sent small packets up to 2 kg in weight free of charge commenced on 17 April 2003. The service is kept under review.

Ministry of Defence Police

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the accountability of the Ministry of Defence Police. [132445]

Mr. Caplin: The Ministry of Defence Police (MDP) are accountable to the Secretary of State, and therefore to Parliament for their actions. The role of the MOD Police Committee is now comparable to that of a police authority, mirroring best practice where appropriate. The committee focuses on strategic advice and governance, and holds MDP to account on a wide range of issues including complaints and discipline and the use of the extended jurisdiction granted to the MDP under the Anti-Terrorism, Crime and Security Act 2001. A number of independent members sit on the committee.

The Chief Constable's Annual Report and Accounts as well as his annual Key Targets are in the public domain. The Chief Constable now also provides an annual Operational Report. When this is available a copy will be placed in the Library of the House. The Chief Constable can be called before Select Committees if required and constituents of Members of Parliament may raise questions with the Secretary of State for Defence and the Chief Constable on the force and its activities.

Mr. Hancock: To ask the Secretary of State for Defence when his Department expects to publish the second stage of the Quinquennial Review of the Ministry of Defence Police; and if he will make a statement. [132446]

Mr. Caplin: We have no plans to publish material relating to the second stage of the Ministry of Defence Police Quinquennial Review, as most of the issues relate to internal Ministry of Defence Police matters. This concerned governance and accountability, with particular reference to the MOD Police Committee.

Mr. Hancock: To ask the Secretary of State for Defence what the timetable is for implementing provisions of the Police Reform Act 2002 concerning the Ministry of Defence Police; and if he will make a statement. [132447]

Mr. Caplin: The Police Reform Act 2002 includes four sections that are specific to the Ministry of Defence Police (MDP). Three sections of the Police Reform Act 2002 have been implemented already. These allow for MDP officers to serve with other police forces under the direction of the chief officer of the force with which they are serving; place inspections by Her Majesty's Inspectorate of Constabulary on a statutory basis; and allow potential recruits to the MDP to use firearms without a certificate for the purpose of assessment.

The final section concerns disciplinary procedures for the MDP, and the process to change these procedures is nearly complete. I expect the new procedures to be laid before Parliament early next year.

Pilot Training

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the time interval is between pilots completing fast jet training and beginning operational conversion unit training in respect of the *(a)* Tornado GR4, *(b)* Tornado F3, *(c)* Harrier and *(d)* Jaguar. [132551]

Mr. Ingram: Following completion of fast jet training, all pilots from the RN and the RAF are selected to join a specific Operational Conversion Unit (OCU). The length of time pilots wait to join their allotted OCU depends on the availability of spaces at the OCU.

During these periods, trainees are attached to units to enhance their general service knowledge. Refresher training is normally undertaken at RAF Valley in the event of time intervals exceeding 20 weeks between the completion of flying training and the formal start of the OCU.

Recruitment

Bob Russell: To ask the Secretary of State for Defence if he will make a statement on the involvement of a recruitment company in the enlisting into Her Majesty's armed forces people from Fiji. [132807]

Mr. Caplin: I am not aware of any involvement of a recruiting company currently connected with the enlistment of Fijian citizens into the United Kingdom armed forces.

Royal Naval Personnel (Family Contact)

Mr. Wray: To ask the Secretary of State for Defence how often *(a)* submariners and *(b)* other Royal Naval personnel are able to contact their families when on operations; and under what circumstances contact is restricted. [128118]

Mr. Caplin: All personnel deployed outside UK waters or Northern Europe on a Permanent Joint Headquarters "named" operation for seven days, or a Fleet operation or exercise for two months, are eligible to the benefits of the Operational Welfare Package, free of charge. This comprises 20 minutes of telephone time per week; one e-mail per week (which may be increased if operational circumstances permit); and unlimited postal aerogrammes.

Telephone calls and e-mails are sent using satellite communications, which may be restricted from time to time at the discretion of the local commander for reasons of operational security. Also, satellite communications cannot be used by submerged submarines, so use of these facilities is restricted to time on the surface or in port. Aerogrammes can only be delivered or sent when the ship or submarine receives a mail delivery/collection.

In the case of Vanguard Class ballistic missile submarines, which spend the whole of their deployed time submerged, none of the above methods can be used, but personnel on board are able to receive "familygrams" sent via Flotilla HQ at Faslane. These are restricted to 40 words per week at the moment, although we are currently considering increasing this limit.

Iraq

Mr. Gardiner: To ask the Secretary of State for Defence pursuant to his answer of 1 September 2003, *Official Report*, column 910W, whether his Department has had discussions with the *(a)* World Food Programme and *(b)* International Committee of the Red Cross about security at the Ministry of Trade warehouse in Basra. [129802]

Mr. Ingram: The Department for International Development is responsible for liaison at departmental level with non-governmental organisations operating within Iraq. It is usual procedure for local commanders to discuss matters such as these with representatives of NGOs. Because representatives of the World Food Programme and the International Committee of the Red Cross have now withdrawn from Iraq and due to the roulement of UK armed forces personnel, I cannot confirm when security arrangements at the Ministry of Trade warehouse in Basra were discussed.

Mr. Jenkin: To ask the Secretary of State for Defence how many atropine Combopens each soldier had in his possession at 202 Field Hospital at the start of the conflict in Iraq. [133709]

Mr. Ingram: At the start of the conflict atropine Combopens were not issued to individual personnel of 202 Field Hospital (Volunteer) (202 Fd Hosp (V)), but 420 were distributed across several locations in the Hospital complex. By the end of March a further 1,200 were issued to 202 Fd Hosp and each member of the unit was personally issued with 2 Combopens.

Mr. Gardiner: To ask the Secretary of State for Defence what work his Department is doing to locate, identify and repatriate Kuwaitis who remain in Iraq from Iraq's invasion in 1990. [117032]

Mr. Ingram: None. However, the Coalition Provisional Authority (CPA) is making significant efforts to implement UN Security Council Resolution 1483 which calls for continuing efforts to locate, identify and repatriate all Kuwaiti and Third-State Nationals. Mass grave sites continue to be found across Iraq which may contain human remains from a number of groups of Iraqi society as well as foreign nationals. United Kingdom forensic experts have visited mass grave sites and a strategy is being drawn up which will enable the CPA to protect sites and secure evidence. There are a number of UK CPA secondees working to support the collection of witness statements and testimonies and train Iraqi organisations in the relevant skills.

NORTHERN IRELAND

Maze Prison

Mr. Moss: To ask the Secretary of State for Northern Ireland if he will support the transformation of Maze Prison in County Antrim into a tourist attraction or a site that could be used by European countries as an outreaching post for the US tourism market. [128572]

Mr. Pearson: The Government appointed a Consultation Panel in March this year to consider and bring forward proposals for the regeneration of the Maze Prison and adjacent Ministry of Defence site. The Panel will be trawling widely for ideas and proposals to regenerate these very valuable sites. Having considered and taken advice on the proposals received, the Panel will make recommendations to Government both on how the sites can be used to promote social and economic regeneration and on the appropriate regeneration vehicle for taking the work forward.

Age Discrimination

Mr. Dodds: To ask the Secretary of State for Northern Ireland what his policy is on tackling age discrimination in Northern Ireland. [131856]

Mr. Spellar: We plan shortly to issue for consultation, proposals for legislation which will tackle age discrimination in employment and training. These proposals will be in line with the requirements of the EU Employment Framework Directive.

Policy development is continuing within the context of the single Equality Bill on extending protection against age discrimination to the provision of goods, facilities and services. A consultation on the single Equality Bill is planned for the end of 2003.

The Promoting Social Inclusion working group on Older People is also planning to issue their 'Strategy for Older People in Northern Ireland' for consultation before the end of the year.

Ambulance Service

Lady Hermon: To ask the Secretary of State for Northern Ireland what action he is taking to improve ambulance response times in Northern Ireland; and if he will make a statement. [133183]

Angela Smith: One of my Priorities for Action in 2003–04 is that the Northern Ireland Ambulance Service should by 31 March 2004 have an Accident and Emergency ambulance at the scene of 50 per cent. of 999 calls in 8 minutes, and at the scene of 95 per cent. of 999 calls in 18 minutes in the Eastern Board area, 21 minutes in the Northern, Southern and Western Board areas.

I have already made capital funding available to the Ambulance Service to replace and add to its vehicle fleet, and revenue funding to recruit and train the necessary additional staff, to enable these targets to be met.

In addition in February this year it was announced that some 29 million would be available over the next five years from the Strategic Investment Programme to continue to take forward the development of a modern ambulance service which can respond quickly to emergency situations and provide vital clinical care to patients.

Belfast City Airport

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland if he will make a statement on his plans for the future policing of the Belfast City Airport. [133300]

Jane Kennedy: The policing arrangements at Belfast City Airport are being enhanced following a recommendation from the Chief Constable of the PSNI. This move is seen as a necessary and prudent measure to ensure the airport has the appropriate level of security. As is the case at other important economic facilities in Northern Ireland, levels of security at BCA are kept under continual review.

Carpets International (UK) Ltd.

Lady Hermon: To ask the Secretary of State for Northern Ireland what action he has taken to assist Carpets International (UK) Ltd. since it went into receivership; and if he will make a statement. [133188]

Mr. Pearson: Since Carpets International (UK) Ltd. went into receivership on 20 August 2003, officials from Invest NI, the Department of Employment and Learning and the Social Security Agency have maintained close links with all relevant parties associated with this case.

Invest NI received a project plan from a management buy out (MBO) team on 17 October 2003. This plan is currently being appraised. As regards the employees made redundant by the company, links have been made available to them to local job agencies, job clinics and the Social Security Agency. I am also aware that local employers have offered positions to suitable applicants from the Carpet International plants at Killinchy and Donaghadee.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assessment he has made of the likelihood of a successful outcome for a management buy-out at Carpets International; and if he will make a statement. [133235]

Mr. Pearson: Officials from Invest NI met the management buy out (MBO) team from Carpets International, Donaghadee and their advisers on Friday 17 October 2003 having been in touch with them on a number of previous occasions. At that meeting Invest NI was presented with the MBO team's business plan. The business plan is being appraised by Invest NI and it would be inappropriate to make an assessment at this early stage.

Elderly Mentally Infirm Unit Places

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to increase the number of elderly mentally infirm unit places in Northern Ireland. [132470]

Angela Smith: It is a matter for each Health and Social Services Board to determine the need for any service in their area and to commission that service within the resources available to it.

The Northern HSS Board is currently undertaking a review of services for older people with mental health problems, and will use the findings to determine level of need in their area. A report is due in March 2004.

The Eastern HSS Board has no plans to increase number of elderly mentally infirm places at present.

The Southern HSS Board has plans to support an additional 40 elderly mentally infirm people using a supported living model.

The Western HSS Board has recently sponsored the development of 20 nursing placements, and is currently planning for the provision of a further 30 places in a Housing with Care Unit. It has also identified further need for additional EMI places within a supported living model, and is planning a review of provision to quantify this.

Although it is not possible to provide an exact Northern Ireland total, it was estimated in 2002 that there are 2,500–3,000 permanent places available for, or occupied by, persons with dementia (equivalent to elderly mentally infirm persons) regardless of the source of funding. At the moment there is no evidence that there is a need to increase the number of elderly mentally infirm unit places in Northern Ireland.

Equality Commission

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to assess the Northern Ireland

Equality Commission's *(a)* ability to carry out its activities and *(b)* value to the public purse following the report of the Northern Ireland Auditor General; and if he will make a statement. [128296]

Jane Kennedy: The Office of the First Minister and Deputy First Minister is responsible for approving the Equality Commission for Northern Ireland's three year Corporate Plan and annual Business Plan. The Department monitors and assesses the Commission's progress against these agreed targets and objectives and ensures that action is taken on recommendations arising from the annual audit of accounts by the Northern Ireland Audit Office. The Equality Commission publishes an Annual Report detailing performance against its agreed objectives which is laid before Parliament.

EU Constitution

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will make a statement on the implications for Northern Ireland of the proposed European Union constitution. [131858]

Mr. Pearson: Treaty changes to bring the institutions and policies of the European Union up to date, in particular in view of the enlargement of the EU next year, will be negotiated by member state governments at the Inter-Governmental Conference, which begins on 4 October in Rome.

In terms of the likely implications of changes for Northern Ireland, the situation will continue to be kept under review through the normal channels operating between Northern Ireland and the relevant Whitehall Departments.

Fair Employment and Treatment Order

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans he has to review exemptions for certain employees from the provisions of the Fair Employment and Treatment (Northern Ireland) Order 1998. [131862]

Mr. Spellar: The exceptions in the Fair Employment and Treatment (Northern Ireland) Order 1998 for employment for the purposes of a private household and for charities as employers will be removed and the exception for the employment of schoolteachers will be restricted to teacher recruitment with effect from 2 December 2003 in order to comply with the EU Employment Framework Directive.

The Equality Commission for Northern Ireland is currently undertaking an investigation with a view to putting forward recommendations on action necessary to further equality of opportunity in the employment of teachers in schools. These recommendations will be considered in the context of the single Equality Bill.

On 22 September, the Government announced a review of the effectiveness of the temporary provisions of the Police (Northern Ireland) Act 2000 which provide for 50:50 recruitment and lateral entry to the Police Service of Northern Ireland. These temporary provisions, which are due to expire in March 2004 unless they are renewed, include an exception to the Fair Employment and Treatment Order. Government will carry out a wide-ranging consultation on this issue which is due to come to a close on 19 December this year.

Farming

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many pedigree and commercial producers have attended *(a)* training programmes and *(b)* cattle management programmes in each of the last three years, broken down by parliamentary constituency. [133346]

Mr. Pearson: The information requested is as follows:

Training Programmes

The College of Agriculture, Food and Rural Enterprise provides a wide range of training programmes for all farmers in a number of subject areas. In general courses can be classified into five main areas:

Practical skills courses,

Legislative courses,

Technical courses,

Environmental training courses,

Business management training courses.

Training programmes are available to farmers, farm family members and farm workers. The number of pedigree and commercial producers attending these programmes is not recorded by CAFRE. The total number of people attending training programmes across Northern Ireland in the last three years is:

2000–01—6,153 participants

2001–02—6,046 participants

2002–03—9,281 participants

Information on participants is not available by parliamentary constituencies.

Cattle Management Programmes

The number of pedigree and commercial producers, by County, who have attended Breed Cattle Improvement learning programmes since delivery commenced in October 2002 is illustrated in the following tables:

2002–03

Numbers of producers	*Pedigree*	*Commercial*
Antrim	56	130
Armagh	17	89
Down	36	116
Fermanagh	52	80
Londonderry	34	142
Tyrone	52	234
Total	247	791

2003–04

Numbers of producers	*Pedigree*	*Commercial*
Antrim	0	13
Armagh	0	24
Down	0	19
Fermanagh	0	26
Londonderry	0	25
Tyrone	0	68
Total	0	175

Currently there are 60 pedigree producers and 111 commercial producers participating in learning

programmes. A further 101 commercial producers have been invited to commence training before the end of October.

Delivery of the Cattle Health Management learning programmes commenced in May 03. The number of producers who have attended learning programmes is illustrated in the following table. Participants on this learning programme are not recorded by their commercial or pedigree status.

Numbers of producers	*Completed training*	*Currently in training*
Antrim	16	0
Armagh	14	0
Down	25	26
Fermanagh	0	15
Londonderry	12	17
Tyrone	27	35
Total	94	93

A further 111 producers have been invited to commence training before the end of October.

Invest Northern Ireland

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the total value was of funding allocated by Invest Northern Ireland in *(a)* grants and *(b)* equity, in each of the last three years. [133341]

Mr. Pearson: During 2002–03 Invest NI offered assistance through letters of offer totalling £125.6 million, of which £8.2 million was in the form of equity. For 2001–02 Invest NI's legacy agencies issued £80 million through offers, of which £3.7 million was equity based. For 2000–01 a total of £107.7 million was offered, £2.8 million in the form of equity.

Fish Farms

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the value was of funding allocated to assist Northern Ireland's inland fish farms to improve their international competitiveness in each of the last three years. [133342]

Mr. Pearson: The information available is set out in the following table.

	EU funding (£ million)
2001	0.208
2002	0.313
2003	0.208
Total	0.729

Organ Retention

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the proposed new informed consent document will be available for public comment. [132475]

Angela Smith: New consent forms and information on post mortem examinations have been drafted and will form the basis of a 13-week consultation process, which will commence in January 2004. The Department will promulgate these documents together with other new guidance and information to a wide range of key stakeholders, including relatives, and invite their views and comments, which will be analysed following the completion of the consultation process. The documents will also be made available on the Department's website.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what form of informed consent documentation is being used in Northern Ireland pending the revision of the Human Tissue Act 1961. [132476]

Angela Smith: Trusts were issued with interim guidance on post mortem examination by the Chief Medical Officer in March 2000. This was updated in May 2003. The guidance states that consent should be obtained through the use of a form, normally signed off by the next of kin, which provides clear written information about:

what the examination entails.

which organs and tissues may be retained and why.

how this might impact on the funeral arrangements.

whether archiving for research or legal reasons is required.

Copies of the consent form should then become an integral part of the post mortem record, placed in the deceased patient's notes and given to the relative who signed it.

Broadly similar forms are used by all Trusts. New forms have been drafted and will form part of a consultation exercise beginning in January 2004.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on progress with the revision of the *(a)* Human Tissue Act 1961 and *(b)* the Anatomy Act 1984. [132478]

Angela Smith: In 2001–02 England and Wales undertook a fundamental and broad review of the law on human organs and tissues taken from adults or children (including foetuses and stillborn children), either during surgery or after death. This review encompassed the two pieces of legislation mentioned by the hon. Member, for which the Northern Ireland equivalents are the Human Tissue Act (Northern Ireland) 1962 and the Anatomy (Northern Ireland) Order 1992.

A public consultation document, "Human Bodies, Human Choices", was launched in July 2002 and copied to key stakeholders in Northern Ireland. This work not only achieved broad consensus on the way forward but also demonstrated that the system of regulation being proposed, under a Human Tissue Authority, could apply equally to Northern Ireland as to England and Wales, in very much the same way as the Human Fertilisation and Embryology Authority operates at present.

Work is well advanced on preparing new legislation covering England, Wales and Northern Ireland. The Chief Medical Officer for Northern Ireland issued a summary of these proposals for information on Friday 17 October. It can be viewed at the Department's website: www.dhsspni.gov.uk.

Modern Apprenticeships

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the take-up rate of modern apprenticeships

in Northern Ireland was in each of the last five years, broken down by *(a)* industrial sector, *(b)* gender and *(c)* parliamentary constituency. [132794]

Jane Kennedy: The information requested is in the following tables.

Modern apprenticeships

Industrial sector	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*Total*
Administration, Clerical & IT	127	135	286	255	218	1021
Creative, Educational, Recreational	34	20	45	43	43	185
Health Community & Personal Services	115	98	224	340	357	1,134
Selling & Storage	12	103	302	168	128	713
Hotel & Catering, Food Preparation	16	59	175	299	532	1,081
Agricultural & Related	39	21	44	48	37	189
Construction & Civil Engineering	377	95	823	973	729	2,997
Motor Vehicle Repairs & Maintenance	159	75	251	263	260	1,008
Printing	1	26	28	9	21	85
Processing	12	5	28	32	27	104
Engineering	274	505	893	894	734	3,300
Total	1,166	1,142	3,099	3,324	3,086	11,817

Note:
It is not possible to provide the data by parliamentary constituency

Gender	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*Total*
Male	913	817	2,340	2,492	2,181	8,743
Female	253	325	759	832	905	3,074
Total	1,166	1,142	3,099	3,324	3,086	11,817

Multiple Sclerosis

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to extend *(a)* beta interferon and *(b)* glatiramer therapy for Multiple Sclerosis sufferers in Northern Ireland before the end of 2003. [132473]

Angela Smith: Extra staff have now been recruited specifically to enhance the delivery of services for Multiple Sclerosis patients. It is expected that a considerable number of the patients on the current waiting list will be started on treatment by the end of the current financial year. The suitability of a specific therapy for an individual patient is a matter for the clinicians concerned, in consultation with the patient.

Electoral Identity Cards

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many electors had obtained photo identity cards by *(a)* 1 May, *(b)* 29 May and *(c)* 1 September. [133288]

Mr. Spellar: The number of Electoral Identity Cards issued by each of the dates specified is as follows:

(a) 1 May—55,024

(b) 29 May—66,605

(c) 1 September—79,762

Policing of Airports (Belfast City) Order

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland which bodies were consulted prior to the laying of the draft Policing of Airports (Belfast City) Order 2003 on 10 July 2003; and which bodies were consulted prior to its withdrawal during the summer recess. [133298]

Jane Kennedy: Prior to laying the draft Policing of Airports (Belfast City) Order 2003, consultation took place with the Chief Constable of the Police Service of Northern Ireland, the Policing Board and the authorities at Belfast City Airport. The draft Order was withdrawn following consultation with the Chief Constable and the airport authorities.

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland for what reasons the draft Policing of Airports (Belfast City) Order 2003 was withdrawn. [133299]

Jane Kennedy: I agreed to withdraw this Order once I had been assured that the Belfast City Airport Authority would make provision for an armed policing presence in accordance with the Chief Constable's recommendation.

Post-mortem Information

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of the post mortem information leaflet intended for supply to all households in Northern Ireland. [132477]

Angela Smith: Over 600,000 of the leaflets have now been issued. A further 2,952 leaflets will be sent out over the period 17–22 November. The Royal Mail has advised that the distribution of a leaflet to every household in Northern Ireland will be competed by 23 November 2003.

Rheumatoid Arthritis

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many rheumatoid arthritis sufferers have commenced *(a)* Remicade and *(b)* Enbrel treatment during the current year in Northern Ireland. [132464]

Angela Smith: This year to date, six rheumatoid arthritis sufferers have commenced treatment with Remicade and a further six have commenced treatment with Enbrel.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to extend *(a)* remicade and *(b)* enbrel therapy for rheumatoid arthritis sufferers in Northern Ireland before the end of 2003. [132474]

Angela Smith: Extra recurrent funding has been provided, which has enabled the first phase of a three-phase project to commence, allowing a significant expansion in these therapies to suitable patients by the end of this year. The decision on the appropriate therapy for an individual patient is a matter for the clinician concerned, in consultation with the patient.

Social Housing

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many new build social houses were commenced and completed in each of the last five years, broken down by location. [120153]

Mr. Spellar: The following table details the number of new build starts and completions by District Council Area for the five years 1998–99 to 2002–03.

Social housing: Starts and completions for past five years

	1998–99		1999–2000		2000–01	
District Council	*Houses started*	*Houses completed*	*Houses started*	*Houses completed*	*Houses started*	*Houses completed*
Antrim	0	13	4	4	16	0
Ards	30	36	49	7	14	15
Armagh	98	25	4	102	15	10
Ballymena	69	80	2	11	46	60
Ballymoney	0	11	12	0	0	12
Banbridge	32	37	10	0	0	10
Belfast	691	542	649	542	367	483
Carrick	81	33	39	31	0	52
Castlereagh	84	0	20	0	0	84
Coleraine	43	16	0	62	10	27
Cookstown	12	21	0	12	7	0
Craigavon	108	71	16	53	11	58
Derry	236	242	420	188	305	135
Down	145	97	75	69	7	116
Dungannon	18	20	4	44	27	3
Fermanagh	50	42	15	67	27	35
Larne	0	49	0	0	0	0
Limavady	42	0	23	53	37	42
Lisburn	152	72	231	137	90	132
Magherafelt	16	13	8	24	9	6
Moyle	40	37	0	28	0	0
Newry & Mourne	31	91	95	46	25	80
Newtownabbey	86	34	27	20	12	32
North Down	50	9	18	97	0	4
Omagh	124	31	22	116	30	37
Strabane	59	66	77	25	72	75
Total	2,297	1,688	1,820	1,738	1,127	1,508

	2001–02		2002–03	
District Council	*Houses started*	*Houses completed*	*Houses started*	*Houses completed*
Antrim	9	31	2	9
Ards	18	84	0	0
Armagh	4	19	0	0
Ballymena	0	27	20	33
Ballymoney	6	0	2	4
Banbridge	0	32	1	1
Belfast	611	681	447	392
Carrick	15	27	30	15
Castlereagh	0	20	0	6
Coleraine	7	10	45	0
Cookstown	0	7	0	0
Craigavon	0	13	18	0
Derry	103	336	45	334
Down	63	37	7	51
Dungannon	2	12	4	14
Fermanagh	6	38	55	5
Larne	15	15	0	0
Limavady	0	22	11	31
Lisburn	9	172	113	86
Magherafelt	5	2	6	5
Moyle	0	0	0	0
Newry & Mourne	36	25	33	38
Newtownabbey	18	27	0	12
North Down	100	56	31	44
Omagh	1	25	22	5
Strabane	2	62	8	50
Total	1,030	1,780	900	1,135

Note:
Figures include properties purchased or rehabilitated.

CULTURE, MEDIA AND SPORT

Analogue Transmission

Bob Russell: To ask the Secretary of State for Culture, Media and Sport if she will publish the timetable for the ending of the analogue system of television transmission. [132798]

Mr. Caborn: The Digital TV Action Plan sets out a series of actions to ensure that the criteria set for switchover are met so the Government can, if we choose, take the decision to proceed to full switchover by ordering the switching off by 2010 of analogue terrestrial transmissions. Details of the switchover criteria are contained in the Action Plan, which can be found on the website: www.digitaltelevision.gov.uk

Brewster Sessions

Mr. Moss: To ask the Secretary of State for Culture, Media and Sport how many licences will be considered by Brewster Sessions in 2004, broken down by percentage represented by *(a)* hotels, *(b)* restaurants, *(c)* pubs and *(d)* others; what proportion of applications were refused by the Brewster Sessions in each of the last five years; and what the cost to industry of applications to the Brewster Sessions was in the last year for which figures are available. [133149]

Mr. Caborn: We estimate that the costs to applicants for renewal of their licences at the last triennial Brewster Sessions was about £11 million, including fees and legal support costs, of which £4.65 million was paid in fees.

The Brewster Sessions at which justices' licences are renewed is a triennial event which last took place in 2001. There have therefore been only two such sessions in the last five years. At these sessions, licensing committees consider objections made by the police, local authorities and local residents to the continuation of licences for a further three years.

The percentage of on-licensed premises which are residential or residential/restaurant licences (hotels) is 7.5 per cent. of restaurants, 18.5 per cent. of public houses, 71 per cent. and of other licences, 3.5 per cent. The total number of on-licensed premises was 110,000 at the end of June 2001, these being the last available figures. In addition, there are some 45,000 off-licensed premises.

There are no figures collected centrally of the proportion of applications for renewal refused by the licensing justices sitting at the Brewster Sessions.

Images of England Project

Mr. Djanogly: To ask the Secretary of State for Culture, Media and Sport how many people are being included in the Images of England project at the National Monuments Record of English Heritage. [132276]

Mr. Caborn: The Images of England project is creating a 'point in time' photographic record of England's 370,000 listed buildings. A wide range of buildings and other structures, from houses and barns to telephone boxes, churches, gravestones and cinemas, are included in the statutory lists of buildings of special architectural or historic interest.

The project is not seeking to photograph people associated with the listed buildings and English Heritage does not generally hold (or seek) information about how many individuals inhabit those that are private dwellings.

Mr. Djanogly: To ask the Secretary of State for Culture, Media and Sport how many people have applied requesting exemption from the Images of England project at the National Monuments Record of English Heritage. [132277]

Mr. Caborn: As of the end of September 2003, English Heritage has received 4,508 applications for exemption relating to less than 1.5 per cent. of the 370,000 listed buildings.

Mr. Djanogly: To ask the Secretary of State for Culture, Media and Sport what the annual cost is of the Images of England project at the National Monuments Record of English Heritage. [132278]

Mr. Caborn: The average annual cost of the Images of England project (taken until the end of the 2002–03 financial year and excluding the pilot project) is £897,000, 75 per cent. of which is provided through a grant from the Heritage Lottery Fund. The average annual cost to English Heritage over the same period is therefore £224,000.

Maritime Archaeology

Sir Sydney Chapman: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on developments in maritime archaeology since responsibility was transferred from her Department to English Heritage; and what further developments are planned. [132599]

Mr. Caborn: Since being given responsibilities for maritime archaeology, English Heritage now provides the Secretariat to the Advisory Committee on Historic Wreck Sites, and has re-tendered the contract for archaeological diving services.

English Heritage is also currently reviewing the priorities for its wider responsibilities for maritime archaeology in England, and advances have been made in understanding the issues relating to the protection, enhancement and preservation of two of those wrecks in England designated under the Protection of Wrecks Act 1973, in the form of Desk Based Assessments. Further such assessments are planned in the future.

In addition, English Heritage has been able, in partnership with other Government Departments and agencies, to raise the awareness of industry and regulators about the need to take the submerged historic environment into account when planning developments.

Tourism (North-East)

Mr. Hepburn: To ask the Secretary of State for Culture, Media and Sport what measures the Department is taking to encourage tourism in the north-east. [133217]

Mr. Caborn: This Department has allocated £50 million to VisitBritain in 2003–04 for the promotion of Britain overseas and to promote England to the domestic market. Although the north-east benefits from this activity, funding for VisitBritain is not allocated for individual regions, but promotes the country as a whole in a way which maximises the impact of its campaigns in individual markets.

Additionally, DCMS is providing funding to One North East of £330,000 for 2003–04 for tourism development in line with its regional tourism strategy and within the national framework.

FOREIGN AND COMMONWEALTH AFFAIRS

Child Soldiers

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures are in place *(a)* to stop the exploitation of children as soldiers and *(b)* to bring those responsible to justice. [133559]

Mr. Rammell: We are working with other UK Government Departments, other governments, the non-governmental community and the multi-lateral system (including UN and regional mechanisms) to prevent, reduce and resolve armed conflicts. We consider this to be the most effective way of stopping the exploitation of children as soldiers.

Work is on-going to integrate child-specific issues into post-conflict truth and justice mechanisms to that end, examples being in Sierra Leone and Rwanda. Furthermore, the Rome Statute establishing the International Criminal Court recognises the enlistment or use of children under the age of 15 years to be a war crime, and the ICC provides a means by which to prosecute such offences.

In June 2003, the UK ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. The Protocol, ratified by 64 countries worldwide, increases the protection afforded to children by prohibiting their participation in armed conflict.

Democratic Republic of the Congo

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures are in place to end human rights violations in the Democratic Republic of the Congo. [133558]

Mr. Mullin: The UK strongly condemns all abuses of human rights in the Democratic Republic of the Congo (DRC) and the climate of impunity which exists there. We have worked hard, with international partners, for an end to the regional conflicts which perpetuated the appalling human rights situation. Instruments available to tackle human rights abuses include:

continued diplomatic dialogue with the DRC authorities;

the presence of the United Nations Organisation Mission in Congo (MONUC—who have specialist human rights staff);

the democracy support institutions set up alongside the Transitional National Government in Kinshasa (including the National Human Rights Observatory and the Truth and Reconciliation Commission). The UK is actively considering ways in which it can support the work of these institutions;

the valuable work of the many human rights NGOs operating in the DRC.

The Government also note the announcement in July 2003 by the Chief Prosecutor of the International Criminal Court that he intends to follow closely the situation in the DRC.

Uganda

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the effect on *(a)* security and *(b)* the humanitarian situation in Uganda of the fighting between government forces and the Lord's Resistance Army. [133564]

Mr. Mullin: We are deeply concerned that the security and humanitarian situation in the North and North-Eastern regions of Uganda continues to deteriorate as a result of the recent escalation of violence by the Lord's Resistance Army.

We understand the Ugandan Government's need to take military action to restore security but have repeatedly urged the Ugandan Government to ensure the humanitarian implications of their military campaign are given the highest priority. We continue to encourage the government to explore complementary methods of bringing the conflict to an end. The United Kingdom gave £2.5 million last financial year for humanitarian assistance to Uganda and is currently allocating a further £3 million.

Zimbabwe

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions the Government have held with the England and Wales Cricket Board regarding the planned tour of Zimbabwe by England in 2004; [132569]

(2) what representations the Government has made to the International Cricket Council (ICC) concerning future tours to Zimbabwe by the England cricket team; what advice was received from the ICC; and when; [132570]

(3) which of his Ministers have held discussions with the England and Welsh Cricket Board concerning the planned tour by the England cricket team to Zimbabwe in 2004; and when the meetings were held; [132571]

(4) what the Government's policy is on the decision by the English Cricket Board to tour Zimbabwe in 2004; and what advice his Department is planning to give English supporters about travelling to Zimbabwe; [132575]

(5) what advice the England and Wales Cricket Board sought from his Department regarding the planned tour of Zimbabwe by England in 2004; and what advice he has given them. [132576]

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made concerning next year's proposed England cricket tour to Zimbabwe; and if he will make a statement. [132582]

Mr. Straw: The England cricket team's tour of Zimbabwe scheduled for late 2004 is a matter for the UK cricket authorities.

FCO Ministers have had no contact with the England and Wales Cricket Board (ECB) or International Cricket Council (ICC) about next year's tour.

FCO officials have spoken with ECB officials and stand ready to further brief the ECB, as and when required, on the political situation inside Zimbabwe and on safety and security issues.

English supporters, like all travellers to Zimbabwe, are advised to refer to our regularly up-dated travel advice.

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of employment of child soldiers in Zimbabwe. [133562]

Mr. Mullin: The official minimum age for entry into the Zimbabwean armed forces is 18 years. We are not aware of the Zimbabwean armed forces systematically recruiting below this age.

The Zimbabwean "National Youth Service" was established in 2000. Nominally a voluntary training scheme for vocational skills, disaster management, patriotism and moral education, it is widely understood to operate as a youth militia for the ruling party. By the end of 2002 an estimated 9,000 young people had

undergone formal training in this scheme in five main camps and up to 20,000 were trained less formally elsewhere. This allegedly included weapons training. In July 2003, the Zimbabwe Defence Minister announced plans to formally integrate weapons training in the scheme's programme. The stated catchment age for the National Youth Service is 12–30 years.

The "National Youth Service" is now one of the most commonly reported violators of human rights in Zimbabwe. There are also numerous credible reports of young people in training camps being abused.

We deplore the political violence which is prevalent in Zimbabwe and will continue to work with our international partners to bring about a return to good governance and a respect for human rights, including the rights of the child, there.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the current economic and political situation in Zimbabwe. [132245]

Mr. Mullin: The situation in Zimbabwe continues to deteriorate. Last month saw the closure of the only independent daily newspaper, and last week saw the arrest of up to 200 trade unionists for peacefully demonstrating. As this year's meagre crop runs out, half the population will depend on food aid. The Zimbabwean people continue to struggle with hyper-inflation, mass unemployment, and shortages of cash, food and fuel. The source of the problem is clear: bad governance and bad policies. We will continue to support all those working for peaceful change in Zimbabwe and a return to democracy, accountable government and respect for human rights.

Mr. Beggs: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that journalists from the United Kingdom have access to Zimbabwe. [132785]

Mr. Mullin: We deplore Zimbabwe's draconian media legislation. We have made it clear that the expulsion of foreign journalists only serves to further damage Zimbabwe's reputation. We have also underlined that free speech and a free press are among the essential prerequisites for the restoration of Zimbabwe's relations with the international community.

Mr. Beggs: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure an end to the harassment of the political opposition within Zimbabwe. [132786]

Mr. Mullin: We have consistently condemned the Mugabe government's harassment of the opposition, independent media and civil society. With our strong support, the EU has imposed sanctions on the ZANU (PF) leadership. The Commonwealth has suspended Zimbabwe from its Councils. We have encouraged Zimbabwe's neighbours to press ZANU (PF) to stop its violence towards the opposition. We will continue to support all those working peacefully for a return to a democratically elected government which respects human fights and the rule of law.

Arjan Erkel

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Russian Government on efforts to secure the release of Arjan Erkel, from Medicins Sans Frontieres, in Dagestan. [132915]

Mr. Rammell: Officials take all appropriate bilateral opportunities to raise this with the Russian authorities. Officials last raised the case of Mr. Erkel in Moscow on 6 October. We and other EU partners fully support the efforts of the Government of the Netherlands to ensure the safe release of Mr. Erkel.

Burma

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Burma regarding *(a)* Aung San Suu Kyi and *(b)* human rights in Burma. [133574]

Mr. Mike O'Brien: I have had numerous discussions with the Burmese authorities about the detention of Daw Aung San Suu Kyi and wider human rights abuses in Burma, most recently on 1 September when I met the Burmese Ambassador. This has been supplemented by representations by the British Embassy in Rangoon.

European Treaties

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions since 1973 the UK has asserted its national law as against its obligations under European treaties. [132935]

Mr. MacShane: The jurisprudence of the European Court of Justice since the case of Costa *v.* ENEL (case 6/64) has clearly established the principle that no provision of national law may be invoked to override Community law. In Costa *v.* ENEL the Court ruled that:

> "the law stemming from the Treaty ... [cannot] be overidden by domestic legal provisions ... The transfer by the states from their domestic legal systems to the Community legal system of the rights and obligations arising under the Treaty carries with it a permanent limitation of their sovereign rights against which a subsequent unilateral act incompatible with the concept of the Community cannot prevail."

Iraq

Mr. David Stewart: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future UN role in the reconstruction of Iraq. [133159]

Mr. Rammell: The Government remain committed to a vital role for the UN in Iraq, as provided for by Security Council Resolutions 1483 and 1511.

Security Council Resolution 1511, passed unanimously on 16 October 2003, encourages further participation by the UN and the international community in assisting Iraq, including in the political processes leading to the formation of a representative government.

Following the terrorist attack on the United Nations Headquarters in Baghdad on 19 August, the UN's efforts in Iraq have inevitably been scaled back. We are in discussion with the UN on the security measures needed to ensure that the UN is able to strengthen its vital role in Iraq.

Cyprus

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current position in the Loizidou case. [132579]

Mr. MacShane: The Government supports the implementation of the relevant judgments of the European Court of Human Rights and the efforts currently under way in Strasbourg to achieve this.

An outcome which would satisfy the Committee of Ministers that the judgments of the Court had been properly respected is within our grasp. We urge all concerned to spare no effort to achieve this within the next few days, for the good of the plaintiff, of Turkey's good name in the Council of Europe, of Cyprus and of the region as a whole. Such an outcome would be fully in the spirit of the proposals for a comprehensive settlement put forward by the UN Secretary General. Agreement on the basis of the Annan Plan would provide the shortest route to compensation for Greek and Turkish Cypriots who, like Ms Loizidou, have been deprived of the use of their property and other rights.

North Korea

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the discussions he and members of his Department have had since 1997, with representatives of the Governments of *(a)* the US, *(b)* Australia, *(c)* South Korea, *(d)* Japan, *(e)* China, *(f)* Russia and *(g)* India on the issue of missile testing in North Korea; where each discussion took place; what concerns were raised by (i) him, (ii) members of his Department and (iii) their respective counterpart(s); and if he will make a statement. [132543]

Mr. Rammell: We regularly discuss North Korea's nuclear programmes and missile proliferation with Australia, South Korea, Japan, China and Russia, both at ministerial and official level. We shall continue to work with international partners towards a peaceful settlement on the Korean peninsula, and to urge North Korea to return to compliance with its international obligations.

Sri Lanka

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the peace process in Sri Lanka. [133060]

Mr. Mike O'Brien *[holding answer 20 October 2003]*: We support the Sri Lankan peace process both politically and practically, and welcome the remarkable progress that has been made since February 2002 when the current ceasefire came into effect. Although the peace talks are currently suspended, the ceasefire is holding. Proposals for an interim administration in the North and East have been put forward by the Government of Sri Lanka, and we hope that the Liberation Tigers of Tamil Eelam (LTTE) will shortly table a counter-proposal that will enable all parties to return to the negotiating table.

Tibet

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised human rights in Tibet with his Chinese counterparts. [132855]

Mr. Rammell: My right hon. Friend the Foreign Secretary raised Tibet, and the human rights situation in China, when he met Chinese Foreign Minister Li Zhaoxing on 25 June. My right hon. Friend the Prime Minister also raised Tibet with the Chinese leadership during his visit to China on 20–22 July.

Turkey

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he is taking to help restore the ceasefire between the Kurds and the Turkish Government. [132239]

Mr. MacShane: We welcome the Turkish "Reintegration Law", passed on 29 July, which enables those associated with a terrorist group, including PKK/KADEK, to renounce the organisation and return home, and introduces lighter sentences for those accused of PKK/KADEK associated crimes. It is encouraging that this is beginning to be implemented.

Properly implemented, this will complement Turkey's efforts to ensure that the human rights of all groups within Turkey, including the Kurds, are protected.

Visas

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total visa income was in August. [131884]

Mr. Mullin: The Foreign and Commonwealth Office is unable to disaggregate UKVisas income as between July and August. UKVisas income for the two months combined was £22,887,111.

Uzbekistan

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Uzbekistan on imprisonment, torture and executions of religious and political opponents of the Government; and if he will make a statement. [132553]

Mr. Rammell: We are deeply concerned by reports of imprisonment, torture and executions of religious and political opponents of the Uzbek Government. We take every opportunity to raise human rights issues bilaterally with the Uzbek authorities, including raising individual cases of religious and political persecution. For instance, I raised human rights issues with the Uzbek Ambassador on 8 October.

We frequently work with EU Partners and within the OSCE to raise our concerns by way of EU statements in Brussels and Vienna and demarches by EU Heads of Mission. The UK supported the EU statement at the OSCE Permanent Council on 17 July condemning the recent executions of individuals whose cases were under

consideration by the UN Human Rights Committee and calling on Uzbekistan to use OSCE expertise in implementing the UN Special Rapporteur's recommendations. Our Embassy in Tashkent is actively involved in human rights issues and is currently working with human rights organisations, the OSCE, UNDP and other Embassies to push Uzbekistan to develop and implement a National Action Plan to Combat Torture.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* the standard of human rights and *(b)* the democratic process in Uzbekistan. [132554]

Mr. Rammell: I refer the hon. Member to the answer I gave to the hon. Member for Truro and St. Austell (Matthew Taylor) on 20 June 2003, *Official Report*, column 437W.

Since then, I raised human rights issues with the Uzbek Ambassador on 8 October, urging the Uzbek authorities to implement the UN Special Rapporteur for Torture's recommendations immediately. Bilaterally, and through the EU and the OSCE, we shall continue to press Uzbekistan to take greater steps towards democratisation and respect for human rights. We stand ready to assist Uzbekistan develop and implement its action plan to combat torture. While we welcome the Uzbek government's verbal and written commitments on human rights issues, we shall continue to press for tangible improvements and evidence of institutional reform.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what the reasons are for the recall of the British Ambassador to Uzbekistan; what representations he has received on the early return of the Ambassador; when the Ambassador will return to Tashkent; and if he will make a statement. [132555]

Mr. Rammell: Her Majesty's Ambassador to Uzbekistan is currently in the UK where he has been receiving medical treatment. It would not be right for me to make further public comment on the private circumstances of an individual member of staff.

HEALTH

Age-related Macular Degeneration

Mr. Baron: To ask the Secretary of State for Health what estimate the Government have made of the number of people whose sight will be affected following the Government's decision to delay implementation of NICE's guidelines to make photo-dynamic therapy available to those suffering from age-related macular degeneration. [132691]

Ms Rosie Winterton *[holding answer 20 October 2003]*: We are not delaying implementation of the National Institute for Clinical Excellence (NICE) guidance on photo-dynamic therapy (PDT). Patients are already receiving PDT treatment on the national health service and will do so in increasing numbers in the coming months.

In reviewing the final appraisal determination, the NICE Guidance Executive also considered whether there were grounds for advising the Department to vary the three-month direction. They considered there were grounds to do so on this occasion.

It was the Department's assessment, informed by evidence submitted to NICE, that the NHS would be unable to implement the guidance in full within the usual three-month period. We have previously varied the direction on five occasions when it was required to implement effectively the guidance to provide the service to patients.

The guidance issued to primary care trusts on PDT asks that PCTs should make funds available within nine months. We expect implementation to have been fully achieved within this time frame with all eligible patients having access to available treatment. PCTs may complete implementation earlier should their service planning enable them to do so.

Within the nine months allowed for full implementation, commissioners are expected to expand the service in a planned way to ensure there is sufficient capacity which is appropriately located to meet patient need, a fully trained workforce and access to expert diagnostic services. This will include the creation of new, and the expansion of existing, PDT centres and expert reading centres.

Community Health Councils

Mr. Baron: To ask the Secretary of State for Health what percentage of community health councils will be fully operational on 1 November; and if he will list those that will no longer be operational on that date. [132692]

Ms Rosie Winterton *[holding answer 20 October 2003]*: 98 per cent. of community health councils (CHCs) will still be operational on 1 November.

Three CHCs (Bassetlaw, Southern Derbyshire and Hounslow) will be closed. In these cases, arrangements have been made for members of the public to access information and advice from neighbouring CHCs.

Mr. Baron: To ask the Secretary of State for Health what the staffing level of community health councils was on *(a)* 1 January, *(b)* 1 April and *(c)* 1 July. [132693]

Ms Rosie Winterton *[holding answer 20 October 2003]*: The staffing level of community health councils (CHCs) was 732 on 1 January, 680 on 1 April and 572 on 1 July.

Mr. Baron: To ask the Secretary of State for Health pursuant to his answer of 17 September 2003, *Official Report*, column 843W, on community health councils, what the staffing levels on 1 November will be as a proportion of the full-time staffing strength before the decision to abolish the councils was taken. [132760]

Ms Rosie Winterton *[holding answer 20 October 2003]*: It is expected that about 54 per cent. of the full staff complement will be working in community health councils on 1 November.

Mental Health

Dr. Fox: To ask the Secretary of State for Health which mental health trusts are unable *(a)* to offer a

crisis resolution service and *(b)* to provide funded accommodation for service users taken into care under section 136 of the Mental Health Act 1983. [131024]

Ms Rosie Winterton: Information is not available in the requested format. Information on the distribution of crisis resolution teams in operation on 31 March 2003 according to strategic health authority boundaries is provided in the table.

Strategic health authority	*Number of crisis resolution teams*
Avon, Gloucestershire and Wiltshire	7
Bedfordshire and Hertfordshire	2
Birmingham and the Black Country	12
Cheshire and Merseyside	2
County Durham and Tees Valley	5
Coventry, Warwickshire, Herefordshire and Worcestershire	4
Cumbria and Lancashire	2
Essex	1
Greater Manchester	3
Hampshire and Isle of Wight	2
Kent and Medway	1
Leicestershire, Northamptonshire and Rutland	0
Norfolk, Suffolk and Cambridgeshire	3
North and East Yorkshire and Northern Lincolnshire	2
North Central London	4
North East London	1
North West London	3
Northumberland, Tyne and Wear	4
Shropshire and Staffordshire	3
Somerset and Dorset	0
South East London	7
South West London	4
South West Peninsula	6
South Yorkshire	4
Surrey and Sussex	5
Thames Valley	6
Trent	4
West Yorkshire	4
England	101

Fabry's Disease

Mr. Hoban: To ask the Secretary of State for Health (1) how many primary care trusts pay for the prescribing of Fabrazyme; and which do not pay for it; [133575]

(2) what guidance has been issued on the treatment of Fabry Disease; [133576]

(3) what guidance has been issued to *(a)* primary care trusts and *(b)* NHS acute hospitals trusts on prescribing Fabrazyme. [133577]

Dr. Ladyman: No central guidance on the treatment of Fabry's Disease or on the prescribing of Fabrazyme has been issued to primary care trusts or acute hospitals.

The Prescription Pricing Authority only collects prescription information on drugs dispensed in the primary care setting. We have no record of Fabrazyme being dispensed in the community in England. Information is not collected centrally on drugs dispensed in secondary care so we would be unable to say if it had been prescribed in a hospital setting.

Although the forthcoming national service framework for long term conditions will not deal directly with Fabry's Disease it is expected to set standards that will improve support and care for people with long term conditions and disabilities.

Neurological Conditions

Mrs. Gillan: To ask the Secretary of State for Health (1) how many people in *(a)* Chesham and Amersham, *(b)* Buckinghamshire and *(c)* England suffer from neurological conditions; [132329]

(2) what plans he has to monitor the number of people with neurological conditions in *(a)* Chesham and Amersham, *(b)* Buckinghamshire and *(c)* England. [132330]

Ms Rosie Winterton: The information requested is not collected centrally. We do not ask the national health service to collect data on the incidence of individual conditions such as neurology because of the enormous range of conditions and diseases that exist.

I have no plans to monitor the number of people with neurological conditions. The administrative burden of developing and maintaining a diseases and conditions database would be expensive and would divert resources away from the main function of the NHS, which is the treatment of patients.

NHS Dentistry

Mr. Gordon Prentice: To ask the Secretary of State for Health how much, and what percentage, of the NHS budget was spent on NHS dentistry in *(a)* 1992, *(b)* 1997 and *(c)* the latest 12 months for which figures are available. [121993]

Ms Rosie Winterton: The gross national health service spend on the general dental service (GDS) and personal dental services (PDS)[1] and the proportion this represents of total gross NHS expenditure for 1992–93, 1997–98 and 2001–02 are shown in the following table.

NHS dental services: Gross[2] expenditure on NHS dental services, 1992–93, 1997–98 and 2001–02—England

	Gross NHS dental service expenditure[3] (£ million)	*Gross NHS dental service expenditure[3] as percentage of total gross NHS expenditure*
1992–93	1,306	4.4
1997–98	1,348	3.6
2001–02[4]	1,674	3.2

[1] All years give GDS expenditure. 2001–02 also includes PDS expenditure. PDS pilots began in 1998 and a proportion of GDS expenditure was moved into a separate budget to reflect this. Spend on PDS pilots has been included in the 2001–02 figures. This includes spending on Trust-led pilots as well as PDS/GDS.
[2] Gross expenditure is the total expenditure on the service before the deduction of patient charge income.
[3] All years give GDS expenditure. 2001–02 also includes PDS expenditure. Expenditure on community and hospital dental services has not been included in this table; information on the total funding for these services is not collected centrally.
[4] Figures for 2001–02 are on a resource basis. This change in accounting practice had the effect of increasing the levels of expenditure attributed to that year. As a result the NHS expenditure total increased by about £200 million compared with the cash system used for previous years.

The amount of money drawn down through the GDS funding arrangements is determined by the amount of work dentists carry out on NHS patients. The rate of increase of spend has been moderated by an increase in the number of dentists treating patients privately. The proportionate spend on dentistry has also been affected

by the major additional investment across the NHS in recent years; total NHS expenditure has increased at a faster rate than expenditure on dentistry.

The gross NHS GDS expenditure shown above for 2001–02 does not include the £35 million Modernisation Fund and £6 million Dentistry Action Plan Payments.

The Health and Social Care (Community Health and Standards) Bill currently before the House proposes the introduction of local commissioning for NHS dental services. Funding currently held and administered centrally would then become part of primary care trusts' general allocations. Unlike the current arrangements, resources would remain with the PCT should a dental practice reduce its level of commitment to the NHS. In the longer term, allocations will need to take oral health inequalities into account.

DEPUTY PRIME MINISTER

British Summer Time

Bob Russell: To ask the Deputy Prime Minister if he will make British Summer Time permanent throughout the year. [132808]

Mr. Sutcliffe: I have been asked to reply.

There are no current plans to change the way British Summer Time operates.

The start and end dates of summer time are harmonised across EC member states through a European Directive. The Directive provides for summer time to be one hour ahead of winter time but does not determine what these times are.

Brickworks Development (Upchurch)

Mr. Wyatt: To ask the Deputy Prime Minister if he will publish *(a)* the Lawful Development Certificate and *(b)* the Appeal file for the site at Fourbun Field, Otterham, Quay Lane, Upchurch. [133600]

Keith Hill: An Inspector issued a lawful development certificate on 8 May 2001 for the use of land at Four Gun Field, Otterham Quay Lane, Upchurch, Kent for the purposes of a brickworks including ancillary open storage. A copy of the appeal decision and certificate will be available in the library of the House. The appeal file was destroyed 12 months after the appeal decision was issued in line with normal procedures.

Local Government Finance

Mr. Edward Davey: To ask the Deputy Prime Minister if he will estimate the total revenue which would be raised by local authorities from charging *(a)* 100 per cent. council tax rate and *(b)* 100 per cent. business rate on second homes. [132449]

Mr. Raynsford: Approximately £160 million per year would be raised by English local authorities if 100 per cent. council tax were charged and collected on all second homes. This represents an additional £80 million because there is currently a 50 per cent. discount on council tax for second homes. However, because owners of second homes would have no reason to provide this information if discounts were to be entirely ended, the yield in future years would be increasingly difficult to estimate. This would, of course, affect the scope for individual local authorities to benefit directly from the reduction of discounts on second homes.

In addition, some second homes let as self-catering holiday homes are subject to business rates because it is intended that they are let as holiday accommodation for more than 140 days in a year. Business rates are usually charged at 100% for such properties, although figures the revenue raised from them are not available.

The Office of the Deputy Prime Minister does not have sufficiently detailed records to be able to calculate what would be raised if all second homes were subject to non-domestic rates rather than council tax.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Deputy Prime Minister how much was paid to Microsoft in licensing fees by his Department and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130667]

Yvette Cooper: The Office of the Deputy Prime Minister was created on 29 May 2002. The following table summarises Microsoft licensing fees incurred by the Office since its creation, and those incurred by Agencies for the period requested:

Agency	*Spend 2000–01*	*Spend 2001–02*	*Spend 2002–03*
ODPM Central	n/a	n/a	346,800
Fire Service College	Prior to 2002, licenses supplied from the Home Office		6,940
The Rent Service	0	0	0
QEII Conference Centre	6,200	11,900	7,200
Planning Inspectorate	13,000	185,000	67,000

Budgets for spend in 2003/04 and in future years are withheld on grounds of commercial confidentiality.

Milton Keynes/South Midlands Study

Dr. Starkey: To ask the Deputy Prime Minister which organisations are represented on the Infrastructure Delivery Board convened by the Minister responsible for the Milton Keynes and South Midlands Growth Area; when the Board will first meet; and at what frequency he expects the Board to meet thereafter. [132173]

Yvette Cooper: Building on the work of the existing Milton Keynes and South Midlands Steering Group, the proposed Milton Keynes and South Midlands Inter Regional Board will seek long-term commitment to delivery through high level executive membership from relevant agencies. The board, to be chaired by my right hon. Friend the Lord Rooker, would include representatives of areas of infrastructure delivery including: environment, industry, housing, water, transport, education, health, Regional Development Agencies and Regional Planning Bodies, relevant local authorities and delivery vehicles. Some other organisations will also be invited on specific topics. The board is expected to meet two to three times a year and, for the first time in its new role by the end of 2003.

Dr. Starkey: To ask the Deputy Prime Minister whether the Infrastructure Delivery Board for Milton Keynes and South Midlands will consider both capital and revenue implications of planned growth. [132174]

Yvette Cooper: The role of the proposed Milton Keynes and South Midlands Inter Regional Board will be to influence the investment of others, which will include both capital and revenue implications of planned growth.

HOME DEPARTMENT

Communications Masts

Mr. Gibb: To ask the Secretary of State for the Home Department what assessment he has made of the possible biological effects of terrestrial trunked/radio pulsing rates emanating from *(a)* handsets and *(b)* masts; what scientific research he collated to make this assessment; and how his Department's code of best practice applies the findings in respect of siting masts close to schools. [131942]

Ms Blears: In 2001, the National Radiological Protection's Board independent Advisory Group on Non-ionising Radiation (AGNIR) published a report on "Possible health effects from Terrestrial Trunked Radio (TETRA)". The report concluded that it was unlikely that the specific features of TETRA handsets and repeaters could pose a risk to health.

The AGNIR report also concluded that signals from TETRA masts are not pulsed and confirmed that TETRA masts are similar to other mobile phone masts in terms of health and safety. There are no plans to issue specific guidance on the siting of TETRA masts close to schools.

The AGNIR experts' recommendations for further research were taken forward by the Home Office. Recent results from the Defence Science and Technology Laboratory show that signals from TETRA handsets have no effect on calcium exchanges in cells—the main concern about TETRA technology. Further information on TETRA health and safety issues is available at www.homeoffice.gov.uk/docs/tetra.html

National Alcohol Strategy

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make a statement on the national alcohol strategy. [131936]

Ms Blears: My right hon. Friend the Prime Minister commissioned the Strategy Unit (SU) to undertake a project to develop an alcohol harm reduction strategy for England. I am the Sponsor Minister for the project.

The SU published its interim analysis on 19 September and it is available on the unit's website www.strategy.gov.uk. The final report, which will set out the cross-governmental alcohol harm reduction strategy for England, is due for publication later in the year. Implementation of the strategy will begin according to timetable in 2004.

Asylum Seekers

Mr. Hancock: To ask the Secretary of State for the Home Department how many *(a)* failed asylum seekers and *(b)* non-asylum seekers have been deported in each quarter of each of the last three years; to which countries they have been returned; and if he will make a statement. [131979]

Beverley Hughes: Deportations are a specific subset of removals alongside persons subject to administrative removal, removal due to Illegal entry action or those refused entry at port and subsequently removed. Information on the destination of enforced removals is not available. Table 1 shows the number of principal asylum seekers who were removed from the United Kingdom between 2001and the first quarter of 2003—the latest available data—by nationality. This information is not available for removals made in 2000.

Information on the removal of persons other than asylum seekers is not available by nationality or by quarter. 37,665 non-asylum cases were removed from the UK in 2000, 39,850 in 2001 and 54,720 in 2002. These figures include those persons who departed 'voluntarily' after enforcement action had been initiated against them.

Information on the removal of asylum applicants is published quarterly, and on the removals of other immigration cases is published annually. The next quarterly publication will be available from the end of November 2003 on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html

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Table 1 Removals and voluntary departures[1] of asylum applicants, excluding dependants, by nationality, 2001 to Q1 2003[2]

Number of principal applicants

Nationality	*Q1 2001* [3,4](E)	*Q2 2001* [3,4](E)	*Q3 2001* [3,4](E)	*Q4 2001* [3,4](E)	*Q1 2002* [3,4](E)(P)	*Q2 2002* [3,4](E)(P)	*Q3 3002* [3,4](E)(P)	*Q4 2002* [3,4](E)(P)	*Q1 2003* [3,4](E)(P)
Albania	125	150	135	120	110	130	140	115	105
Bulgaria	5	15	25	20	20	20	10	15	10
Cyprus	*	*	*	*	*	5	5	5	*
Czech Republic	185	230	195	185	170	110	190	320	270
Slovakia	25	10	10	10	15	20	20	25	20
Hungary	*	5	5	-	*	5	*	5	*

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Number of principal applicants

Nationality	*Q1 2001 3,4(E)*	*Q2 2001 3,4(E)*	*Q3 2001 3,4(E)*	*Q4 2001 3,4(E)*	*Q1 2002 3,4(E)(P)*	*Q2 2002 3,4(E)(P)*	*Q3 3002 3,4(E)(P)*	*Q4 2002 3,4(E)(P)*	*Q1 2003 3,4(E)(P)*
Poland	150	150	145	160	140	135	135	225	260
Romania	105	130	100	115	115	150	160	135	130
Turkey	35	50	35	50	60	100	110	90	45
Russia	30	15	35	30	20	25	20	20	20
Ukraine	45	60	70	75	65	60	65	45	35
FRY	240	455	445	560	505	605	625	510	475
Other Former USSR	175	175	200	165	155	160	185	230	180
Other Former Yugoslavia	20	15	10	25	35	25	40	20	30
Europe Other	10	20	20	5	5	10	5	5	10
Europe Total	1,155	1,480	1,430	1,535	1,415	1,565	1,715	1,755	1,590
Brazil	20	5	10	5	5	5	5	5	5
Colombia	50	40	35	50	25	20	20	50	25
Ecuador	20	35	20	15	25	20	35	35	30
Jamaica	65	35	35	45	40	50	55	75	55
Peru	-	-	-	-	*	-	-	*	*
United States of America	-	5	5	5	*	*	*	-	*
Americas Other	10	5	10	5	5	15	25	5	5
Americas Total	165	125	110	125	100	115	150	175	120
Algeria	25	20	45	35	35	40	25	30	45
Angola	5	5	5	5	15	15	10	15	15
Dem. Rep. Congo	5	5	10	5	15	5	5	5	5
Egypt	-	5	5	*	-	5	5	5	*
Ethiopia	*	5	*	*	5	*	*	*	*
Gambia	10	10	5	5	5	10	5	5	*
Ghana	30	25	35	20	25	45	30	40	15
Ivory Coast	*	5	5	10	10	20	5	10	5
Kenya	20	25	20	25	30	15	20	30	35
Liberia	-	*	-	-	-	5	*	-	-
Libya	*	*	*	5	-	5	*	*	5
Mauritius	5	*	-	5	*	*	-	-	*
Morocco	5	5	5	-	*	*	-	5	5
Niger		*	-	-	*	*	*	*	-
Nigeria	55	55	55	70	70	60	75	85	50
Seychelles	-	-	-	-	-	*	-	*	5
Sierra Leone	5	5	10	10	15	20	15	15	20
Somalia	15	5	5	5	15	15	10	10	10
South Africa	5	5	10	5	15	5	10	10	10
Sudan	*	*	5	5	5	5	5	5	10
Tanzania	20	10	5	10	5	5	5	5	5
Uganda	10	10	10	15	20	15	30	35	30
Zimbabwe	50	35	65	65	25	30	25	25	15
Africa Other	25	20	20	30	35	35	35	30	65
Africa Total	290	250	320	330	355	365	320	365	350
Iran	20	70	35	45	50	40	50	35	40
Iraq	40	25	15	15	35	40	60	55	90
Lebanon	5	5	5	5	5	5	10	10	10
Middle East Other	20	15	5	10	10	15	15	15	10
Middle East Total	85	115	65	70	105	100	135	110	150
Afghanistan	15	10	35	65	95	135	110	55	65
Bangladesh	40	25	30	50	30	35	45	35	25
China	20	15	20	30	20	10	15	10	10
India	100	85	110	135	95	90	75	85	55
Pakistan	140	135	135	85	110	125	90	95	90
Sri Lanka	35	40	40	40	60	85	115	120	115
Asia Other	25	15	20	25	40	35	35	15	35
Asia Total	370	325	390	435	450	505	480	415	395
Nat. not known[3]	40	25	30	30	20	5	5	10	10
Grand Total	2,100	2,325	2,340	2,520	2,445	2,660	2,805	2,830	2,620

[1] Includes persons departing voluntarily [1] after enforcement action had been initiated against them, persons leaving under Assisted Voluntary Return Programmes run by the international Organisation for Migration, and removals on safe third country grounds.
[2] Figures rounded to the nearest five, with * = 1 or 2, and may not sum due to rounding.
[3] Figures may include a small number of dependants leaving under Assisted Voluntary Return Programmes.
[4] Figures exclude dependants of asylum seekers removed. Data on dependants removed have only been collected since April 2001.
(E) Data have been estimated due to data quality issues.
(P) Provisional figures

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what the average rate of response is by relevant embassies in replacing lost or damaged documentation of asylum seekers in the last 12 months; and if he will make a statement. [132387]

Beverley Hughes: The exact information requested is not available and could only be gathered at disproportionate cost by detailed examination of individual casefiles. This is because applications for documentation by the Immigration Service are not

broken down to reflect those which arise as a result of lost or damaged documents.

The documentation of those persons who fail to be removed from the United Kingdom is an important issue and the Immigration Service Documentation Unit (ISDU) was established in order to facilitate and organise the provision of documentation in such cases. ISDU liaises closely with foreign Embassies and High Commissions in order to secure the issue of travel documents and to reach agreement on the associated processes.

Every country has its own procedures, criteria, and requirements which must be met in order to establish identity and nationality and these procedures, and the timescales associated with them, vary from nationality to nationality.

Given the wide differences between individual countries any averaged figure would be misleading and therefore unhelpful.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department how many asylum seekers in *(a)* Scotland and *(b)* England and Wales are awaiting deportation as a result of vandalised documentation. [132388]

Beverley Hughes: The information requested is not available and could only be obtained by examination of individual case-files at disproportionate cost.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what steps he is taking to prevent the destruction of travel documents by asylum seekers who aim to delay their deportation. [132389]

Beverley Hughes: On the 28 August 2003 my righ hon. Friend the Home Secretary made a statement that he would be considering new legislation to tackle asylum seekers who destroy their travel documents in order to delay their removal from the United Kingdom. That legislation is still under consideration, and it is expected that we will be making a further statement about this matter in due course.

Brinsford Young Offenders Institution

Dr. Vis: To ask the Secretary of State for the Home Department how many children in Brinsford Young Offenders Institution have been placed in the segregation unit since January; and for how long. [130239]

Paul Goggins: Provisional data on the number of children held in segregation at Brinsford young offender institution from January to August 2003 is shown in the following table. This has been split to show the number of times the segregation unit was used for *(a)* less than seven days, *(b)* for longer than seven days and *(c)* for longer than 28 days during this period. The length of stay is dependent on the reason and will vary from no more than a few hours to a carefully prescribed number of days.

The number of children held in segregation at Brinsford Young Offender Institution from January to August 2003

Month	*Number of Juveniles held for less than 7 days*	*Number of Juveniles held for longer than 7 days*	*Number of Juveniles held for longer than 28 days*
January	5	0	0
February	5	6	0
March	5	4	0
April	3	2	0
May	6	3	2
June	10	3	0
July	9	7	1
August	14	5	0

Correspondence

Ian Lucas: To ask the Secretary of State for the Home Department when he will reply to the letter and email dated 16 April and 23 April from Andrew H. Coveney of CP Pharmaceuticals, Wrexham. [120955]

Fiona Mactaggart: The issues raised in the letter and emails of 16 and 23 April were confirmed as being resolved on 30 June 2003.

Mr. Salmond: To ask the Secretary of State for the Home Department when he will reply to the letter dated 14 August 2003 from the hon. Member for Banff and Buchan regarding his constituent, Mr. S. Chemlakh of Fraserburgh. [132552]

Beverley Hughes: I replied to the hon. Member on 14 October 2003.

Crime Statistics

Simon Hughes: To ask the Secretary of State for the Home Department when the decision was taken to alter the basis for measuring performance against his Department's targets for the reduction of *(a)* burglary and *(b)* vehicle crime from recorded crime statistics to the British Crime Survey; which bodies and individuals were consulted before he authorised this change; and what form the announcement of this change took. [131804]

Ms Blears: The decision was taken by Home Office Ministers during the process of establishing Home Office Public Service Agreement targets for the period 2003–04 to 2005–06; announced by way of written ministerial statement on 25 March 2003, *Official Report*, column 8WS.

Criminal Cases Review Commission

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will outline the case ordering and priority ranking that is used by the CCRC in determining which cases to review. [128849]

Paul Goggins: In case ordering and priority ranking, a distinction is drawn between applications for a case review for those in custody and those who are at liberty or dead. Cases are generally reviewed in date order of receipt, with in-custody cases generally being assigned one year of priority over at-liberty cases. In-custody applicants requesting reviews of their sentences will generally be assigned priority over those applying for reviews of their convictions. Factors such as age and ill

health of applicants and witnesses, and the possibility of deterioration of evidence, are also taken into account. Priority is also assigned to cases that the Commission believes to be of particular significance to the criminal justice system.

Criminal Records Bureau

Mr. Burns: To ask the Secretary of State for the Home Department (1) what the average time has been for processing a check by the Criminal Records Bureau, broken down by category of worker; [129842]

(2) what the average time is which it is expected the Criminal Records Bureau will take to check on new staff seeking to work in the long-term care sector. [129843]

Paul Goggins *[holding answer 15 September 2003]:* I am unable to provide data to the hon. Member on the average time taken to process Criminal Records Bureau (CRB) checks, broken down by category of worker because there are no IT procedures at present to extract these data from the CRB database.

However, I can confirm that the average turnaround times for Standard and Enhanced Disclosures across all business sectors is 24 days. Service turnaround times for Standard and Enhanced continue to exceed the CRB target of 90 per cent. of Standard Disclosures within two weeks and 90 per cent. of Enhanced Disclosures within four weeks. The CRB expects to process the checks for new care home workers within this service standard. In July 2003, the average turnaround was 93.1 per cent. for Standard Disclosures and 93.5 per cent. for Enhanced Disclosures. Over the last four weeks, output has exceeded intake: 142,932 applications have been received and 145,117 have been issued. Since 11 March 2002, the CRB has issued over 2,364,312 Disclosures.

Deaf Prisoners

Mr. Grieve: To ask the Secretary of State for the Home Department what action is being taken to improve the support and welfare of deaf prisoners. [129921]

Paul Goggins: The Prison Service has policies in place to try to ensure that deaf, and indeed all, disabled prisoners are able to participate fully in prison life and that their needs in terms of rehabilitation, maintaining family ties, and support generally, are met. Ensuring staff awareness of the needs of deaf prisoners remains a high priority for the Prison Service: disability and deaf awareness and communication skills for staff are included within diversity training across the Service.

Prisons are encouraged to employ British Sign Language (BSL) interpreters where necessary, for example, in adjudication hearings and in parole interviews. Although it is recognised that not all deaf and hard of hearing people use BSL, more staff in prisons are being trained in basic BSL skills and a small number of staff are more highly qualified and experienced signers.

Staff and managers in prisons are also becoming more aware of the need to ensure that deaf prisoners are able to access offending behaviour programmes, and are starting to explore alternative ways of delivering these programmes.

Great importance is placed on the maintenance of family ties for all prisoners; it is recognised that for deaf prisoners, this requires adjustments such as provision of textphones, and quiet areas and induction loops in visits halls to enhance the quality of visits. Wherever possible, prisons develop links with community groups, some of which support and visit deaf prisoners.

Dr. Ali Dizaei

Peter Bottomley: To ask the Secretary of State for the Home Department if he will make a statement on ministerial involvement in, and reports received by, Ministers during the stages of *(a)* investigation and *(b)* prosecution of Dr. Ali Dizaei. [131662]

Ms Blears: The only ministerial involvement in this case has been as a result of responding to parliamentary questions or correspondence from Members of Parliament or briefings on progress. Specific requests are then made to the MPS Secretariat for factual information to support Ministers' replies. This routine procedure—which allows Ministers to answer MPs' inquiries—was followed in response to all PQs and correspondence submitted in this case.

Peter Bottomley: To ask the Secretary of State for the Home Department how many of the warrants issued on police applications listed allegations that were charges leading to the prosecution of Dr. Ali Dizaei. [131663]

Ms Blears: The Commissioner of Police for the Metropolis informs me that none of the allegations, in respect of which warrants were issued, resulted in charges leading to prosecution of Dr. Ali Dizaei.

Dungavel

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what the average number of children resident at Dungavel Immigration Removal Centre has been during the last 12 months. [131556]

Beverley Hughes: Information on the average number of children resident in Dungavel Immigration Removal Centre during the last 12 months and the average length of time for which detainees were held is not yet available in the form requested and could be obtained only by examination of individual case-files at disproportionate cost.

Minors are detained only in two limited circumstances: first, as part of a family group whose detention is considered appropriate; second, when unaccompanied, while alternative care arrangements are made and normally just overnight. While the detention of families with children is very regrettable, it nevertheless remains necessary in appropriate cases in order to maintain an effective immigration control and to tackle abuses of the asylum system.

Identity Cards

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many responses he has received to his consultation exercises on identity cards; and if he will make a statement. [131681]

Beverley Hughes: The consultation period on entitlement cards and identity fraud formally ended on 31 January 2003. We received a total of 4,942 individual responses from companies/organisations and from individual members of the public.

A further 5,031 responses from individual members of the public were sent in via the STAND website.

We have been carefully analysing all the responses received and are in the process of preparing a detailed summary of the responses, which we will be publishing. It is right that we take time to consider these thoroughly before making an announcement.

Illegal Immigration

Mr. Hancock: To ask the Secretary of State for the Home Department when he next plans to meet the French authorities to discuss *(a)* illegal immigration from France and *(b)* trafficking of illegal immigrants across Europe. [131980]

Beverley Hughes: There is extensive co-operation between the two Governments and Ministers meet regularly to discuss issues of mutual concern. My right hon. Friend the Home Secretary met the French Minister of the Interior on 19–20 October.

Mr. Hancock: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of *(a)* the use of freight searching equipment, and *(b)* steps taken by the French authorities to return failed asylum seekers to the Balkans. [131981]

Beverley Hughes: The effectiveness of using UK freight searching equipment in France has been clear for some time. There has been during 2003, the capacity to search 100 per cent. of freight vehicles passing through Calais and the number of clandestines encountered by Immigration Officers in the South East District (SED) has fallen drastically as a result. Locally collated management information (which may be subject to revision and correction) indicates a fall of 72 per cent. in monthly detections by SED, from 975 in September 2002 to 270 in June 2003.

New detection technology has also now been deployed in Belgium at Zeebrugge and Ostend and will be rolled out to other ports in Northern France. The deployment of UK detection technology in continental Europe has been a key measure in reducing asylum applications from 8,770 in October 2002 to 3,610 in June 2003.

The French are continuing to operate an efficient system for dealing with asylum applications and failed asylum seekers are being removed to their countries of origin, including the Balkans. The French are currently bringing in new legislation to tighten up their immigration rules.

Mr. Hancock: To ask the Secretary of State for the Home Department what plans he has for the *(a)* issuing and *(b)* loaning of high-technology UK freight searching equipment to port-cities in (i) the United Kingdom and (ii) Europe; what equipment is in place; and if he will make a statement. [131983]

Beverley Hughes: There are no current plans to issue or loan freight-searching technology to port operators in the United Kingdom. Freight searching to detect clandestine arrivals is carried out in the United Kingdom by the UK Immigration Service.

As part of the measures to reduce the number of unfounded asylum applications in the United Kingdom, a programme is under way to loan and deploy UK-owned detection technology to port operators and carriers overseas.

We have deployed people detection technology at the ports of Calais and Coquelles. At Calais there is the capability to screen 100 per cent. of embarking freight vehicles. Following the tightening of security at Calais, we are taking steps to deploy at other continental ports including in France, Belgium and Holland, vulnerable to the displacement of clandestine activity.

Additionally, a UK owned scanner is currently on loan to the Belgian authorities and is deployed by the Belgian Federal Maritime Police. In line with the UK commitment to work with European partners to combat illegal immigration, UK owned technology is also currently on loan to the Irish and German authorities.

Immigration and Asylum

Mr. Hancock: To ask the Secretary of State for the Home Department what factors underlay decisions about the number of United Kingdom immigration officers employed in ports in *(a)* the United Kingdom and *(b)* Europe; what the role is of UK officers in non-United Kingdom ports; and if he will make a statement. [131982]

Beverley Hughes: The information is as follows:

(a) Port staffing levels in the United Kingdom are determined by a number of factors;

Current and projected numbers of passenger arrivals;

For seaports the number of freight vehicles that will require searching

An assessment of the casework generated from the arriving passenger traffic

Projected numbers of asylum seekers that will require interview on arrival

(b) Officers are currently deployed to the following European ports to operate juxtaposed immigration controls:

Gare du Nord, Paris;

Gare du Midi, Lille;

Frethun, Calais;

Coquelles (Eurotunnel)

Officers will be deployed to Calais ferryport, Calais Hoverport, Dunkerque, and Boulogne following the conclusion of the Anglo-French treaty for the implementation of frontier controls at the seaports of both countries on the Channel and North Sea. This will take place towards the end of November 2003.

Save in respect of asylum claims and suspensive rights of appeal all these controls operate on the same basis as immigration controls operated at UK ports.

Mr. Best: To ask the Secretary of State for the Home Department whether he will make a statement about judicial involvement in the immigration and asylum system. [132235]

Beverley Hughes: The Government are committed to providing a firm, fast and fair asylum and immigration system. The reforms we introduced through the Nationality, Immigration and Asylum (NIA) Act 2002 have helped to deliver a significantly faster and more efficient system, which benefits both the taxpayer and those seeking legal entry or asylum in the United Kingdom. However, the Government believe that there are still too many examples of asylum applicants lodging groundless appeals to frustrate the asylum process and delay removal. Therefore, as my right hon. Friend the Home Secretary stated on 22 May 2003, we are drawing up further legislative measures to limit the scope for making unfounded appeals, including the possibility of moving to a single tier of appeal.

Kent Police

Mr. Norman: To ask the Secretary of State for the Home Department (1) how many *(a)* police constables, *(b)* sergeants and *(c)* inspectors were transferred from the Kent Police Force to the Metropolitan Police Force in each of the last five years; [131701]

(2) what the vacancy rate was for *(a)* police constables, *(b)* sergeants and *(c)* inspectors in each of the last five years for the Kent Police Force area; [131702]

(3) how many police officers have retired from Kent Police Force in each of the last five years; and what the average age of retirement was. [131759]

Ms Blears: There have been no compulsory transfers of officers between the two forces. Information about the officers who have chosen to transfer from Kent County Constabulary to the Metropolitan Police Service (MPS) between 1998–99 to 2002–03 is in Table 1. This information has been provided by the Acting Chief Constable (Mr. R. Ayling QPM). I am also told that during the last five years a total of 37 officers transferred from the MPS to Kent. At the end of August Kent County Constabulary had 3,520 officers, a record number and 260 more than in March 1997.

No information is collected centrally about the age of retiring police officers. Table 2 sets out the number of retirements as a whole for each year from 1998–99 to 2002–03 and, separately, shows the number of medical and ordinary retirements, from the Kent County Constabulary.

Details of vacancy levels in police forces for the last five years are not available centrally.

Table 1: Transfers from Kent County Constabulary to Metropolitan Police

	Constable	*Sergeant*	*Inspector*	*Other*	*Total*
1998–99	—	2	—	1	3
1999–2000	1	—	—	—	1
2000–01	1	—	—	—	1
2001–02	4	1	—	—	5
2002–03	13	6	4	1	24

Table 2: Retirements from Kent County Constabulary between 1998–99 and 2002–03

	All ranks		
	Medical retirements	*Ordinary retirements*	*Total retirements*
1998–99	16	80	96
1999–2000	18	84	102
2000–01	29	74	103
2001–02	38	101	139
2002–03	21	85	106

Migrants

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the numbers of migrant participants in the new Sector Based Schemes covering food processing and hospitality. [130500]

Beverley Hughes: The figures for the number of Sectors Based Scheme (SBS) work permits that have been approved from the launch on 30 May 2003 to 31 June 2003 covering food processing and hospitality are given in the table:

SBS permits issued

	Number
Total	1,269
Food manufacturing sector	1,214
Hospitality sector	55

Work Permits (UK) is currently discussing with key stakeholders how effectively the scheme is operating, and these discussions will inform the way forward from the end of January 2004 onward (when the current quota is due to expire).

Military Deaths

Mr. McNamara: To ask the Secretary of State for the Home Department what the result was of the police investigation into the death of Private Alison Croft at Dalton Barracks in Abingdon, Oxfordshire, on 28 September 2002. [132188]

Ms Blears: I understand that Thames Valley Police have submitted a file to the Coroner on this case. It would therefore be inappropriate for me to comment further.

Mr. McNamara: To ask the Secretary of State for the Home Department what the result was of the police investigation into the death of Private Tesoni Vakacakaudrove at the Defence School of Transport, Leconfield, on 6 October 2002. [132189]

Ms Blears: I understand that following a major investigation by Humberside Police into the death of Private Vakacakaudrove the Coroner inquest returned a verdict of accidental death.

Police Community Support Officers

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) how many police community support officers are now in post *(a)* in the United Kingdom and *(b)* in West Yorkshire; [132340]

(2) how many police community support officers will be in post by 21 December. [132341]

Ms Blears: As of 1 October 2003 there were 1,934 Community Support Officers (CSOs) in England and Wales. Of these 96 CSOs had been recruited by West Yorkshire Police. I have also been informed by West Yorkshire Police that currently Huddersfield have 10 CSOs and will have 18 by the end of March 2004.

We estimate there will be 2,200 Community Support Officers in post in England and Wales by 21 December 2003, rising to over 2,500 by 1 April 2004. We are on track to reach the National Policing Plan target of 4,000 CSOs by the end of 2005.

Police Investigations

Paul Flynn: To ask the Secretary of State for the Home Department whether it is standard practice for police authorities to keep the report of investigations into their own officers confidential; and under what circumstances a police authority would publish such a report. [132222]

Ms Blears: Generally, in investigations into criminal allegations involving either a member of the police or a member of the public, it is standard to keep investigation reports confidential. The same applies to investigations into complaints against police officers.

It is for police authorities to decide whether to publish reports of investigations: they might choose to do so if they considered that the public interest in disclosing a report's contents outweighed the public interest in preserving its confidentiality.

Police Targets

Mr. Sheerman: To ask the Secretary of State for the Home Department when he will review the target setting framework within which the police services work. [132342]

Ms Blears: The National Policing Plan, due for publication in November, will confirm the levels of improvement in performance required, by individual police forces and authorities, to deliver the existing Public Service Agreement targets (which cover the period April 2003—March 2006; published in Cm 5571). It will be for individual police forces and authorities to ensure that these requirements are reflected in their local strategic and annual policing plans.

Prisons

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many applications to release on temporary licence have been made this year and in each of the last five years in *(a)* all prisons in England and Wales and *(b)* each individual prison in England and Wales. [130534]

Paul Goggins: The Prison Service does not collect the numbers of applications for release on temporary licence. However, the numbers of releases on temporary licence listed by type of establishment and by type of licence are published in Prison statistics England and Wales 2001 (Cm 5743), which is held in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) if he will list the prisons that have prison visiting facilities which are *(a)* permanent and *(b)* temporary; [131208]

(2) which of the prisons that have prison visiting facilities include facilities which cater for *(a)* people with disabilities and *(b)* children; [131209]

(3) which prison visiting facilities have been *(a)* refurbished, *(b)* built and *(c)* relocated within the last five years; and what the cost was of the work undertaken; [131210]

(4) which prison visiting facilities are included in an improvement programme; what the nature of the improvements planned is in each case; and what the cost is of work to be undertaken. [131211]

Paul Goggins: The Prison Service has a statutory obligation to encourage and assist prisoners to maintain outside contacts. In recognition of the important role that visits can play in achieving this, as well as the benefits for prisoners' successful resettlement, all prisons have permanent visiting areas. Over 90 establishments provide additional facilities such as visitors' centres.

Prison Governors are required to comply with the duty under the Disability Discrimination Act 1995 to provide adequate facilities for people with disabilities and to make 'reasonable adjustments' to existing facilities. In particular, visitors to prison must be able to access all visits facilities. All establishments are currently assessing their facilities, but there is no central record of work conducted. Over 80 prisons provide play areas for children and an increasing number also offer extended day visits. Our policy is to encourage establishments to provide such facilities wherever possible, subject to individual operational and resource considerations.

Individual governors initiate refurbishments to prisons costing less than £50,000 and the expenditure is incurred from their local budgets. Information on where such refurbishments have taken place and the costs involved are not held centrally. All newly built and contracted-out prisons are required to have a visitors' centre, distinct from visits halls, under the terms of their contract and the costs of building these range from around £25,000 to £200,000.

Prison Service policy is to provide adequate facilities and these are under constant review. However, as most improvements are not centrally resourced, there is no comprehensive record of work carried out, or of the associated costs.

Probation Service

Simon Hughes: To ask the Secretary of State for the Home Department how many pilot projects were conducted in the Probation Service in each of the last 10 years. [124959]

Paul Goggins: Central records go back until 1999. The table sets out for each year since 1999 the number of pilots which were commenced in that year. A number of pilots will have run for more than a year, but are shown only against the year in which they started.

	Number of pilots
1999	31
2000	14
2001	10
2002	43
2003	46

Quad Bikes

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many complaints were made to Merseyside Police about illegal quad bikes in the last 12 months; and how many prosecutions resulted. [131962]

Ms Blears: Detailed figures for the whole of last year are not available. I understand, however, from Merseyside Police that they estimate there were, over the summer months, around 1,000 complaints relating to the misuse of quad bikes in the force area. These resulted in about 100 prosecutions and cautions.

Over the summer months Merseyside Police undertook a specific operation against quad bike riders causing a nuisance. This operation specifically led to 17 prosecutions and 16 vehicles being seized under the provisions of section 59 of the Police Reform Act 2002.

Richard Thomas

Paul Flynn: To ask the Secretary of State for the Home Department if he will place a copy of the report of the inquiry into the conduct of ex-acting chief constable Richard Thomas of Gwent Police in the Library. [132221]

Ms Blears: My right hon. Friend, the Secretary of State for the Home Department does not hold a copy of the report of the inquiry into the conduct of Richard Thomas, ex-acting chief constable of Gwent Police. The report is the property of Gwent Police and I am informed that they have no plans to publish it in any form.

CONSTITUTIONAL AFFAIRS

Euro

Mr. Stephen O'Brien: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131595]

Mr. Leslie: I refer the hon. Member to the answer my hon. Friend the Financial Secretary to the Treasury gave on 14 October 2003, *Official Report*, column 142W.

Voter Registration

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* adults and *(b)* adults registered to vote there were in each parliamentary constituency in descending order according to the disparity between the two figures. [133049]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Chris Ruane, dated 21 October 2003:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question, asking how many *(a)* adults and *(b)* adults registered to vote there were in each parliamentary constituency in descending order according to the disparity between the two figures. (133049)

I am placing in the House of Commons Library a table which shows the count of adults (that is persons aged 18 and over) in each Parliamentary Constituency in England and Wales, taken from the published 2001 Census Report for Parliamentary Constituencies, compared with electoral register data from February 2001. It has been sorted in descending order, according to the disparity between the two. There are a number of reasons, which I have outlined below, why these counts can vary so greatly and why some constituencies have more registered voters than the Census counted resident adults. Therefore, the data has been sorted, with the constituency showing the greatest number of adults not on the electoral register at the top, and the constituency showing the greatest number of adults registered to vote but not resident in that constituency according to the Census at the bottom.

The Census and electoral register data are not directly comparable for a number of reasons. These include definitional differences in the way the sources are compiled, differences in the timing of the data for each source being collected, and the delay in people being removed from the electoral register in a constituency after they move away from the area. In addition to this, it is possible for people to be on the electoral register in more than one constituency or none at all.

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list the local authority registration departments that are *(a)* adopting and *(b)* not adopting the best practice electoral registration procedures outlined in the Electoral Commission report of 2002, "Making an Impact". [133055]

Mr. Leslie: This information is not collected by my Department. The independent Electoral Commission is planning to undertake and complete early next year research building upon reports it has published in the past year, including "Making an Impact", in order to promote best practice guidance on tackling under-registration. The Government will consider carefully this research which we understand is intended to lead to the establishment of a national framework for the continued monitoring of electoral registration rates. The Electoral Commission is responsible for offering advice and guidance to electoral registration officers on these and other matters and will continue to encourage registration through various promotional activities.

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs what research on registration rates he has commissioned in the past three years; and what future research he intends to commission on this subject. [133056]

Mr. Leslie: Research on registration rates has not been carried out by this Department or those responsible for electoral matters during the past three

years. The independent Electoral Commission, set up in 2000 with a remit to keep under review electoral law and practice, has carried out such research since then publishing reports examining the local promotion of electoral registration and voter engagement among black and minority ethnic communities. Arising from its more recent report, "the Electoral Registration Process" the Commission is planning to undertake and complete early next year a further research project to identify the extent and nature of under-registration in particular communities in Britain as well as reviewing the operation and impact of rolling registration. The Government welcomes this proposal and will give due consideration to any further recommendations the Commission may make as it does to all of the Commission's recommendations concerning electoral registration arrangements.

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list the authorities that have initiated proceedings against individuals who fail to register to vote. [133057]

Mr. Leslie: This information is not collected centrally. The Representation of the People Act 1983 requires electoral registration officers (EROs), appointed by local authorities for the purpose, to compile the electoral register. Regulation 23 of the Representation of the People Regulations 2001 permits an ERO to require any person to give information required for the purposes of that officer's duties in maintaining registers of parliamentary and local government electors. It is an offence punishable upon conviction by a fine not exceeding £1,000 for a person to fail to comply with a request for information from an ERO, or to give false information to an ERO. Prosecutions for non-compliance are initiated at local discretion.

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will set out the Department's assessment of the main reasons for substantial falls in electoral registration rates in the UK over the past six years. [133058]

Mr. Leslie: The Government are concerned at the apparent drop in electoral registration in recent years. We are aware of a number of possible contributing factors, but do not wish to prejudge the conclusions of the independent Electoral Commission which is planning to undertake and complete next year research on this subject, building on reports it has published in the past year. The Government welcome this proposal and will give due consideration to any further recommendations the Commission may make as it does to all of the Commission's recommendations concerning electoral registration arrangements.

Written Answers to Questions

Wednesday 22 October 2003

PRIME MINISTER

Dr. David Kelly

Dr. Julian Lewis: To ask the Prime Minister what disciplinary action he has taken against his official spokesman, Mr. Tom Kelly, in respect of his spokeman's remarks to journalists about the late Dr. David Kelly. [133459]

The Prime Minister: My official spokesman unreservedly apologised to Dr. Kelly's widow and her family. Lord Hutton is conducting an inquiry into the circumstances surrounding the death of Dr. David Kelly and the Government are awaiting his report.

DEPUTY PRIME MINISTER

Local Government

9. **Helen Jackson:** To ask the Deputy Prime Minister if he will make a statement on the future financing of local government administration. [133441]

Phil Hope: In April this year, the Office of the Deputy Prime Minister launched a review into the current balance of funding for local government. The review has recently completed a period of extensive consultation, and we are now considering a range of options.

Local government has received a record 25 per cent. increase in Government grant in real terms since we took office in 1997—compared with a real terms cut of 7 per cent. under the last four years of the party opposite's time in office.

Leisure Facilities

10. **Mr. Todd:** To ask the Deputy Prime Minister what guidance he gives to local authorities on the obligations of housing developers to provide sports and leisure facilities. [133442]

Yvette Cooper: Planning Policy Guidance note 17 on Open Space, Sport and Recreation (2002) states that local authorities should ensure provision is made for local sports and recreational facilities where planning permission is granted for new developments, especially for housing.

These facilities can be secured through planning obligations, also known as Section 106 agreements, which are agreed between developers and local planning authorities.

Council Housing

11. **Mr. Allen:** To ask the Deputy Prime Minister if he will fund council housing departments on the same basis as arm's length management organisations; and if he will make a statement. [133443]

Keith Hill: My hon. Friend asks if the Government will fund council housing departments on the same basis as Arms Length Management Organisations, and the answer to that is no.

As my hon. Friend is aware, the funding available for social housing, although greatly increased under this Government, is inevitably limited; and we wish to use it in ways that will most improve the lives of tenants.

The evidence is that Arms Length Management Organisations enhance the quality of service to tenants. It provides the extra funding needed to improve their homes and the local environment; and it enables the local authority to focus on its strategic housing role.

Mr. Skinner: To ask the Deputy Prime Minister what the average council rent is for those *(a)* local housing authorities with non-transferred housing stock and *(b)* local council areas where housing stock has been transferred to housing associations and other bodies. [133766]

Keith Hill: A table showing the rent comparison by local authority area and English region is available in the Libraries of the House.

East Midlands Councils

12. **David Taylor:** To ask the Deputy Prime Minister what recent representations he has received about the impact on councils in the East Midlands of the new formula funding arrangements. [133444]

Mr. Raynsford: The East Midlands received £220 million more this year than last, an increase of 7 per cent. in general grant and, along with the West Midlands, the largest increase of any region in England. We have not subsequently received many representations from the Midlands. During the earlier consultation on changes to the local government finance system, 20 representations from local authorities and Members of this House were received which related to the East Midlands.

Commonhold and Leasehold Reform Act

13. **Huw Irranca-Davies:** To ask the Deputy Prime Minister if he will make a statement on the impact of the Commonhold and Leasehold Reform Act 2002. [133446]

Keith Hill: The Commonhold and Leasehold Reform Act 2002 provides a fairer balance between the rights of landlords and leaseholders. Key provisions of the Act, applying to England, were introduced on 30 September 2002. These included a new Right to Manage, improved rights for leaseholders to challenge unreasonable charges and improved tribunal dispute resolution procedures.

For details of commencement dates in Wales, which I understand are after those of England, I would advise my hon. Friend to speak to the Welsh Assembly.

Council Tax

14. **Tom Brake:** To ask the Deputy Prime Minister what recent assessment he has conducted of the impact of council tax on pensioners. [133447]

Phil Hope: The Office of the Deputy Prime Minister has not conducted such an assessment. However, council tax benefit, administered by the Department for Work and Pensions, is available to help low income pensioners pay their council tax. Council tax benefit is paid to around 3.9 million households in England, of which around two million are pensioners. With the recent introduction of pension credit, some 1.6 million pensioners will gain benefit and 310,000 will be entitled to benefit for the first time.

Mr. Drew: To ask the Deputy Prime Minister if he will publish the advice that he has offered to Kent County Council on their desire to fix the level of council tax increases for pensioners at the rate of inflation. [133638]

Mr. Raynsford: The Office of the Deputy Prime Minister arranged for a copy of my letter of 6 October 2003 to Kent County Council to be available in the Library of the House.

Behavioural Neurosciences Centre (Cambridge)

Mr. Lansley: To ask the Deputy Prime Minister when he *(a)* received and *(b)* expects to publish the Inspector's report into the planning appeal against South Cambridgeshire District Council's refusal of planning permission for a Behavioural Neurosciences Centre at Huntingdon Road, Cambridge. [133445]

Keith Hill: This report was received in the Office of the Deputy Prime Minister on 17 March 2003. It is under active consideration and my right hon. Friend the Deputy Prime Minister will issue a decision as soon as possible.

Flooding

David Taylor: To ask the Deputy Prime Minister what powers parish councils have to pay for flood prevention schemes. [132480]

Mr. Raynsford: Section 137 of the 1972 Act permits parish councils to spend up to a given amount in a financial year on items that are 'of direct benefit to their area' in relation to which no other powers of expenditure exist. Flood prevention schemes might be regarded as such an item.

Primary responsibility for flood prevention measures is borne by other public bodies, however, with responsibility for ordinary watercourses generally falling to district and unitary councils.

Housing Developments

Mrs. Anne Campbell: To ask the Deputy Prime Minister what steps he is taking to ensure that major new housing development is adequately served by public transport. [133418]

Keith Hill: All major housing development is assessed against PPG13 as part of the planning system, which requires full account to be taken of the provision of, and effects on, public transport.

In addition, in the four growth areas identified in "Sustainable Communities: Building for the Future", proposals for growth are set out in proposed changes to Regional Planning Guidance, which is subject to consultation and examination in public. As part of this process we are working very closely with the Department for Transport to assess the transport implications and needs of future housing provision. One of the purposes of the RPG process is to test sustainability of proposals for new housing in the Growth Areas, including access to good public transport for new developments.

Housing Stock Transfers

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the role that the Audit Commission plays in advising local authorities who are undertaking large scale voluntary transfer of their housing stock. [133636]

Keith Hill: Where the Audit Commission, through the district audit service, is an authority's external auditor, it is a resource that is available to an authority. Therefore, it could advise on the implications of, and risks that, an authority faces in implementing any of the options for delivery of the decent home target for social housing, one of which is to undertake a large scale voluntary transfer.

Mr. Drew: To ask the Deputy Prime Minister if he will publish the advice given to local authorities on communications strategies for those authorities which are undertaking large scale voluntary transfer of their housing stock. [133637]

Keith Hill: Advice to local authorities on drawing up their communication strategies for Large Scale Voluntary Transfers is contained in section 4 of the Housing Transfer Manual 2003, published in March 2003.

Voluntary Tenancy Deposits

Mr. Jim Cunningham: To ask the Deputy Prime Minister what proportion of *(a)* landlords and *(b)* tenants have signed up to the voluntary tenancy deposit pilot scheme. [133605]

Keith Hill: The Office of the Deputy Prime Minister estimates that 16,000 tenancies were covered by the voluntary tenancy deposit pilot scheme. Not all of these were located strictly within the five pilot areas, so that the estimated take-up rate of 7 per cent. is subject to a margin of error.

Mr. Jim Cunningham: To ask the Deputy Prime Minister what assessment his Department has made of the value of making membership of a tenancy deposit scheme a legal requirement for *(a)* landlords and *(b)* tenants. [133606]

Keith Hill: Last autumn, the Office of the Deputy Prime Minister issued a consultation paper on options for Government intervention in landlords' and letting agents' handling of tenancy monies. This included an assessment of having a mandatory scheme (or schemes). The assessment was based partly on the evaluation of the pilot Tenancy Deposit Scheme carried out by the University of York.

TRANSPORT

Airport Capacity (South-East)

John McDonnell: To ask the Secretary of State for Transport what assessment his Department has made of the need for further terminal capacity at Heathrow Airport in the event that a third runway is built. [133330]

Mr. McNulty: For all options for additional capacity that were studied in SERAS, including those on which the Government consulted, an assessment was made of the scale of facilities needed to cater for the forecast additional throughput (eg passenger and freight handling, maintenance, aircraft stands, aprons, cargo, car parking). Layout plans based on those assessments were produced and their impacts appraised. Paragraph 6.6. of "The Future Development of Air Transport in the United Kingdom—South East" made clear that these layouts were not definitive proposals. Detailed design will be a matter for the relevant airport developer.

John McDonnell: To ask the Secretary of State for Transport whether he plans to stop any further developments at Heathrow, if a third runway is approved. [133331]

Mr. McNulty: The air transport White Paper later this year will provide a framework of Government policy looking forward to 2030, including where any new airport capacity should be provided.

John McDonnell: To ask the Secretary of State for Transport whether decisions on terminal capacity for the options set out in the SERAS consultation paper will be made without public consultation. [133332]

Mr. McNulty: For each of the options presented in the consultation document, the layouts illustrated allowed for adequate terminal capacity to be provided. The precise location of terminal and other facilities would be determined as part of the planning process for any relevant airport development.

John McDonnell: To ask the Secretary of State for Transport what steps his Department will take immediately following the publication of the White Paper on the future of airport expansion in the UK later this year. [133334]

Mr. McNulty: Action by the Department following publication of the White Paper will depend on the decisions announced in it.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Transport if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133854]

Mr. McNulty: The Department was formed on 29 May 2002 and has not awarded any contracts to Bechtel.

Blue Badge Scheme

John Barrett: To ask the Secretary of State for Transport (1) what plans he has to propose legislation on the Blue Badge Scheme following the recommendations of the Disabled Persons' Advisory Committee; [133504]

(2) what progress has been made towards the formation of a central database of Blue Badge holders; [133505]

(3) how much money was raised from charges for applications for Blue Badge disability vehicle stickers in each year since 1990; and what percentage each of these figures represents of the estimated cost of administering the badges in those years; [133506]

(4) how many people have been prosecuted for abuse of the Blue Badge disability vehicle sticker system in each year since 1990; [133511]

(5) what discussions he has had with the Scottish Executive regarding new common guidance on the issuing of Blue Badge disability vehicle stickers. [133512]

Mr. McNulty: Following the review of the Blue Badge Scheme, we are taking forward DPTAC's recommendations through changes to primary and secondary legislation, research and in new guidance to local authorities on the Scheme.

We are pursuing a suitable legislative slot for those changes requiring primary legislation. In the meantime, we have begun work on those recommendations which require amendments to secondary legislation and we will also be letting a number of research projects (including one looking at the feasibility of establishing a central database) shortly. New guidance, which will cover all aspects of the Scheme, will be issued when changes have been introduced.

In taking forward the review, the Department has, and will continue to, work closely with colleagues in the Devolved Administrations. In terms of the new guidance, they will be involved throughout its development.

Timing for introduction of the changes will be subject to the outcome of the research, consultations and the parliamentary process as appropriate. I am not able at this stage to give a firm timetable, but would reassure the hon. Member that we are firmly committed to introducing the changes at the earliest possible opportunity.

The administration of the Blue Badge Scheme is the responsibility of local authorities. Under the regulations they can charge up to £2 for each badge they issue to contribute to their administrative costs. The level of the fee is being reconsidered following the recent review of the Scheme.

Although the Department and the Devolved Administrations currently ask for information as part of their annual Blue Badge statistical survey of local authorities, details do not extend to the funds collected by individual local authorities or their overall administrative costs. Neither does the statistical information include the number of prosecutions for abuse of Blue Badges. There is no legal requirement for local authorities to hold such records or to make them available to the Department.

Lingo-cellulosic Feedstock

Mr. Wiggin: To ask the Secretary of State for Transport (1) what products would be included in the lingo-cellulosic feedstock materials referred to in the Budget; [133284]

(2) what production systems he has examined on the production of bioethanol from lingo-cellulosic feedstock materials. [133285]

Mr. McNulty: Various production techniques are currently being developed which could allow the production of biofuels from diverse feedstocks including wood, straw, grass and municipal green waste. As set out in the Energy White Paper, published in February 2003, the Government are keen to support the development of these technologies because they have the potential to deliver significant carbon savings over conventional transport fuels. My officials are in regular contact with representatives from a number of companies, both in the UK and elsewhere, which are developing these new technologies.

Network Rail

Mr. Lidington: To ask the Secretary of State for Transport pursuant to the statement of the Under-Secretary of State for Transport, the hon. Member for Plymouth, Devonport (Mr. Jamieson) of 3 June 2003, *Official Report*, column 41W, what assurance he has received from Network Rail that it will comply with the consultation and notification arrangements in respect of vegetation management. [132783]

Mr. McNulty: Network Rail advises that it is currently concluding the implementation of the revised local consultation process set out in the 3 June 2003 adjournment debate.

Railways

Chris Ruane: To ask the Secretary of State for Transport if he will list the improvements to railway stations in Wales, broken down by *(a)* location and *(b)* cost in each of the last five years; and what the proposed improvements are for the next three years. [133054]

Mr. McNulty: In September 2002 £2.4 million was provided by the Strategic Rail Authority (SRA) for the installation of 'Inform Cymru' at 46 stations in Wales; in April 2002 £99,000 for additional car parking spaces, improved security and better passenger facilities at Haverfordwest Station; and £1.1 million for a new waiting room, toilet with disabled access, CCTV and Customer Information Service/PublicAnnouncement (CIS/PA) at Trefforest Station.

The new Wales & Borders franchise agreement which was signed on 20 October 2003 provides £400,000 for improving car parks, including those at Cardiff Central (Wood Street) and Newport. Under the Vale of Glamorgan scheme the Welsh Assembly Government (WAG) is meeting the costs for the building of the two new stations at Rhoose and Llanwit Major. The Vale of Glamorgan line is expected to re-open in December 2004. The Welsh Assembly Government has also set aside £4.5 million for Wales & Borders to improve 47 of their stations before April 2004. The Ebbw Valley scheme, which provides for up to six new stations, is still under consideration by the Welsh Assembly Government.

Bob Russell: To ask the Secretary of State for Transport when he asked the Strategic Rail Authority to consider how the Great Eastern Main Line capacity can be increased; and what the response was. [133360]

Mr. McNulty: The Directions and Guidance to the Strategic Rail Authority, first published on 11 April 2002, require it "to develop a policy for the utilisation of network capacity"—a copy is available in the Library of the House. The Strategic Rail Authority has developed a 'Capacity Utilisation Policy' to determine the most efficient use of the existing network. Individual 'Route Utilisation Strategies' (RUS) are being developed which will help inform the need for new services or infrastructure. The SRA plan to consult on the RUS for Greater Anglia in spring 2005.

Vehicle Emissions

Gregory Barker: To ask the Secretary of State for Transport how many registered vehicles run on hydrogen in the UK. [133704]

Mr. McNulty: At the present time there are only a small number of prototype/demonstration vehicles running on hydrogen, worldwide. Transport for London will shortly begin demonstration trials of hydrogen fuel cell buses on public bus routes, with financial support from the Government's New Vehicle Technology Fund, as part of a European-wide demonstration programme, Clean Urban Transport for Europe (CUTE). Ford will be carrying out trials of hydrogen fuel cell and internal combustion cars next year.

Gregory Barker: To ask the Secretary of State for Transport how many tonnes of *(a)* fine particulates and *(b)* ultrafine particulates were emitted into the atmosphere in the UK by the (i) diesel powered vehicle parc, (ii) petrol powered vehicle parc and (iii) road fuel gas vehicle parc in the latest year for which figures are available. [133705]

Mr. McNulty: The following table, based on data from the National Atmospheric Emissions Inventory, presents emissions of particulate matter by fraction, in kilotonnes, from road transport in 2001.

Emissions of particulate matter by fraction (kilotonne)

		Vehicle type		
Particulate fraction		*Diesel*	*Petrol*	*Road fuel gas*
Coarse	PM_{10}	26.9	3.17	0.02
Fine	$PM_{2.5}$	25.94	3.06	0.02
Ultrafine	$PM_{0.1}$	13.42	1.58	0.01
	Vehicle kilometres covered (billion)	135.4	354.8	1.7

PM_{10} includes all particles with an aerodynamic diameter of less than 10m (likewise $PM_{2.5}$ includes all particles smaller than 2.5m, and so on), thus the finer particle totals are a subset of the coarser particles.

Figures for $PM_{2.5}$, PM_1 and $PM_{0.1}$ are estimated from those for PM_{10} and the mass fractions in these size ranges available for different emission sources and fuel types. These figures assume the following:

100,000 LPG vehicles in parc, travelling the same distance per year as passenger cars (industry source);

emissions from LPG vehicles assumed to be same as average PM factor for petrol vehicles (no PM emissions data available for LPG vehicles); and

850 HDVs running on CNG (industry source), their emissions of PM being 90 per cent. lower than a Euro II HDV running on diesel.

Gregory Barker: To ask the Secretary of State for Transport what measures he has in place to reduce the emissions of ultrafine particles from the UK vehicle parc. [133706]

Mr. McNulty: The Government place a high priority on reducing emissions of air pollutants from road transport. Emissions of particles (PM_{10}) from road transport have reduced by some 50 per cent. over the last decade as a result of progressively tighter vehicle and fuel quality standards. Emissions of ultrafine particles from road transport are much harder to measure. The UK has been at the forefront of an international programme to develop appropriate ways of measuring emissions of these small particles. Once this has been completed, the Government will be in a position to take further steps, should the health evidence indicate that this is necessary.

Vehicle Excise Duty

Mr. Simmonds: To ask the Secretary of State for Transport how many *(a)* untaxed and *(b)* uninsured vehicles he estimates were on UK roads in each year since 1997. [133727]

Mr. McNulty: Estimates of unlicensed vehicles in use on the road are obtained through periodic roadside surveys. The results in Great Britain and in Northern Ireland for the years in which surveys were undertaken were:

Thousand

	Great Britain	*Northern Ireland*
1994	1,559	—
1996–97	—	63
1999	1,522	70
2002	1,757	77

Note:

The figures for Northern Ireland include vehicles in the private light goods, and the heavy goods vehicle categories. The figures for GB include all licence categories.

DfT does not have reliable information on the number of vehicles in use on the road without valid insurance.

Road Building

Mr. Lidington: To ask the Secretary of State for Transport what guidance he has issued to the Highways Agency and local authorities to encourage the use of recycled rubber in road building and surfacing. [132669]

Mr. McNulty: The Code of Practice for Maintenance Management, of which the Department is a co-author, strongly recommends local authorities to maximise the use of products made from recycled materials in order to develop and support local markets for these.

The Government are actively fostering the development of new applications for tyre crumb in both asphalt and concrete roads, through research by the Universities of Dundee, Liverpool, and Nottingham. Additionally, the Highways Agency is supporting a project monitoring the performance of recycled shredded tyre toppings in French drains.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the outcome was of the Agriculture and Fisheries Council on 13 October; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement; [133016]

(2) what the outcome was of the Agriculture and Fisheries Council on 13 October; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [133592]

Margaret Beckett: My hon. Friend the Parliamentary Under-Secretary represented the United Kingdom at a meeting of the Agriculture and Fisheries Council in Luxembourg on 13 October. No Ministers from the Devolved Administrations or Northern Ireland were present.

The main items for substantive discussion were on Fisheries, the most important of which was agreement of a proposal for a regulation on the management of fishing effort in Western Waters. As you know this proposal had been on the table for some time but its adoption had been held up while the Presidency struggled to find a compromise acceptable to as many of the key member states as possible—the UK, Ireland, France, Spain and Portugal. In the event the compromise adopted was acceptable to ourselves, France and Portugal but was opposed by Spain and Ireland, with Belgium abstaining.

The agreed regulation makes provision for an effort-based regime with member states' effort allocations to be based on fishing activity in the reference period 1998–2002. Management zones are to be based on ICES sea areas. This means there is no separate management zone for the Irish Sea as we wished but the Council and Commission have made a joint statement to the effect that fishing effort in previously restricted areas will be closely monitored. In other respects the final outcome is one that offers the UK significant improvements over the text originally tabled last December. These include, in particular:

the exclusion of under 15 metre vessels from the scope of the regime in all areas except in a special biologically sensitive area off the south west coast of Ireland ("the hake box") where it will apply to all vessels over 10 metres;

the list of vessels able to fish in Western waters is not restricted to those with a previous history of doing so;

except for when entering and exiting the hake box, vessels will no longer have to hail in and out on entry and exit from Western waters zones, so substantially reducing industry's compliance costs;

there are arrangements for adjusting member states' effort allocations to let them take their quotas in full or increase fishing activity on non-quota stocks;

reduction in the number of fisheries from 5 to 3—demersal, scallops and edible/spider crabs.

The compromise text on the table therefore represented a very good outcome for the United Kingdom with all our major areas of concern being addressed.

There was also a brief presentation by the Commission of proposals to manage fishing in the Mediterranean which the Council will return to at a later date.

On agriculture, there was a brief discussion of the Commission's outline ideas for reform of the cotton and olive oil regimes. Producer member states emphasised the importance of both crops to their farming sectors and the need to maintain a significant level of production-linked aid to ensure continued activity in the sectors. The United Kingdom joined other non-producers in arguing for changes in these regimes to follow closely the pattern of reforms agreed in June for others. In particular, a substantial level of decoupling should be the norm, with the option for more if member states wished to move in that direction.

Carbon Dioxide Emissions

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the steps to be taken to cut carbon dioxide emissions by 60 per cent. by 2050; [131068]

(2) if she will make a statement on implementation of the energy policy of cutting emissions of carbon dioxide by 60 per cent. by 2050. [131069]

Mr. Morley: The Government has set a domestic goal to reduce carbon dioxide emissions by 20 per cent. below 1990 levels by 2010. The policy framework for delivering this goal is set out in the UK Climate Change programme.

In the Energy White Paper, we accepted the Royal Commission on Environmental Pollution's (RCEP) recommendation that the UK should put itself on a path towards a reduction in carbon dioxide emissions of some 60 per cent. from current levels by about 2050. The Energy White Paper sets out long-term strategies and shorter-term policies to put us on this path. The Sustainable Energy Policy Network comprising units from Central Government, energy regulators, devolved administrations and key delivery organisations will ensure that these goals and policies are delivered. Part of this is a cross governmental network reporting to a Ministerial Committee co-chaired by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Trade and Industry. Further details of the implementation plans are set out on SEPN's website http://www.dti.gov.uk/energy/sepn/index.shtml.

To put ourselves on course to cut the UK's carbon dioxide emissions by 60 per cent. by 2050, we will need to achieve cuts of around 15–25 million tonnes of carbon (MtC) by 2020 in addition to the carbon savings from existing policies including the Climate Change Programme. The actual measures needed to reach this goal will be shaped by economic and technological developments. However, in reducing carbon dioxide emissions the government's priority is to strengthen renewables and energy efficiency.

Environmental Sustainability

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on her Department's policy on environmental sustainability; [131064]

(2) what measures are in place to protect natural capital sources classed as vital to environmental sustainability. [131065]

Mr. Morley: The Department's policies on sustainable development and protecting natural resources are set out in the departmental report and in Defra's sustainable development strategy 'Foundations for our Future' and other policy documents on the Defra website.

Fluoridation

Mr. Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has undertaken into the impact of fluoridating water supplies on the aquatic environment; and if she will make a statement. [132772]

Mr. Morley: A review of the effect of fluoride on a range of aquatic life was carried out for the Environment Agency when deriving a non-statutory environmental quality standard (EQS) for fluoride in water, which was published in 2000. The review drew on research carried out by a range of recognized scientific laboratories and the majority of available data indicated that effects on aquatic life from fluoride occur at concentrations between 9.0—350mg/l.

Where fluoridation schemes are in place, fluoride is added to maintain a concentration of 1.0 mg/l in drinking water which is well below these levels. Any discharges will be further diluted upon entry to the aquatic environment through the process of collection and treatment of waste water.

Food Labelling

Mr. Paul Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on introducing labelling of country of origin for each constituent ingredient of pre-cooked food products. [132304]

Miss Melanie Johnson: I have been asked to reply.

Origin labelling rules are agreed at European Union level. The Government is not aware of any plans to introduce origin labelling rules for each constituent ingredient of food products. The Food Standards Agency is, however, actively pressing for changes to labelling requirements to improve information on origin of fresh and frozen meat and the meat ingredient in food products.

River Cherwell

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library a copy of the full report entitled, River Cherwell Catchment Monitoring Study 1998–2000 Project Report. [133109]

Alun Michael: The River Cherwell Catchment Monitoring Study 1998–2000 Project Report concerns a study undertaken on behalf of Rhone-Poulenc Agriculture to quantify farmyard contamination of surface waters. As the report belongs to Rhone-Poulenc Agriculture (now Bayer CropScience) and has not been published it is not possible to place a copy in the House Library.

Rural Enterprise Scheme

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the budget was for the Rural Enterprise Scheme, broken down by region in each year since the scheme was established; [132625]

(2) how much money has been paid in grants under the Rural Enterprise Scheme, broken down by region, in each year since the scheme was established. [132626]

Margaret Beckett: The following table shows: (i) the original programme budgets, (ii) revised budgets reflecting in-year reallocations in order to maximise the use of the programme funding available, and (iii) grant paid in respect of the Rural Enterprise Scheme for 2001–02 and 2002–03:

£ million

	2001–02			2002–03		
Regions/Unit	*Original budget*	*Revised budget*	*Spend*	*Original budget*	*Revised budget*	*Spend*
North East	0.5	0.4	0.2	0.7	1.2	1.0
West Midlands	1.0	0.8	0.6	1.4	2.1	2.0
South West	1.5	1.2	0.2	2.0	2.5	1.9
North West	1.0	0.8	0.3	1.3	1.6	1.3
East Midlands	1.1	0.9	0.4	1.5	2.5	1.7
East of England	1.0	0.7	0.5	1.1	1.7	1.4
Yorks and Humber	1.0	0.7	0.3	1.2	1.8	1.9
South East	0.7	0.6	0.3	1.0	1.7	1.6
National	0.2	0.1	0	1.8	0.5	0.2
Total	8.0	6.2	2.8	12.0	15.6	13.0

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the running costs were of the Rural Enterprise Scheme, broken down by region, in each year since the scheme was established *(a)* in cash terms and *(b)* as a percentage of the scheme's budget. [132627]

Margaret Beckett: The Rural Enterprise Scheme (RES) is delivered by Defra's Rural Development Service (RDS), but running costs are not available broken down by both scheme and region. In 2001–02 many RDS operational staff made a substantial contribution to work related to the foot and mouth disease outbreak and were not employed on their normal duties for much of the year. In consequence, it is not possible to provide an accurate figure for RES running costs in 2001–02.

In 2002–03 RES accounted for 75.7 staff years of RDS effort at a total estimated cost of £2.6 million. RDS running costs are not funded from RES programme expenditure, however £2.6 million expressed as a percentage of the final RES budget for 2002–03 is 16.7 per cent. It is important to note that 2002–03 running cost expenditure relates not just to the in-year budget, but also to the assessment and approval of projects which will incur expenditure in subsequent years; forward funding commitments at the end of 2002–03 amounted to £15.4 million.

Solar Power

Mr. Battle: To ask the Secretary of State for Environment, Food and Rural Affairs what grants are available to *(a)* public landlords and *(b)* owner-occupiers to install solar power in housing; and how many properties in Leeds have received such assistance. [132734]

Mr. Timms: I have been asked to reply.

There are two Government schemes supporting the installation of solar panels in houses. The first is the £20 million First Phase of the Major Photovoltaics Demonstration Programme (PV MDP). 50 per cent. grants are available to individual householders for small PV systems, and 60 per cent. to public bodies, including social housing groups, for medium-large scale installations. The second is the £10 million Clear Skies initiative, which offers flat rate grants of around £500 to individuals wishing to install solar water heating panels, and grants of up to 50 per cent. to community groups.

So far, under the PV programme, one householder in Leeds has received a grant and two applications for medium—large scale installations have been approved. They are for Park Lane College and the Ridings Housing Association.

Under Clear Skies, no applications have been received from public landlords in Leeds for solar water heating on housing, although two grants have been awarded for solar on community buildings. For individual households, three have received assistance.

For more information on these schemes please see: www.solarpvgrants.co.uk and www.clear-skies.org

Soya Milk

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs on what basis soya milk was withdrawn as an undesirable food for babies and young children; and on what basis it was recommended for premature babies. [129759]

Miss Melanie Johnson: I have been asked to reply.

Soya milk drinks and soya based infant formulas have not been withdrawn and are still available. The Department's advice is that soya-based infant formula should only be given on the advice of a doctor or health visitor and can be prescribed for babies allergic to cow's milk. It is not recommended for premature babies.

Waste Management

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce new charging arrangements to finance the Environment Agency's work in the current financial year and afterwards on *(a)* implementation of the Water Framework Directive, *(b)* development of the Revised Bathing Waters Directive, *(c)* regulation of the spreading of sewage sludge on agricultural land, *(d)* the reduction of agricultural waste and mines and quarries waste and *(e)* exemption from Waste Management Licensing. [129356]

Margaret Beckett: The charging arrangements are as follows:

(a) Implementation of the Water Framework Directive

The Environment Agency's costs of implementing the Water Framework Directive during the current financial year are funded by a combination of grant in aid and income from charges for consents for discharges to controlled waters and for water abstraction licences. Similar arrangements will apply during the implementation of the Directive.

(b) Revised Bathing Waters Directive

During the annual review of the Environment Agency's charges, an assessment will be made, both for the current and future financial years, as to whether extra charges for effluent discharges will be needed to fund development of the Revised Bathing Waters Directive.

(c) The Sludge (Use in Agriculture) Regulations 1989

These regulations are currently being revised. The revised draft regulations on the spreading of sewage sludge on agricultural land provide for the Environment Agency to recover its regulatory costs through charges and as part of these regulations a new charging scheme is being developed to take effect on implementation of the revised regulations which is expected in 2004.

(d) Reduction of Agricultural and Mines and Quarries Waste

The regulations applying to the Waste Framework Directive's controls to agricultural and non-mineral mines and quarries waste are currently being drafted and will be issued for public consultation. The Environment Agency's Waste Management Licensing Charging Scheme will apply to the recovery or disposal of these types of waste under a licence as it currently applies to other types of waste. We do not propose to apply charges to the recovery or disposal of agricultural waste under a registered licensing exemption. Regulations will be in place by mid 2004.

(e) Exemption from Waste Management Licensing

Draft Regulations to implement the review of the exemptions in Waste Management Licensing Regulations 1994 provide for the Environment Agency to extend charging to six existing exemptions and one new exemption for the burning of dunnage at the dockside. The existing exemptions affected are:

land treatment

use of waste for land reclamation

use and storage of building waste composting

storage and spreading of sewage sludge

waste recovery at sewage treatment works.

It is intended that charges should be incorporated into the Agency's Waste Management Licensing Charging Scheme to take effect on the Regulations' implementation. The draft Regulations were issued for public consultation on 19 June with a view to being implemented early in 2004.

CULTURE, MEDIA AND SPORT

Analogue Transmission

Bob Russell: To ask the Secretary of State for Culture, Media and Sport what plans she has to assist those receiving television through communal systems when the analogue system of transmission ends; and if she will make a statement. [132799]

Mr. Caborn: We recognise the importance of those living in multi-occupancy dwellings being able to access digital television services. The Digital TV Project Team is looking at how digital equipment will operate in such dwellings and how best to promote digital television among landlords responsible for communal systems. We will consider whether any specific measures are needed in this area before switchover begins. We have published an information leaflet aimed at encouraging landlords to take up digital television. A copy can be found on the website: www.digitaltelevision.gov.uk.

New Opportunities Fund

Mr. Frank Field: To ask the Secretary of State for Culture, Media and Sport how much capital the New Opportunities Fund has directed to *(a)* Birkenhead, *(b)* Wirral and *(c)* Merseyside since its inception. [133589]

Mr. Caborn: According to information supplied by distributors for the Department's Lottery Awards Database, the New Opportunities Fund has awarded

£3,744,140 to the Birkenhead constituency, £16,536,709 to the Wirral Local Authority area and £62,371,292 to Merseyside.

Youth Development (Football)

Mr. Frank Field: To ask the Secretary of State for Culture, Media and Sport pursuant to her Answer on 28 April 2003, *Official Report*, column 188W, on Youth Development (Football), when the Government will begin to contribute the money that has been committed to the Football League's Youth Development Scheme. [133243]

Mr. Caborn: All of the clubs in the Football League's Youth Development Scheme have already received the first quarter payment for the new football season 2003–04. All the funding partners have agreed in principle to funding the scheme until 2005–06 and we are currently discussing the details with the funding partners.

TRADE AND INDUSTRY

Fertilisers

Mr. Lidington: To ask the Secretary of State for Trade and Industry what assessment she has made of the effectiveness of competition in the manufacture and supply of fertilisers. [132662]

Jacqui Smith: The Department of Trade and Industry has not looked at this issue.

British Trade Promotions

Mr. McNamara: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost of promoting British branding and identity overseas in the last year for which figures are available; and what element of this expenditure promotes *(a)* Welsh, *(b)* Scottish and *(c)* Irish branding and identity as a distinct component of that of the United Kingdom as a whole. [131946]

Mr. Mike O'Brien: British Trade International, through the activity of Invest.UK and Trade Partners UK, contributes circa £900,000 towards the promotion of the branding and identity of the United Kingdom as a whole.

The Devolved Administrations and the Regional Development Agencies have their own budgets for overseas promotion.

Construction Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much Quality Mark work was taken up by the construction industry in each year since its introduction. [132846]

Nigel Griffiths: The total declared turnover for Quality Mark warranty purposes in 2002 was £17 million. In 2003 the declared turnover has been approximately £21.5million up to the present time. The value of work undertaken through affiliating scheme members is not yet available.

Electricity

Mr. Tynan: To ask the Secretary of State for Trade and Industry what level of installed electricity generation capacity above *(a)* average demand and *(b)* peak demand was available in 2002–03; and what level she expects will be (i) available and (ii) available but mothballed in (A) 2003–04, (B) 2004–05 and (C) 2005–06. [132434]

Mr. Timms: In the winter of 2002–03, installed generating capacity for England and Wales was 67.6 GW. Actual peak demand was 54.8 GW and adjusting this to average cold spell (ACS) weather conditions and adding back estimated voluntary demand reduction at peak, gives a figure of 55.1 GW. Peak demand under average winter weather is reckoned by National Grid Company (NGC) to be about 96 per cent. of peak demand under ACS conditions.

In the July 2003 Update to their Seven Year Statement, NGC published the following projections for ACS demand and installed capacity:

	GW	
	ACS demand	*Installed capacity*
2003–04	55.9	65.1
2004–05	56.8	66.9 to 67.2
2005–06	57.7	67.7 to 68.9

The range of projections shown for installed capacity reflects the extent to which plant not yet under construction comes forward. The projections for installed capacity do not allow for any plant closures not yet announced, for return of currently mothballed plant, or for new generating capacity yet to enter transmission contracts with NGC.

PowerGen announced on 19 August 2003 its intention to return a 650 MW unit at Grain to service for the coming winter. It also announced on 15 October 2003 that it had started work that could bring a further 650 MW unit at Grain back for this winter. On 16 October 2003, International Power announced its intention to return a 250 MW unit at Deeside to service from 20 October 2003. NGC will take these announcements into account for the October 2003 Update to the Seven Year Statement, due to be released later this month.

Further information on the prospects for gas and electricity security for the coming winter, and on the outturn for last winter, can be found in the "Winter Operations Report", issued by National Grid Transco (NGT) on 14 October 2003, a copy of which is in the Library of the House. That report estimated that there is some 4.2 GW of mothballed generating capacity capable of returning to service within 24 months or less, of which 0.8GW could be returned in less than three months. However, the report does not take account of the announcements of 15 and 16 October 2003 referred to above.

All figures for installed capacity include the full capacity of the interconnectors with France and Scotland.

NGC consider ACS conditions as a level of demand that has a 50 per cent. probability of occurring within any winter. Since 1990, actual peak demand has never exceeded ACS corrected peak demand, although this may be due in part to voluntary demand reduction at peak periods.

The NGC Seven Year Statement, and updates to it, can be found at: www.nationalgrid.com/uk/library/documents/sys_03/dcfault.asp

Fireworks

John Barrett: To ask the Secretary of State for Trade and Industry (1) what discussions she has had with *(a)* representatives of the fireworks industry, *(b)* local authorities and *(c)* police representatives since the passing of the Fireworks Act 2003; [133509]

(2) what plans she has to make use of her powers under the Fireworks Act 2003. [133510]

Mr. Sutcliffe: The Department is committed to implementing and ensuring proper enforcement of the Fireworks Act 2003. We hope to implement those parts of the Act dealing with anti-social issues before Christmas. Discussions have taken place with the fireworks industry with regard to enshrining the voluntary air bombs ban in legislation under the Act.

Discussions have also taken place with local authorities and police representatives on the creation of a curfew for the use of fireworks between the hours of 11pm and 7am and creating an offence for possession of fireworks by those under 18 years of age respectively.

The Act's other principal provisions—setting a maximum noise limit for fireworks, licensing of suppliers, rules for public firework displays, importation of fireworks and training of display operators—require more detailed consultation with all the interested parties. We will start implementation of this part of the Act in the new year.

HSE Inspectors

Mr. Bellingham: To ask the Secretary of State for Trade and Industry whether bonus arrangements for Health and Safety Executive inspectors include a target to reach a certain number of prosecutions per year. [132903]

Mr. Browne: I have been asked to reply.

Health and Safety inspectors are not paid bonuses for achieving target numbers of prosecutions in any year.

Imports (Asia)

Denzil Davies: To ask the Secretary of State for Trade and Industry what the value was of goods imported from *(a)* the People's Republic of China, *(b)* India and *(c)* Japan into the (i) United Kingdom and (ii) European Union in the last year for which figures are available. [132750]

Mr. Mike O'Brien: According to figures published by Eurostat, UK and European Union imports of goods from the People's Republic of China, India and Japan in 2002 were as follows.

UK and EU imports of goods from China, India and Japan, 2002

£ million (current prices)

	UK	*EU*
China	10,539	51,196
India	1,845	8,175
Japan	8,339	42,876

Industrial Tribunals

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how many industrial tribunal cases have been brought in each year since 1997. [132863]

Mr. Sutcliffe: Statistics on the number of Employment Tribunal applications are collated on a financial year basis.

Employment Tribunal applications for Great Britain

Financial year	*Number of registered applications*
1996–97	88,910
1997–98	80,435
1998–99	91,913
1999–2000	103,935
2000–01	130,408
2001–02	112,227
2002–03	98,617

Source:
Employment Tribunals Service annual reports and accounts

Knowledge Economy

Mrs. Helen Clark: To ask the Secretary of State for Trade and Industry what steps she has taken to implement recommendation 15 of the Cross-Cutting Review of the Knowledge Economy published in December 2000; and if she will make a statement. [131988]

Ms Hewitt: I refer my hon. Friend to the answer given to her by my hon. Friend the Economic Secretary on 15 October 2003, *Official Report*, column 282W.

Manufacturing

Mr. Wray: To ask the Secretary of State for Trade and Industry what investment has been made in research and development in manufacturing in the UK since 1997. [133135]

Jacqui Smith: The Office for National Statistics Business Enterprise Research and Development survey provides the following data on research and development in manufacturing in the UK since 1997:

Expenditure on research and development performed in UK businesses in the manufacturing sector, 1997–2001

£ million

	Cash terms	*Real terms (2001 prices)*
1997	7,608	8,360
1998	8,142	8,707
1999	8,995	9,392
2000	9,231	9,429
2001	10,040	10,040

Mr. Wray: To ask the Secretary of State for Trade and Industry if she will make a statement on her plans for supporting manufacturing. [133136]

Jacqui Smith: The Government's Manufacturing Strategy published in May last year, identified seven key areas of activity for Government and industry that are crucial for manufacturing success. We are taking action in all of those areas to support UK manufacturers.

For example, the Manufacturing Advisory Service has been a real success as a major source of advice and support for small and medium sized manufacturers. Since it launched in April 2002, the Manufacturing Advisory Service has handled over 17,000 inquiries from manufacturing companies and has carried out over 3,000 diagnostic and advisory visits. Over 1,000 firms have benefited from in-depth consultancies to help them improve their productivity. The total value added benefit to firms helped by the Manufacturing Advisory Service is £18 million.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate her Department has made of the supply of manufacturing labourers throughout the United Kingdom. [132853]

Jacqui Smith: Official statistical sources, such as the Labour Force Survey and Employers Surveys, do not provide estimates of the supply of manufacturing labourers.

There were 3.7 million workforce jobs in the manufacturing industry in the UK in June 2003.

Mine Shafts (Householders' Insurance)

David Winnick: To ask the Secretary of State for Trade and Industry if she will make a statement on the proposed insurance scheme and related matters for householders whose properties are affected by mine shafts. [133555]

Nigel Griffiths *[holding answer 21 October 2003]:* At the end of last month, the Coal Authority launched an initiative to provide alongside every residential mining report it produces, insurance cover which will mitigate against any loss of property value, up to a maximum of £20,000, attributable to any material change of the mining information revealed in any subsequent mining report on the same property. At the same time the Authority introduced an interpretive mining report service which will provide more detailed analysis and advice about mine entries including a risk assessment as to whether, in the expert opinion of the Coal Authority, the main building of a property is inside or outside the possible zone of ground movement from any reported mine entry.

The Coal Authority has developed these services under the auspices of the Department's Mineshafts Working Group, established last year to explore initiatives which might ameliorate the blighting effect which the proximity of historic coal mineshafts is perceived to have on certain properties, particularly in the West Midlands. The Coal Authority is also investigating the scope for development of non-invasive detection techniques capable of locating mining features in built-up environments. The Authority continues to work closely with property practitioners at a local level with a view to raising awareness of the very low statistical risk which historic mineshafts represent.

Mobile Phone Companies

Jeff Ennis: To ask the Secretary of State for Trade and Industry whether mobile telephone companies are categorised as statutory undertakers using the same criteria as apply to electricity and gas companies. [133181]

Mr. Timms: 'Statutory undertaker' is a concept found in a wide range of legislation across different sectors. In the electronic communications sector, a person or undertaking (such as a mobile telephone company) is not likely to satisfy any definition of 'statutory undertaker' unless they have had the electronic communications code applied to them by a direction by Ofcom pursuant to section 106 of the Communications Act 2003. The electronic communications code gives certain powers to operators vis-a-vis the installation of apparatus. The criteria which Ofcom must consider in deciding whether or not to apply the electronic communications code to a person or undertaking are set out in section 107(4) of the Communications Act 2003. The position in the gas and electricity sectors is different, as gas and electricity still have a licensing-based regime, whereas electronic communications does not.

National Investment Bank

Mr. Wray: To ask the Secretary of State for Trade and Industry if she will establish a national investment bank to oversee industrial development and assist growth industries. [133138]

Jacqui Smith: I have no such plans. A range of facilities are offered by Government, the devolved Administrations and Regional Development Agencies to assist businesses reach their full growth potential.

Norwich Airport

Dr. Gibson: To ask the Secretary of State for Trade and Industry what plans she has to assess the sale of Norwich airport for value for money. [131216]

Mr. McNulty *[holding answer 14 October 2003]:* I have been asked to reply.The Government do not plan to assess the sale of Norwich airport. It is the duty of the Directors to act in the best interest of the company, and thereby in the best interest of the shareholding authorities. Moreover, the sale would be subject to scrutiny by the District Auditor.

Post Office Card Accounts

Mr. Gordon Marsden: To ask the Secretary of State for Trade and Industry what activity her Department is undertaking to publicise the Post Office card account. [133387]

Mr. Timms: None. The promotion of Post Office products and services is a matter for the company. Post Office Ltd. is providing information to customers and guidance to sub-postmasters on the range of banking options available at post offices, including the Post Office card account.

Mr. Gordon Marsden: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of customers opening Post Office card accounts on the viability of sub-post offices. [133388]

Mr. Timms: The number of customers who will eventually choose to open a Post Office card account is difficult to predict, at this stage. However, the Post Office card account is only one of a range of banking options available at post offices. All the major high street banks are providing access to a basic bank account through post offices. In addition, the Alliance and Leicester, Barclays and Lloyds/TSB are providing electronic access at post offices to all their current accounts—some 20 million accounts in total. The Post Office also provides cheque based banking services for customers of the Cooperative bank and the internet banks, Smile and Cahoot. The Post Office is in discussion with the banks to modernise these services and to extend commercial arrangements to cover other financial institutions. Universal banking services, together with the Post Office's plans for an expansion of commercial banking arrangements, should lead to an increase in the number of people using post offices to do banking transactions. Wider access to bank accounts at post offices opens up a very much larger market than benefit recipients alone, and this should benefit sub-postmasters both directly and through increased footfall.

Post Office Closures

John Barrett: To ask the Secretary of State for Trade and Industry how many proposed post office closures under the Urban Reinvention Programme have been reversed following public consultation. [133507]

Mr. Timms: Decisions on post office closure proposals under the urban reinvention programme following public consultation are an operational matter for Post Office Ltd. and I have asked the Chief Executive to reply direct to the hon. Member.

Unsolicited E-mail

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what plans she has to protect British businesses from unsolicited e-mails; and if she will include measures to protect businesses when the relevant EC Directive is implemented later this year. [132850]

Mr. Timms: The EU Directive on Privacy and Electronic Communications has been implemented in the UK by the Privacy-and Electronic Communications (EC Directive) Regulations 2003 (SI 2003 No 2426), which come into force on 11 December this year. The Regulations will introduce opt-in consent requirements for unsolicited e-mail marketing to individual subscribers, including sole traders and some partnerships. The Government decided not to extend the opt-in consent right to corporate subscribers (including limited companies) because of concerns about the impact on business to business marketing, but the Government's response to consultation on the new rules has made it clear that we are prepared to review this in the light of working experience of the new rules.

Subscribers of all kinds will benefit from a requirement in the Regulations not to send commercial e-mail which disguises or conceals the identity of the person on whose behalf it is sent, or does not provide a valid address to which a request that communications cease may be sent.

Tariffs

Mr. Wray: To ask the Secretary of State for Trade and Industry pursuant to her answer of 16 June 2003, *Official Report*, column 50W, on trade tariffs, what strategic controls are placed on British exports to non-EU countries. [133318]

Nigel Griffiths: The Strategic controls that are routinely placed on British exports to non-EU countries are set out in:

1. The Export of Goods (Control) Order 1994, as amended.
2. Council Regulation (EC) No. 1334/2000, as amended.
3. The Dual Use Items (Export Control) Regulations 2000, as amended.

Waste Electrical and Electronic Goods Directive

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the likely effects of the introduction of the WEEE Directive on small retailers; what estimate she has made of the number that are likely to be put out of business because of the Directive; and how many retailers have contacted her Department to express their concern. [132865]

Mr. Timms: The Government are concerned to implement the WEEE Directive with a light regulatory touch, consistent with achieving its environmental goals. We would not expect small retailers to be put out of business because of this Directive.

The Government consulted widely on this Directive earlier this year following its entry into force and received responses from a range of organisations and individuals, including 54 retailers or their representative organisations.

The UK successfully negotiated flexibility in the Directive's provisions on retail takeback and the Government are now considering how to take advantage of this in its implementation. In this context, it is in discussions with retailers, including the British Retail Consortium.

The Government intends to publish its proposals for implementation of the Directive, including retail take-back, later this autumn for consultation. After this, it will issue draft implementing Regulations for consultation next spring.

DEFENCE

Afghanistan

Mr. Gibb: To ask the Secretary of State for Defence what plans he has to increase UK military support for the Provincial Reconstruction Team in Mazar-e-Sharif and the five surrounding provinces in Afghanistan consequent to United Nations Resolution 1510. [133163]

Mr. Ingram: I anticipate the UK-led Provincial Reconstruction Team based in Mazar-e Sharif will increase slightly in size by the end of the year. This expansion is part of the planned evolution of the Provincial Reconstruction Team and is coincidental to UNSCR 1510.

Angus Robertson: To ask the Secretary of State for Defence how many rounds of depleted uranium ammunitions have been fired in Afghanistan by UK troops; how many rounds of depleted uranium ammunition have been recovered during UK-led clean-up operations; and if he will make a statement. [133714]

Mr. Ingram: Depleted uranium (DU) ammunition has not been used by Allied Forces in recent operations in Afghanistan and hence there has been no need for clean-up. I do not have information on its use by other nations or forces in past conflicts in Afghanistan.

Military Deaths

Mr. Hancock: To ask the Secretary of State for Defence pursuant to the statement made by Surrey Police on the conclusion of their investigations and his Answer of 16 September 2003, *Official Report*, column 705W, on Deepcut and Catterick barracks, if he will order an independent public inquiry into the way that unnatural deaths at Catterick and Deepcut barracks have been investigated; and if he will make a statement. [133398]

Mr. Ingram: Responsibility for investigating unnatural deaths at army barracks lies with the appropriate civil police authorities. The Surrey Police have suggested, in the context of their investigation of deaths at Deepcut, that a broader inquiry into army deaths may be warranted. Her Majesty's Coroner has yet to complete his work in relation to the Deepcut deaths and the Surrey Police have yet to produce their final overarching report. The case for a public inquiry will need to be considered in the light of these events and other studies already completed.

Defence Fire Service

Mr. Grogan: To ask the Secretary of State for Defence how many people are employed in his Department's fire service. [133428]

Mr. Ingram: Within the Ministry of Defence there are currently around 2,370 military and civilian personnel employed in fire fighting and related duties in both the UK and overseas. Precise details of current day-to-day manning levels are not held centrally as personnel below the officer grades in the civilian defence fire service are locally recruited.

Gulf War Syndrome

Mr. Tyler: To ask the Secretary of State for Defence if he will publish the letter from the Parliamentary Under-Secretary of State, Ministry of Defence to Lord Morris of Manchester of 9 October, on vaccines used for UK troops deployed in the 1990–91 Gulf War; and what steps he is taking to prevent recurrence of the problems identified. [132897]

Mr. Caplin *[holding answer 20 October 2003]:* The text of the letter (reference: D/MIN(DP)/WB/13/1/2/3) was published in the House of Lords on 9 October 2003, *Official Report*, columns WA 67–79. A copy of the letter was placed in the Library of this House on 10 October.

Subsequent analysis of the 1990–91 Gulf Conflict revealed shortcomings at the time in medical record keeping and medical preparedness. In October 2001 the Ministry of Defence published the paper: "Medical Records in the Gulf" which explained how the Service medical documentation system was used during that conflict and the generic reasons why a medical record may no longer exist. The paper is available on the internet at: http://www.mod.ukyissues/gulfwar/info/m

Since that conflict, we have made significant improvements in medical record keeping through the introduction of a new operational medical record. This does ensure that health events while on deployment are more systematically recorded than in the past. Care is taken to ensure that accurate records are maintained by recording all vaccinations on individuals' medical records. Further improvements in medical record keeping will be achieved over the next few years with the progressive introduction of new information technology systems. A number of personnel were not up to date with their Service standard vaccinations. Our policy guidance has been modified to ensure that all troops are now immunised routinely. In June 2002, we announced that our Voluntary Immunisation Programme against anthrax would be expanded, in phases, to the whole of the Armed Forces, including reserves and those essential civilians who were likely to deploy on operations, beginning with those units that were held at the highest readiness. This takes account of lessons identified post the 1990–91 Gulf Conflict.

Hutton Inquiry

Norman Baker: To ask the Secretary of State for Defence (1) for what reason he authorised the creation of an environment intended to simulate that of hearings of the Hutton Inquiry at the Civil Service College at Sunningdale; on what date the authorisation was given; and what the cost of the exercise was; [133112]

(2) how many officials who appeared at the Hutton Inquiry were given coaching and training prior to their public appearance; and at what cost. [133113]

Mr. Hoon: I did not authorise the creation of any facility, at Sunningdale or elsewhere, to simulate the hearings of the Hutton Inquiry, and no Ministry of Defence officials were given coaching or training prior to their giving evidence to the Inquiry.

Manning Control Points

Mr. Keetch: To ask the Secretary of State for Defence for what reason no soldiers have been discharged following manning control reviews in the last 17 months; and if he will make a statement. [133353]

Mr. Caplin: I refer the hon. Member to the answer my hon. Friend the Member for Kirkcaldy (Dr. Moonie) gave on 5 June 2003, *Official Report*, columns 507–08W.

Mr. Keetch: To ask the Secretary of State for Defence whether all soldiers subject to discharge at their manning control point have been shown their AFB130A (Application for Discharge) and allowed to appeal against the Commanding Officer's decision before the soldier's discharge is approved by the army; and if he will make a statement. [133354]

Mr. Caplin: Soldiers who have been recommended for discharge under Queen's Regulations for the Army 1975 Para 9.413, 'Not Required for a Full Army Career', are shown their Army Form B130A and are given an opportunity to appeal against the recommendation.

Mr. Terry Jeans

Mr. Hancock: To ask the Secretary of State for Defence if he will make an exception to the next-of-kin rule to facilitate the attendance of Mr.Terry Jeans at the trial in Croatia of the people alleged to have murdered his son. [133732]

Mr. Caplin: In July 2002 public funds were exceptionally made available to enable Mr. Jeans to be present at the trial of those accused of killing his son. It was made clear to Mr. Jeans at that time that this action constituted a one-off payment for a final trip to Croatia which in no way constituted a precedent. It was also made clear to Mr. Jeans that the Ministry of Defence could not envisage making any further public funds available to support him. This remains the position.

Official Travel

Mr. Rosindell: To ask the Secretary of State for Defence how many official overseas visits each Minister in the Ministry of Defence has made in each year since 1997. [132123]

Mr. Caplin: A list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during each financial year since 1997 is available in the Libraries of the House. The lists provide details of the dates, destinations and purposes of all such visits and the costs of Ministers' travel and accommodation where appropriate.

I also refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 16 July 2003, *Official Report*, columns 327–28, to my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt).

Service Families (Voting Arrangements)

Angus Robertson: To ask the Secretary of State for Defence what arrangements are in place to allow families of Scottish soldiers stationed outwith Scotland to vote in Scottish elections; and if he will make a statement. [133653]

Mr. Caplin: It is the individual responsibility of each member of the Armed Forces and their family to register to vote annually. Scottish service personnel outwith Scotland, and their spouses, can choose to register as service voters by means of a service declaration, but they can then only vote by proxy. Those, including eligible children, who choose to register on their local electoral register will be able to vote either by post or proxy if they are overseas or away from Scotland during any election, provided they have registered to vote in Scotland. Every effort is made by ships, units, and stations to give reasonable assistance to personnel overseas to register or vote in line with their individual electoral registration choice.

EDUCATION AND SKILLS

School Exclusions

Huw Irranca-Davies: To ask the Secretary of State for Education and Skills if he will make it his policy to permit schools in England and Wales to receive *(a)* financial and *(b)* legal support from their local education authority in dealing with legal action taken against the school by outside parties in respect of fixed-term exclusions. [133359]

Mr. Miliband: There is existing provision with the regulations governing school funding for schools to receive contingency financial assistance from their local education authority if the costs of legal action, or amounts awarded by a court, cannot be met from a school's budget share without damaging pupils' education. Legal support may be purchased by a school either from the authority under a service level agreement or from an independent source.

A-Level Grades

Mr. Damian Green: To ask the Secretary of State for Education and Skills what percentage of pupils in England achieved A-levels in *(a)* mathematics and *(b)* English achieved grades A or above in (i) the best performing local education authority and (ii) the worst performing local education authority in 2002–03. [133671]

Mr. Miliband: The information requested is given in the following tables:

Mathematics

Percentage of A level passes in mathematics that were grade A in 2003	*Local education authority*	*Percentage*
Highest percentage	Reading	61.0
Lowest percentage	Portsmouth	8.0

English

Percentage of A level passes in English that were grade A in 2003	*Local education authority*	*Percentage*
Highest percentage	Reading	34.0
Lowest percentage	Hackney	3.2

Careers Services

Mr. Bo[illegible]ell: To ask the Secretary of State for Education and Skills if he will make a statement on arrangements for *(a)* delivering of services, *(b)* funding and *(c)* professional validation and development of careers services operated by higher education institutions, with particular reference to their relationship with other careers and guidance services. [133424]

Alan Johnson: Career guidance services in higher education are diverse and varied. There is no statutory obligation for Higher Education Institutions (HEIs) to provide careers advice and guidance. However, most HEIs have established their own dedicated careers service. Some use other means, for example through academic departments or other student services; others use a combination of both approaches.

Higher Education Careers Services are funded by HEIs themselves. Each institution makes its own decisions about the level of funding it allocates to careers and other services from its overall funding allocation, according to its individual circumstances.

The 2001 report 'Developing Modern Higher Education Careers Services', published following a review commissioned by my Department, included the recommendations that universities should place increased emphasis upon:

(a) defining core services that every Careers Service should provide

(b) considering their policies towards their Careers Services in relation to their Operational Plan

(c) reviewing their funding distribution to ensure they are able to deliver the core careers services

(d) ensuring their careers service staff are appropriately trained and qualified.

The Association of Graduate Careers Advisory Services (AGCAS), in conjunction with the University of Reading, offers a range of tailored professional qualifications. AGCAS now sets a condition that members must have achieved or be working towards the matrix standard, which is the national quality standard for any organisation delivering information, advice and guidance services on learning and work. In addition the Higher Education Quality Assurance Agency (QAA) has developed a voluntary code of practice for careers education, information and guidance in higher education. The majority of HE Careers Services are members of local Information Advice and Guidance partnerships which are funded by the Learning and Skills Council and which ensure coherence of all adult careers services in their local areas.

Criminal Records Bureau

Mr. Pickthall: To ask the Secretary of State for Education and Skills how many employees in the education service require CRB checks; what the total cost of those checks is; and who pays for them. [133301]

Mr. Miliband: All new employees in the education service who have regular contact with children require a CRB check on appointment and some staff need to be checked when they move between posts. Fees for CRB checks are set at 24 for a Standard Disclosure and 29 for an Enhanced Disclosure. Disclosures for volunteers are free of charge. I am not able to provide information on numbers of employees or the total costs involved as my Department does not hold this information. The cost of Disclosures falls to individuals, but some employers may decide to pay the fee on their behalf.

Faith Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many *(a)* primary, *(b)* secondary and *(c)* both primary and secondary schools that select some or all of their pupils on the basis of faith have (i) opened and (ii) closed in each year since 1997, broken down by local education authority. [133684]

Mr. Miliband: The following tables show the number of primary and secondary maintained schools, designated as having a religious character, which have opened and closed in each year since 1997, listed by LEA area. These schools are permitted to give priority to pupils of their faith or denomination, if over subscribed, but the Department does not maintain records of those that do so.

1997

	Openings (i)			Closures (ii)		
Local education authority	*Primary (a)*	*Secondary (b)*	*Total (c)*	*Primary (a)*	*Secondary (b)*	*Total (c)*
Lincolnshire	0	0	0	1	0	1
Liverpool	1	0	1	0	0	0
Middlesbrough	0	0	0	1	0	1
Oxfordshire	0	0	0	2	0	2
Wiltshire	0	0	0	1	0	1
Total	1	0	1	5	0	5

1998

	Openings (i)			Closures (ii)		
Local education authority	*Primary (a)*	*Secondary (b)*	*Total (c)*	*Primary (a)*	*Secondary (b)*	*Total (c)*
Birmingham	0	0	0	0	1	1
Camden	0	0	0	0	1	1
Essex	0	0	0	1	0	1
Hampshire	0	0	0	1	0	1
Harrow	1	0	1	0	0	0
Kent	0	0	0	0	1	1
Liverpool	0	0	0	1	0	1
Manchester	0	0	0	1	0	1
Salford	0	0	0	1	0	1
Wigan	0	0	0	1	0	1
Total	1	0	1	6	3	9

1999

	Openings (i)			Closures (ii)		
Local education authority	*Primary (a)*	*Secondary (b)*	*Total (c)*	*Primary (a)*	*Secondary (b)*	*Total (c)*
Bradford	0	0	0	1	0	1
Cambridgeshire	1	0	1	0	0	0
Cumbria	0	0	0	1	0	1
Hertfordshire	1	0	1	0	0	0
Lancashire	0	0	0	2	0	2
Manchester	0	0	0	1	0	1
Medway	1	0	1	0	0	0
Redbridge	1	0	1	0	0	0
South Gloucestershire	1	0	1	0	0	0
St. Helens	0	0	0	1	0	1
Sunderland	0	0	0	1	0	1
Total	5	0	5	7	0	7

2000

	Openings (i)			Closures (ii)		
Local education authority	*Primary (a)*	*Secondary (b)*	*Total (c)*	*Primary (a)*	*Secondary (b)*	*Total (c)*
Croydon	1	0	1	0	0	0
Lancashire	0	0	0	2	0	2
Leicestershire	0	0	0	1	0	1
North Yorkshire	1	0	1	0	0	0
Stockton-on-Tees	1	0	1	0	0	0
Suffolk	0	0	0	1	0	1
Windsor and Maidenhead	0	0	0	0	1	1
Total	3	0	3	4	1	5

2001

Local education authority	Openings (i) Primary (a)	Openings (i) Secondary (b)	Openings (i) Total (c)	Closures (ii) Primary (a)	Closures (ii) Secondary (b)	Closures (ii) Total (c)
Birmingham	0	1	1	0	0	0
Bradford	0	1	1	0	0	0
Dorset	1	0	1	0	0	0
East Sussex	1	0	1	0	0	0
Manchester	0	0	0	1	0	1
Nottinghamshire	1	0	1	0	0	0
Surrey	0	1	1	0	0	0
Tower Hamlets	0	1	1	0	0	0
West Sussex	1	0	1	0	0	0
Total	4	4	8	1	0	1

2002

Local education authority	Openings (i) Primary (a)	Openings (i) Secondary (b)	Openings (i) Total (c)	Closures (ii) Primary (a)	Closures (ii) Secondary (b)	Closures (ii) Total (c)
Birmingham	0	0	0	0	1	1
Herefordshire	0	0	0	1	0	1
Knowsley	0	0	0	1	0	1
Middlesbrough	0	0	0	1	1	2
Oxfordshire	1	0	1	0	0	0
Shropshire	0	0	0	1	0	1
St Helens	0	0	0	1	0	1
Sunderland	0	1	1	0	0	0
Tower Hamlets	0	0	0	1	0	1
Warrington	0	0	0	1	0	1
Wirral	0	0	0	0	1	1
Total	1	1	2	7	3	10

2003

Local education authority	Openings (i) Primary (a)	Openings (i) Secondary (b)	Openings (i) Total (c)	Closures (ii) Primary (a)	Closures (ii) Secondary (b)	Closures (ii) Total (c)
Bury	0	0	0	2	0	2
Bedfordshire	0	0	0	1	0	1
Hertfordshire	0	0	0	1	0	1
Northamptonshire	0	0	0	1	0	1
Northumberland	0	0	0	1	0	1
Stockton-on-Tees	1	1	2	0	0	0
Stoke-on-Trent	0	0	0	1	0	1
Wandsworth	0	1	1	0	0	0
Worcestershire	0	0	0	1	0	1
Total [1]	1	2	3	8	0	8

[1] To 13 October 2003

The tables exclude schools that opened or closed as a result of amalgamations, mergers or reorganisations, and also former community schools that closed and re-opened with a religious character.

GCSE Grades

Mr. Damian Green: To ask the Secretary of State for Education and Skills what percentage of pupils in England achieved GCSEs in *(a)* mathematics and *(b)* English and *(c)* both achieved grades A or above in (i) the best performing local education authority and (ii) the worst performing local education authority in 2002–03. [133672]

Mr. Miliband: The percentage of pupils achieving grade A* or A at GCSE in *(a)* Mathematics and *(b)* English and *(c)* both in the highest and lowest performing LEAs are shown in the following tables.

English

Percentage of pupils achieving grade A or above in GCSE English in 2003	Local education authority	Percentage
i) Highest percentage	Sutton	32.1
ii) Lowest percentage	Isles of Scilly	0.0

Maths

Percentage of pupils achieving grade A or above in GCSE Maths in 2003	Local education authority	Percentage
i) Highest percentage	Sutton	28.5
ii) Lowest percentage	Isles of Scilly	0.0

English and Maths

Percentage of pupils achieving grade A or above in GCSE English and Maths in 2003	*Local education authority*	*Percentage*
i) Highest percentage	Sutton	21.6
ii) Lowest percentage	Isles of Scilly	0.0

Grant-maintained Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many former grant-maintained schools have gained *(a)* specialist, *(b)* beacon and *(c)* city academy status in each year since 1997, broken down by local education authority. [133685]

Mr. Miliband: The information requested has been placed in the Libraries.

School Transport

Bob Russell: To ask the Secretary of State for Education and Skills what representations he has received on proposals by Essex Local Education Authority to charge travel costs for pupils attending faith schools; and if he will make a statement. [132809]

Mr. Miliband: I have received representations from people objecting to Essex LEA's proposals to charge for home-to-school transport where children attend a denominational school in preference to the local school designated by their LEA. The policy issue is one for the LEA, but several correspondents have raised concerns about the way in which the consultation was carried out. My officials have requested information from the LEA to find out whether the consultation has been conducted in accordance with our regulations.

Science Education

Mrs. Gillan: To ask the Secretary of State for Education and Skills how many pupils *(a)* up to the age of 16 years, *(b)* up to the age of 18 years and *(c)* beyond the age of 18 years were studying sciences in each year since 1 January 1996. [132331]

Mr. Miliband *[holding answer 21 October 2003]:* The answers to parts *(a)*, *(b)* and *(c)* are as follows:

Part *(a)*

The number of entries in GCSE science subjects by 15-year-old pupils in all schools in England since 1995/96 are:

	1995/96	*1996/97*	*1997/98*	*1998/99*	*1999/2000*	*2000/01*	*2001/02*	*2002/03*
Biological Sciences	37,576	36,641	38,890	38,785	39,376	40,455	40,526	42,608
Chemistry	36,279	35,154	36,544	37,640	37,699	38,797	39,067	40,854
Physics	35,727	34,541	36,205	37,205	37,532	38,455	38,640	40,051
Single Award Science	62,844	54,631	52,383	50,182	48,565	49,886	51,662	52,998
Double Award Science	434,946	439,480	431,348	441,897	445,100	464,389	466,469	473,966
Other Science	5,344	4,881	3,826	3,423	3,106	2,977	2,785	2,742
Total Science	612,716	605,328	599,196	609,132	611,378	634,959	639,149	653,219

Part *(b)*

The number of entries in advanced level science subjects by 16 and 17-year-old students in all schools and FE colleges in England since 1995/96 are:

	1995/96	*1996/97*	*1997/98*	*1998/99*	*1999/2000*	*2000/01*	*2001/02*	*2002/03*
GCE A level								
Biology	37,905	42,144	43,405	41,723	41,204	40,250	41,448	39,810
Chemistry	30,589	32,295	32,922	31,670	31,407	30,422	29,298	27,839
Physics	25,541	26,192	27,004	26,849	25,548	25,557	25,601	23,868
Other Science	4,456	5,612	5,902	5,694	5,795	5,740	6,950	8,012
Total Science	98,491	106,243	109,233	105,936	103,954	101,969	103,297	99,529
GCE Advanced Supplementary level								
Biology	2,314	2,518	2,524	2,688	2,774	1,483	—	—
Chemistry	1,008	1,205	1,241	1,155	1,180	781	—	—
Physics	1,534	1,808	1,758	1,727	1,614	750	—	—
Other Science	1,839	1,995	1,995	1,859	1,961	501	—	—
Total Science	6,695	7,526	7,518	7,429	7,529	3,515	—	—
GCE Advanced Subsidiary level								
Biology	—	—	—	—	—	49,868	51,698	53,840
Chemistry	—	—	—	—	—	34,048	35,145	36,745
Physics	—	—	—	—	—	29,545	30,393	29,401
Other Science	—	—	—	—	—	6,353	13,739	14,206
Total Science	—	—	—	—	—	119,814	130,975	134,192
VCE A level								
Science	—	—	—	—	—	195	385	352

	1995/96	1996/97	1997/98	1998/99	1999/2000	2000/01	2001/02	2002/03
VCE Double Award								
Science	—	—	—	—	—	11	564	520
AGNVQ								
Science	—	—	515	609	692	624	—	—

Part *(c)*

The number of UK domiciles at English higher education and further education institutions, aged 18 or over studying science subjects in 1995/96 to 2001/02 are:

	1995/96		1996/97		1997/98		1998/99	
Subject Group	*Post Graduate*	*Under Graduate*	*Post Graduate*	*Under Graduate*	*Post Graduate*	*Under Graduate*	*Post Graduate*	*Under Graduate*
HE in HE institutions								
Medicine and dentistry	6,216	17,971	7,076	19,115	7,225	19,529	7,408	19,832
Subjects allied to medicine	10,067	84,869	11,051	106,280	12,[illegible]	112,528	13,610	126,266
Biological sciences	8,678	40,805	9,677	45,676	9,791	49,961	10,207	50,606
Veterinary science	238	1,470	306	1,496	252	1,595	255	1,691
Agriculture and related subjects	786	8,671	807	8,643	896	8,755	969	8,854
Physical sciences	9,769	43,471	9,790	43,061	8,941	41,584	8,719	41,167
Mathematical sciences	2,210	11,783	2,050	12,050	1,845	12,487	1,666	12,757
Computer science	6,601	45,666	7,036	48,228	7,480	50,590	8,398	54,727
Engineering and technology	12,565	74,939	12,270	68,939	12,281	65,384	12,468	63,464
Architecture, building and planning	6,564	27,197	7,210	24,389	6,776	23,080	7,007	21,868
Total Sciences	63,694	356,842	67,273	377,877	67,640	385,493	70,707	401,232
HE in FE institutions								
Biological sciences	0	277	74	349	97	332	64	307
Agriculture and related subjects	63	1,625	75	1,893	49	2,025	34	1,845
Physical sciences	0	441	8	256	15	258	20	229
Mathematical sciences	0	6	0	0	0	0	0	1
Computer science	0	3,593	0	3,741	0	4,463	0	5,425
Engineering and technology	0	22,246	0	20,728	0	20,760	0	20,010
Architecture, building and planning	0	6,348	0	6,154	0	5,854	27	5,817
Other Science	0	1,721	18	2,359	87	3,053	81	3,187
Total Sciences	63	36,257	175	35,480	248	36,745	226	36,821

	1999/00		2000/01		2001/02	
Subject group	*Post Graduate*	*Under Graduate*	*Post Graduate*	*Under Graduate*	*Post Graduate*	*Under Graduate*
HE in HE institutions						
Medicine and dentistry	7,668	20,029	7,854	20,906	8,167	21,952
Subjects allied to medicine	14,205	134,987	15,611	138,661	17,623	143,445
Biological sciences	10,569	51,164	10,813	51,405	11,042	51,516
Veterinary science	243	1,796	230	1,939	259	2,177
Agriculture and related subjects	1,015	8,511	1,225	8,729	1,367	8,715
Physical sciences	8,494	40,082	8,221	38,746	8,287	36,896
Mathematical sciences	1,766	12,638	1,815	12,439	2,141	12,437
Computer science	8,844	58,341	9,096	66,402	9,112	71,309
Engineering and technology	11,324	61,459	12,798	61,419	12,915	61,735
Architecture, building and planning	6,376	20,985	6,376	20,970	6,781	21,450
Total Sciences	70,504	409,992	74,039	421,616	77,694	431,632
HE in FE institutions						
Biological sciences	69	546	7	573	7	503
Agriculture and related subjects	23	2,531	0	1,978	0	2,128
Physical sciences	15	165	13	159	10	159
Mathematical sciences	0	4	0	38	0	37
Computer science	0	7,415	0	7,223	0	7,348
Engineering and technology	0	18,648	0	17,447	0	15,917
Architecture, building and planning	28	5,375	27	4,819	48	4,445
Other Science	55	3,297	55	3,297	20	2,836
Total Sciences	102	35,534	102	35,534	85	33,373

Sixth Forms

Mr. Hepburn: To ask the Secretary of State for Education and Skills what percentage of children in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* the North East and *(d)* the UK remained in education after the completion of their GCSEs in each year since 1997. [133226]

Mr. Miliband: Data on the percentage of students staying on in full-time education and education and training is not calculated for areas smaller than LEAs as reliable estimates cannot be made.

The percentage of 16-year-olds participating in full-time education, and in education and training, in South Tyneside local education authority, the North East and the UK for end 1997 to end 2000, the latest available year, are shown in the table.

Participation by 16 year olds

	End 1997	*End 1998*	*End 1999*	*End 2000*
Full-time education				
South Tyneside LEA	52	53	57	57
North East Region	60	61	64	65
United Kingdom	70	71	72	73
Education and training				
South Tyneside LEA	..	76	81	78
North East Region	78	82	86	87
United Kingdom [1]	80	79	80	79

[1] Great Britain only up to end 1999, and England and Wales only for end 2000. The education and training figures in this row do not include part-time education.

Note:

Participation rates by LEA for 16 and 17 year olds are published in an annual statistical bulletin, 'Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England'.

Teachers/Assistants

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills how many *(a)* teachers and *(b)* teaching assistants were employed in (i) the West Midlands and (ii) Coventry in each of the last three years. [133583]

Mr. Miliband: The numbers of teachers and teaching assistants in the West Midlands Government office region (GOR) and Coventry local education authority (LEA) in the last three years are given in the following tables.

Teachers [1]

Region	*2001*	*2002*	*2003*
Coventry LEA	2,870	2,920	2,910
West Midlands GOR	47,400	47,800	48,200

[1] Full-time equivalent regular teachers in service in the maintained sector in January of each year.

Source:

618G

Teaching Assistants [1]

Region	*2001*	*2002*	*2003*
Coventry LEA	800	670	640
West Midlands GOR	10,410	11,120	13,050

[1] Full-time equivalent teaching assistants in maintained primary, middle and secondary schools, special schools and pupil referral units in January of each year. Includes nursery assistants, special needs support staff, minority ethnic pupil support staff.

Source:

Annual Schools' Census

INTERNATIONAL DEVELOPMENT

Departmental Contracts

Mr. Robathan: To ask the Secretary of State for International Development if he will list contracts awarded by his Department in each of the last three years in excess of £100,000, giving the names of the successful bidder and the purpose of the contract. [133002]

Hilary Benn: The information requested has been placed in the House of Commons Library.

Development Agencies

Mr. Battle: To ask the Secretary of State for International Development what response the Government has made to the Brazilian President's suggestion of a global arms trade levy for funding development agencies. [132743]

Hilary Benn: The Government welcomes in principle any idea which seeks to reduce global hunger, and believes that all such proposals should be properly assessed. We are committed to finding the most effective way of mobilising the additional development resources which are needed if the Millennium Development Goals are to be met. This is why the UK has proposed an International Finance Facility.

The Government endorses the work which the IMF and World Bank are currently carrying out on development financing mechanisms. This work will include all proposals for international taxes designed to generate additional development resources. The IMF and Bank have been asked to report to the Development Committee at the 2004 Spring Meetings, and to the IMFC at the 2004 Annual Meetings.

International Housing Rights

Angus Robertson: To ask the Secretary of State for International Development pursuant to his Answer of 25 September, if he will list representations *(a)* he, *(b)* members of his Department and *(c)* other representatives of the Government have received since 1997 on international housing rights law and breaches thereof; what (i) countries and (ii) regions these representations referred to; and if he will make a statement. [133212]

Hilary Benn: Data on representations made to Government, since 1997, on international housing rights law and breaches thereof, is not held centrally, and it would incur a disproportionate cost to obtain the information the right hon. Member is seeking.

I can however confirm that DFID has no record of representations made to members of my department or to me, since 1997, concerning international housing rights law, or breaches thereof, other than the hon. Member's question, reference 133212, to which I provided a written answer on 25 September.

Iraq

Mr. Paul Marsden: To ask the Secretary of State for International Development pursuant to his answer of 15 July 2003, *Official Report*, column 176W, on Iraq, which medical drugs are in short supply in Iraq; and in what quantities. [132417]

Hilary Benn: Recent assessments by the World Health Organisation (WHO) and the Iraqi Ministry of Health indicate that there are no major shortages of essential medical supplies in Iraq. There are however still reported shortages of some very specialised supplies such as antisera (eg anti snake venom) and some anti-cancer medicines. The supply of anti-tuberculosis medicines has improved after a period of shortage immediately after the war. Some health facilities have reported intermittent shortages of local anaesthetic, probably caused by periods of high demand.

New medicine supply systems in Iraq are not yet fully operational and clear data remains difficult to obtain. WHO is working closely with the Ministry of Health, Kimadia (the Iraqi medical supply distribution agency) and the CPA to address immediate shortages and to establish formulae for likely consumption rates of priority medicines.

Llew Smith: To ask the Secretary of State for International Development whether families who have lost their primary earners as a result of coalition forces' military action against Iraq have been identified as part of the process for prioritising targeted aid to Iraqi civilians. [133315]

Hilary Benn: DFID's policy is to provide assistance which responds to the needs of people, especially the poorest, irrespective of the causes of those needs. The main current form of support for vulnerable Iraqis is the Public Distribution System for food rations. DFID is providing assistance to the Ministry of Trade to ensure the continued smooth-running of the system. We are also assisting with plans to reform the system in the medium-term, with a view to ensuring that the needs of the most vulnerable continue to be met.

Kosovo

Mr. Wray: To ask the Secretary of State for International Development what recent assessment has been made of the human rights situation in Kosovo; what plans he has with European colleagues to address abuses in the region; and if he will make a statement. [132941]

Mr. Gareth Thomas: The Organisation for Security and Cooperation in Europe (OSCE), which forms part of the United Nations Interim Administrative Mission in Kosovo, is the lead agency responsible for the monitoring and protection of human rights in Kosovo. OSCE reports regularly on human rights concerns with regard to, for example, property rights, ethnic minorities and the judicial system.

DFID engages with these assessments to ensure that our activities consider important human rights issues. In particular, we share the OSCE's view that the development of an effective justice system that operates in accordance with international standards is an essential step in improving the human rights situation in Kosovo. We are funding two major programmes, one on justice-sector policymaking and another on community policing, to help improve the safety, security and access to justice of the people of Kosovo, through the inter-ministerial Global Conflict Prevention Pool.

In addition, our contributions through the European Commission are also being used to strengthen justice systems in Kosovo. The European Agency for Reconstruction is supporting the improvement of court administration, and is also funding a highly successful civil legal aid programme that has so far assisted some 11,000 vulnerable people.

Microcredit Schemes

Mr. Wray: To ask the Secretary of State for International Development what discussions his Department has had with *(a)* UN officials and *(b)* regional development banks regarding the use of microcredit schemes to tackle world poverty. [133139]

Hilary Benn: DFID supports the contribution that microcredit can make to achievement of the Millennium Development Goals, and is working with a range of multilateral and bilateral partners to improve the effectiveness of microfinance. Along with the UN, the World bank and the Regional Development Banks, DFID is a member of the Consultative Group to Assist the Poor (CGAP) which works as a multilateral donor organisation specialising in microfinance, and seeks to harmonise donor approaches to the industry. We encourage all those working in this area to provide assistance within the context of country-owned development strategies. I very much welcome the work of the All Party Parliamentary Group on Mircofinance which I addressed on 21 October.

Poverty Reduction

Mr. Wray: To ask the Secretary of State for International Development what measures his Department is taking in conjunction with other countries to direct money for the reduction of poverty towards the poorest people. [133141]

Hilary Benn: By 2005–06, we aim to provide 90 per cent. of our bilateral assistance to low-income countries and will increase our annual bilateral assistance for Africa to £1 billion. Where possible we work through partner governments in the poorest countries in support of poverty reduction strategies that aim to strengthen their efforts to reduce poverty. We coordinate our programmes with other donor countries and are working closely with multilateral donors such as the World Bank, UN, EC and others to support and influence their assistance to have a strong poverty focus.

Reproductive Health

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, reference 131802, what the delivery strategy for the Contraceptives Supply and Logistics programme in Bolivia was; what *(a)* local, *(b)* national, *(c)* regional and *(d)* international organisations are involved in this programme; what discussions (i) he, (ii) representatives of his Department and (iii) members of the UK representation in Bolivia have had with

representatives of (A) the Government of Bolivia, (B) local communities and (C) the Church with regard to this programme; and if he will make a statement. [133192]

Hilary Benn: The Contraceptives Supply and Logistics programme supports the Government of Bolivia's National Sexual and Reproductive Health programme by assisting them in the purchase and distribution of contraceptives and by improving the quality of, and demand for, contraceptive services. The programme is managed by UNFPA and the Government of Bolivia with components implemented by CEASS (Central de Abastecimiento de Suministros) and the Population Council.

Regular planning and monitoring meetings are held with the Government of Bolivia and local stakeholders are consulted and involved in programme implementation as is appropriate to each locality. This includes local health defence committees, evangelical churches and the Catholic Church, municipal governments and local non-governmental organisations.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, *Official Report*, columns 70–71W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of the HIV/AIDS Umbrella Programme in Uganda are; when his Department last assessed the progress of this project; what the main conclusions of this assessment were; what assessment his Department has made of the impact of the Lord's Resistance Army's activities on (i) the reproductive health of the population in Uganda and (ii) the functioning of the HIV/AIDS Umbrella Programme; and if he will make a statement. [133194]

Hilary Benn: The HIV Umbrella Programme in Uganda has an allocation of £6.2 million for 2002–05. Its purpose is to improve the coordination and monitoring of the Uganda's Strategic HIV/AIDS Framework in support of its Poverty Eradication Action Plan (PEAP). It also aims to improve the Government of Uganda's capacity to take effective action against HIV/AIDS, and supports service delivery and research on HIV/AIDS by civil society organisations.

The programme was last assessed in September 2003. The review concluded that overall the programme's approach was both strategic and effective. However, the review noted that progress in building the Uganda AIDS Commission's (UAC) capacity to coordinate and monitor the National Strategic Response was slower than anticipated. In response to this finding, DFID will be funding an HIV Adviser, to be located in UAC from November 2003, to assist its staff in technical and organisational management issues, and help facilitate the HIV Partnership in Uganda.

Insecurity in Northern Uganda has made access to health services difficult for many and there is some evidence that the Lord's Resistance Army (LRA) has targeted health centres (for drugs) and health workers in their attacks. Anecdotal evidence from NGOs suggests that life in crowded camps encourages earlier sexual activity, leading to a higher teenage pregnancy rate and increased spread of HIV. However, no data is available to date on this point, although a nationwide prevalence survey is due to be carried out at the end of the year.

LRA activities are not directly impacting on the functioning of the HIV Umbrella Programme. However, the continuing insecurity in the North is hampering the ability of some of the civil society organisations supported under the programme to scale up their activities.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his Answer of 14 October 2003, *Official Report*, columns 70–71W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of the Social Marketing of Contraceptives project in Ethiopia are; when his Department last assessed the progress of this project; what the main conclusions of this assessment were; what the annual cost of the programme has been since its inception; and if he will make a statement. [133195]

Hilary Benn: The project provides support through DKT International, which is a US based non-governmental organisation registered in Ethiopia, working on nationally led family planning and HIV prevention programmes. They make condoms and contraceptives available to poor people, and high risk groups, at low cost through commercial outlets.

We regularly review their performance, through quarterly project progress reports against agreed targets and visits by DFID advisers. A formal review of their work will be conducted in 2004. We are satisfied with the progress that the project has made so far, and should be able to make a more in depth assessment when the formal review takes place in 2004.

Our support for the project is £2 million over two years.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his Answer of 14 October 2003, *Official Report*, columns 70–71W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of the Reproductive Health, Freetown and Newly Accessible Areas in Sierra Leone are; when his Department last assessed the progress of this project; what the main conclusions of this assessment were; what areas of the country are now considered to be accessible; what issues (i) he and (ii) members of his Department have raised with representatives of the Government of Sierra Leone regarding the programme; and if he will make a statement. [133196]

Hilary Benn: All areas of Sierra Leone are now accessible. The main aims of the project are to provide access to affordable, high quality and innovative sexual and reproductive health (SRH) information and services; to increase awareness of basic health and SRH issues among beneficiary communities; and to increase the capacity of key stakeholders in providing SRH services and developing national health strategy and policy guidelines. The project aims to achieve these objectives through the existing Marie Stopes Sierra Leone centre network (four Reproductive Health Centres, two obstetric hospitals, and two laboratories) and outreach programmes.

We receive quarterly progress reports on the project from Marie Stopes International. Our advisers last visited the project in March 2003. The main conclusion of their assessment was that the project provides high quality services and is reasonably well utilised. More can

be done to improve the use of contraceptives, but awareness raising campaigns are addressing this. We have raised with Marie Stopes International the sustainability of the services provided by the project.

DFID health advisers have regularly discussed issues concerning primary health care with the Government of Sierra Leone Ministry of Health and Sanitation. These discussions have not focussed specifically or exclusively on SRH.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, *Official Report*, column 75W on reproductive health, if he will list the activities at country level funded until the end of 2003 what the *(a)* structure, *(b)* aims, *(c)* methods and *(d)* annual funding need for each of the activities were; how much the UK has (i) pledged and (ii) delivered to each of the activities since January 2001(A) in monetary terms, (B) as a percentage of the funding total and (C) as a percentage of the yearly balance from the one-off UK contribution; and if he will make a statement. [133197]

Hilary Benn: Further to my previous answer of 14 October 2003, *Official* Report, column 75W, the whole of the UK's £25 million contribution is used to meet commodity needs in developing countries and for condoms in countries with a high prevalence of HIV. This is a multi-donor programme, worth $96 million. Of this, 45 per cent. has been distributed to Least Developed Countries and 66 per cent. to those in most need of assistance to meet the goals from the landmark International Conference on Population and Development (ICPD). Part of the UK's contribution is being used to support capacity strengthening activities to assist countries to forecast and plan their commodity requirements.

The detailed information requested in the question could only be provided at disproportionate cost. This £25 million one-off contribution is in addition to the UK's core funding to UNFPA (£18 million in 2003). This is disbursed in line with the overall framework for the UK's partnership with UNFPA, set out in the Institutional Strategy Paper (ISP) published in June 2001.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his Answer of 14 October 2003, *Official Report*, columns 75–76W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of the Bolivia Post-Abortion Care Project are; what discussions (i) he, (ii) representatives of his Department and (iii) members of the UK representation in Bolivia have had with representatives of (A) the Government of Bolivia, (B) local communities and (C) the Church with regard to this programme; and if he will make a statement. [133199]

Mr. Gareth Thomas: The most recent official statistics from Bolivia (1992) put the maternal mortality rate at 390 for every 100,000 live births. This is one of the highest figures in Latin America and is disproportionately high for a country of the economic status of Bolivia. A key cause of mortality is unwanted pregnancy and subsequently complications resulting from illegal abortion. The aim of the Post Abortion Care (PAC) Services programme is to help Bolivia progress towards the Millenium Development Goal of a 75% reduction in maternal mortality by 2015. The approach of the programme is to increase access by poor women experiencing post-abortion complications to high quality, cost-effective Post Abortion Care (PAC) Services under the Basic Health Package. The programme supports the provision of outpatient PAC with manual vacuum aspiration (MVA) services at five tertiary-level hospitals, strengthened training capacity for PAC with MVA at five teaching hospitals, the institutionalisation of PAC training for medical residents, the introduction by Government of Bolivia of the PAC-with-MVA model in secondary-level hospitals in rural areas, and the strengthening of the supply of PAC-with-MVA medical equipment and drugs, for present and future services.

The programme is managed in partnership with the Government of Bolivia and supports its Sexual and Reproductive Health Programme. Local communities are closely involved in discussions on the introduction of PAC with MVA in secondary level hospitals, and the church is consulted in the context of discussion on national reproductive health strategies.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 25 September 2003, *Official Report*, columns 69–70W on Malawi, if he will list each of the reproductive health programmes in Malawi supported by his Department; what review his Department has undertaken of reproductive health programmes supported by his Department in Malawi in 2002–03; and if he will make a statement. [133211]

Hilary Benn: DFID supports the following programmes in Malawi that are concerned in whole or part with reproductive health:

The DFID Sexual and Reproductive Health Programme, which supports the National Sexual and Reproductive Health Programme and the National HIV/AIDS Strategic Framework including the National AIDS Commission;

The Safe Motherhood Project covering the Southern region;

The Integrated Sexual & Reproductive Health Programme which is implemented by Banja la Mtsogolo, a local non-governmental organisation, with a focus on the reproductive health needs of youth, including HIV/AIDS;

The National Tuberculosis Programme, which has activities on the TB-HIV link.

The Malawi Ministry of Health and Population conducted a joint review of the DFID and Integrated Sexual and Reproductive Health Programmes and the Safe Motherhood Project in November 2002 with DFID and other development partners. The review reported some progress in all activities, but also noted that there were factors beyond the control of the programmes that inhibited progress. These included critical shortage of health personnel, lack of other resources and the rising impact of HIV/AIDS. The international financial institutions and donors including DFID are working with the Malawi Government to address the underlying issues, such as wage policy and macro economic management, that contribute to the problems affecting the health sector.

The National AIDS Commission undertook a joint stakeholder review in March 2003. The review concluded that progress was encouraging. It recommended that the

Commission proceed with organisational re-structuring and that donors provide financing through a pooled funding arrangement, instead of through separate individual agreements.

Angus Robertson: To ask the Secretary of State for International Development what the structure, aims and methods of the *(a)* DFID/Zambia HIV/AIDS Programme approved in June and *(b)* the Sector Wide Approach Project approved in 2000 are; and if he will make a statement. [133337]

Hilary Benn: The information is as follows:

(a) DFID/Zambia HIV/AIDS Programme

The DFID HIV/AIDS Multisectoral Programme in Zambia is supporting the national multi-sectoral response to HIV/AIDS, spearheaded by the National AIDS Council. The overall aim of the programme is to reduce HIV transmission and to reduce the socio-economic impact of the disease, in accordance with the Zambia National HIV/AIDS Strategic Framework.

The DFID programme, approved in June 2003, is worth £20 million over six years. The programme has four components: (i) strengthening the capacity of the National AIDS Council; (ii) supporting public sector services such as supplying essential commodities; (iii) supporting the civil society response in behaviour change, impact mitigation and promotion of human rights; and (iv) expanding the private sector response.

(b) Sector Wide Approach to Health

DFID is supporting the health sector in Zambia through the Sector Wide Approach to Health programme. The main implementing partner is the Central Board of Health. The programme aims to improve the health status of all Zambians through increased access to better quality health services.

The DFID programme, approved in July 2000, is worth £20 million over six years. The programme has contributed to a common funding basket, together with other development partners, to enable the sustainable delivery of cost effective basic health services. Other inputs include the provision of drugs and medical supplies, technical assistance for capacity building, and the provision of impregnated bed nets to prevent malaria.

Angus Robertson: To ask the Secretary of State for International Development what the structure, aims and methods of the DFID Reproductive Health Support Project in Zambia are, broken down by projected per annum expenditure for the three year allocated budget approved in 2001; and if he will make a statement. [133338]

Hilary Benn: Reproductive health encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity, and to preventing unplanned or unwanted pregnancy. DFID is committed to promoting reproductive health and fighting HIV/AIDS.

Since 2001, DFID direct support to reproductive health in Zambia has been through the Reproductive Health Support Project worth £2.9 million. Financial year spending has been:

	£
2001–02	78,839
2002–03	1,221,582
2003–04	[1]1,580,000

[1] Estimate for the full year

The aim of the project is to increase the use of modern methods of family planning and the use of condoms for the prevention of sexually transmitted infections, including HIV. The project is managed by the Central Board of Health, which is the statutory body set up by the Zambian Government to implement health policies. Through this programme, and its forerunner, contraceptive distribution and use have increased.

Russia

Harry Cohen: To ask the Secretary of State for International Development what projects his Department is supporting to *(a)* measure poverty in Russia and *(b)* promote public access to the data; and if he will make a statement. [133278]

Mr. Gareth Thomas: DFID is supporting two projects to measure poverty in Russia and promote public access to data:

(a) "Poverty statistics and monitoring" project in partnership with the World Bank, the Russian Ministry of Labour and Social Development and State Statistics Committee. The project purpose is to establish an improved information base and analysis for policy makers. The overall budget is £1.5 million over the period from April 2002 to December 2005.

(b) "Review of poverty issues in Russia" project implemented by London School of Economics. The overall budget is £90,000 for four years (February 2002 to February 2005). The project purpose is to inform the Russia programme on poverty measurements with particular respect to two oblasts, Leningrad and Nizhniy Novgorod, where DFID is supporting partnership programmes.

Both projects pursue the following goals:

To develop improved poverty measurement methodology for Russia, based on international experience;

To identify a system of indicators for on-line poverty monitoring and poverty level forecast and establish a poverty monitoring system;

To provide open access for external users to the State Statistics Committee's Household Budgeting Survey data;

To prepare poverty reduction recommendations in the form of an official report containing a detailed analysis of poverty level, profile, sources and socioeconomic policy efficiency.

Understanding the extent and depth of poverty in Russia and monitoring its trend is a key part of DFID's Russia Programme and the Government of Russia's long-term social-economic modernization plan (the Gref plan). Current estimates of the number of poor people in Russia vary widely from 20 per cent. to 40 per cent. of population, depending on the source of data, the methodology used and the definition of poverty. Accurate data and proper poverty analysis will help the Government of Russia to target resources to poor people more efficiently.

Southern African Development Community

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, reference 131644, if he will list the programmes run by the Southern African Development Community in *(a)* Botswana, *(b)* Namibia, *(c)* Lesotho and *(d)* Swaziland, with specific reference to national projects undertaken under the auspices of the Southern African Development Community's HIV/AIDS Programme and including an outline of each programme's methods; and if he will make a statement. [132908]

Hilary Benn: The SADC Regional HIV/AIDS programme aims to promote improved effectiveness and co-ordination of HIV/AIDS programmes in Botswana,
Lesotho, Namibia and Swaziland. It operates five programmes in each of the four countries:

- Improved management of sexually transmitted infections, focused particularly on cross border sites;
- Support to strengthen and co-ordinate the work of National AIDS Commissions;
- Condom social marketing;
- Support to people living with HIV and AIDS;
- Support for behaviour change communication campaigns.

More detail on the individual national components and their methods is available from the SADC HIV/AIDS Programme at Private Bag X828, Pretoria 0001, South Africa. SADC's website is at www.sadc.int

Uganda

Mrs. Spelman: To ask the Secretary of State for International Development pursuant to his answer of 4 July 2003, *Official Report*, column 512W, (1) which humanitarian requests they have decided to respond to in Teso, Uganda; [133545]

(2) what recent assessment he has made of the humanitarian situation in Teso, Uganda. [133546]

Hilary Benn: It has been estimated by the World Food Programme that 305,899 people are currently displaced in the Teso region.

A public health expert funded by DFID Uganda recently visited Teso to assess the humanitarian situation. She reported that the most pressing immediate needs are food for the displaced, and maintenance of adequate water and sanitation services in areas of high population density.

DFID has therefore made available a further £1.87 million to the World Food Programme for the purchase and distribution of food, and is currently discussing further humanitarian support requirements with UNICEF and the Red Cross.

UN Greater Darfur Initiative

Angus Robertson: To ask the Secretary of State for International Development what the structure, aims and methods of the UN Greater Darfur Initiative are; what the projected total funding needs for the UNGDI are; how much of this has already been pledged, and by whom; how much of the pledged UK funding has already been contributed; how far the setting up of the UNGDI has progressed since its launch; and if he will make a statement. [133339]

Hilary Benn: On 3 September, the Government of Sudan and the Sudan Liberation Army agreed a ceasefire for Darfur in western Sudan. The UN estimates that some 500,000 people have been displaced in Darfur; 300,000 of which as a result of the recent conflict. It is estimated that there are about 70,000 refugees in Chad. High rates of malnutrition have been reported in Darfur. The UN responded with an Initiative to mobilise funds for the region.

The objectives of the UN Greater Darfur Special Initiative (GDSI) are: to help the most seriously affected populations; defuse local tensions; and begin to address the underlying causes of the conflicts in the Greater Darfur region of Sudan. The Initiative includes accelerated humanitarian relief and longer-term assistance. The GDSI has not only raised the profile of the situation in Darfur, but also improved access to vulnerable groups in the region.

The total funding requirement for the UN GDSI is $22.8 million (approximately £15 million). The UK responded to the Initiative with a pledge of £1 million. We are currently in the process of committing this pledge against specific proposals recently circulated by the various UN agencies, the Red Cross and non-governmental organisations. We stand ready to respond further, as the situation in Darfur determines. We have already committed £0.5 million to Save the Children UK to provide humanitarian assistance to displaced people and other vulnerable groups in North Darfur. Norway has pledged $0.75 million (approximately £0.5 million) to the GDSI. Others donors, including US Agency for International Development and the Humanitarian Aid Office of the European Commission (ECHO), are also contributing to the provision of humanitarian assistance in the region.

NORTHERN IRELAND

Asbestos

Mr. Hume: To ask the Secretary of State for Northern Ireland how many deaths in Northern Ireland resulting from asbestos-related illnesses there were in each of the last 10 years, broken down by specific illnesses diagnosed. [133005]

Mr. Pearson: The following table gives the number of deaths resulting from asbestos-related illness, registered in Northern Ireland from 1992 to 2002. Separate figures are given for the two main primary causes of death, mesothelioma and 'asbestosis'.

Table: Number of registered deaths by year in Northern Ireland resulting from asbestos related illnesses (mesothelioma and 'asbestosis')

	Mesothelioma	*'Asbestosis'*	*Total*
1992	47	4	51
1993	43	4	47
1994	29	4	33
1995	34	5	39
1996	32	4	36
1997	42	0	42

Table: Number of registered deaths by year in Northern Ireland resulting from asbestos related illnesses (mesothelioma and 'asbestosis')

	Mesothelioma	*'Asbestosis'*	*Total*
1998	40	6	46
1999	46	4	50
2000	37	6	43
2001	54	9	63
2002	42	12	54

Cardiac Care

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many people are waiting *(a)* to see a cardiologist and *(b)* for cardiac surgery in Northern Ireland. [133871]

Angela Smith: The number of people waiting for a first out-patient appointment and for in-patient admission by specialty is returned to the Department on a quarterly basis by Trusts. The returns provide information about the number of people waiting for a first out-patient appointment and in-patient admission on the last day of each quarter. Information in this answer is provided for Cardiology and Cardiac Surgery specialties. The information in this answer relates to the position at 30 June 2003 (the most recent information available):

(a) At 30 June 2003 there were 4,181 patients awaiting a first out-patient appointment in the cardiology specialty and 139 patients awaiting a first out-patient appointment at a Cardiac Surgery clinic.

(b) At 30 June 2003, 430 patients were awaiting admission to the Cardiac Surgery specialty in Northern Ireland, while 1,363 patients were awaiting admission to the Cardiology specialty.

Decommissioning Commission

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the total costs were of the International Independent Commission on Decommissioning for the last full year of its operation; and what proportion was borne by *(a)* Her Majesty's Government and *(b)* the Irish Government. [131676]

Jane Kennedy: The Commission's running costs are shared equally between the British and Irish Governments. The British Government's share of the costs, for the financial year 2002–03, is £309,600.

Equality Commission

Mr. McGrady: To ask the Secretary of State for Northern Ireland what discussions *(a)* Ministers and *(b)* officials from the Department of Finance and Personnel have had with the Equality Commission on the exclusion of Irish nationals from reserved posts. [131916]

Mr. Pearson: On 27 August 2003 officials from the Department of Finance and Personnel met Equality Commission staff for a general discussion on progress on the Senior Civil Service Review and Associated Action Plan. The discussion covered a range of issues, including the application of nationality rules to reserved posts. There have been no formal discussions between Ministers and the Equality Commission on this matter.

EU Directives

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the Northern Ireland departments in breach of EU Directives in each of the last three years, broken down by total amount of fines incurred. [128290]

Mr. Paul Murphy: Proceedings for non-compliance with EU directives can only be taken at the level of the member state. To date there have been no fines levied against the UK for any breach of EU directives.

Farming

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures have been introduced to assist *(a)* the early retirement of farmers and *(b)* new entrants into farming in Northern Ireland. [R] [133343]

Mr. Pearson: Early in 2002 independent research was commissioned from Queen's University Belfast (QUB) and University College Dublin (UCD) to investigate the viability of both a New Entrants and an Early Retirement Scheme in Northern Ireland. This research concluded that there could be economic benefits from a New Entrants Scheme in the form of an interest rate subsidy but that the latter would not offer good value for money. I have not seen any other analyses which would cause me to dispute the research project findings.

A draft New Entrant Scheme was put out to consultation on 19 May 2003. The consultation produced a positive response and I hope that an announcement about a scheme will be made shortly.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many participants have enrolled in *(a)* the Organic Farming Scheme and *(b)* the Countryside Management Scheme, in each of the last three years. [R] [133345]

Mr. Pearson: There are currently 59 individuals participating in the Organic Farming Scheme. There were 40, 13 and four new participants during 2000–01, 2001–02 and 2002–03, respectively. To date in 2003–04 there have been two new entrants to this scheme.

There are currently 2,129 participants in the Countryside Management Scheme, 655 entered during 2001–02, 1,023 during 2002–03 and 451 have entered to date in 2003–04. There were no entrants during 2000–01.

Prescription Fraud

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the estimated cost of prescription fraud in Northern Ireland was in each of the last three years. [133344]

Angela Smith: The best estimate for the cost of prescription fraud in 2000–01 was £9.5 million, in 2001–02 it was £8.6 million and in 2002–03 it was £8.3 million.

It should be noted that the figures include the situations where a patient has deliberately set out to defraud the system and cases where a patient has misclaimed exemption from prescription charges in error.

Public Administration Review

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will publish proposals on the future of the Review of Public Administration; and what consultation he will undertake. [131859]

Mr. Pearson: I refer the hon. Gentleman to the statement by my right hon. Friend the Secretary of State for Northern Ireland, 24 June 2003, on the progress and priorities for Northern Ireland.

My right hon. Friend indicated that the Review team would prepare a paper for publication in the autumn, which will form the basis for discussions with local political parties and key stakeholders.

A consultation paper is now at an advanced stage of preparation and it is my intention that this will be published in the near future.

FOREIGN AND COMMONWEALTH AFFAIRS

Bolivia

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the current social unrest in Bolivia; how many UK citizens are known to remain in La Paz and El Alto; when *(a)* he and *(b)* members of his Department last had discussions with (i) Gonzalo Sánchez de Lozada, (ii) members of his Cabinet, (iii) representatives of his Government in Bolivia and (iv) representatives of his Government in the UK; what the central issues of the discussions were; and if he will make a statement. [133321]

Mr. Rammell: Up to 20 October we believe that those British visitors who wanted to leave La Paz and El Alto have now done so. We further estimate that there are 90 British citizens remaining in those cities. Our ambassador in Bolivia met President Gonzalo Sánchez de Lozada on 4 September and the Bolivian Foreign Minister on 16 October when he discussed the situation.

The most recent ministerial contact in the UK was when my hon. Friend the then Minister of State at the Department of Trade and Industry (Mr. Wilson) met the Bolivian Energy Minister in January 2003. I most recently met the Bolivian ambassador on 6 October 2003.

Following the resignation of President Gonzalo Sánchez de Lozada on 17 October the situation in Bolivia now appears to be rapidly returning to normal. We have kept in close touch, as this crisis has unfolded with our EU partners, particularly with regard to the safety of EU citizens in Bolivia. We will continue to monitor the situation closely as it develops over the next few days. We hope that Bolivia can now address its problems through peaceful dialogue and negotiation.

Burma

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports the UK Government received of action by the Burmese authorities against the *(a)* Karen, *(b)* Karenni and *(c)* Shan peoples. [133095]

Mr. Mike O'Brien: We receive regular reports from International Non-Governmental Organisations (INGOs), the UN's Special Rapporteur for Human Rights in Burma and the British Embassy in Rangoon on the disproportionate suffering of ethnic groups in Burma, including the Karen, Karenni and Shan.

China

Lady Hermon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government regarding the imprisonment of Gong Shengliang; and if he will make a statement. [133182]

Mr. Rammell: We have raised Pastor Gong Shengliang's case with the Chinese authorities on a number of occasions. Most recently we supported an EU demarche in Beijing on 18 July. The Chinese authorities said the allegations of torture and ill-treatment were untrue and that he was in good health.

We also raised Pastor Gong's case directly with the Ministry of Foreign Affairs. On 31 July they told us that Pastor Gong had had stomach problems before he was imprisoned and that following treatment the problems had stabilised. His relatives had visited him four times.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will bring forward proposals to enable Gibraltar to participate in elections to the UK Parliament. [133527]

Mr. MacShane: We have no plans to do so. Overseas Territories, including Gibraltar, are not part of the metropolitan UK.

Global Conflict Prevention Pool

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the Global Conflict Prevention Pool and its achievements since its creation. [133142]

Mr. Rammell: Setting up the Global Conflict Prevention Pool (GCPP) has helped the partner departments (FCO, MOD and DFID) work more closely together in the field of conflict prevention. This is also helping the departments carry out more detailed and consistent policy analysis, and establish a more integrated approach to developing and implementing programmes on the ground. The Pools are therefore strengthening the UK's contribution to international conflict prevention efforts by ensuring that initiatives are based on evidence of what works and are well targeted.

In FY 2002–03 the total spent on GCPP programmes was £66 million. The budget for FY 2003–04 is £74 million. Details of the GCPP Strategies are set out in the recent publication the GCPP: The Global Conflict Prevention Pool—A joint UK Government approach to reducing conflict, which is available in the Library of the House. A copy of the booklet has also been placed on the FCO website (www.fco.gov.uk) accessible under Global Issues-International Organisations-UN-Conflict Prevention.

Since its start in April 2000, the GCPP has funded several hundred projects under a range of geographic and thematic strategies. It has been engaged in:

Post conflict reconstruction work in Afghanistan, the Balkans, and now in Iraq.

Helping to create security, stability and encourage peace negotiations in Belize and Guatemala, Nepal, Indonesia, the Middle East and North Africa, and Sri Lanka.

Supporting more stable and democratic systems in Central and Eastern Europe and the Former Soviet Union.

In encouraging contact between India and Pakistan over Kashmir.

Building capacity to undertake conflict prevention work in international organisations such as the UN and OSCE.

Developing understanding and promoting activity on security sector reform as a means of longer-term prevention of conflict, and a reduction in the levels of small arms and light weapons.

An independent evaluation is being undertaken this year to look at how the Pools are run and assess the impact of their work to date.

Central Africa

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how UN Security Council Resolution 1484 on the African Great Lakes region is being implemented; and what monitoring of the implementation is taking place. [132500]

Mr. Rammell: UN Security Council Resolution 1484 authorised the deployment until 1 September of an Interim Emergency Multinational Force (IEMF) in Bunia.

The IEMF deployed to Bunia in eastern Democratic Republic of the Congo in June. As framework nation, France provided the military commander and the majority of the force. A number of EU member states and non-EU nations contributed. The UK provided an engineer detachment and Hercules transport to assist with the deployment; in addition we deployed five staff officers to serve with the operation HQ. It was the first EU led operation outside Europe.

The IEMF were replaced on 1 September by the UN's Organisation Mission in the Democratic Republic of the Congo (MONUC) Ituri Brigade operating under a more robust mandate.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when a permanent secretary or under-secretary in his Department has visited Indonesia since 1973; and what the purpose was of each visit. [133127]

Mr. Mike O'Brien: To compile the information requested for 1973 to 1999 would incur disproportionate costs. However, since 2000:

4–5 July 2000 Permanent Secretary, to discuss bilateral and multilateral issues.

12–16 September 2000 Director General (Deputy Under Secretary) Wider World, familiarisation and to discuss bilateral and multilateral issues.

22–24 November 2000 Group Chief Executive (Permanent Secretary equivalent), British Trade International (a joint DTI/FCO Department), to discuss trade and investment issues.

30 July-3 August 2001 Director (Assistant Under Secretary) Asia/Pacific, to discuss bilateral and multilateral issues.

12–14 December 2001 Permanent Secretary (designate), as part of a programme of visits to familiarise himself with as many overseas posts as possible.

4–5 July 2002 Director (Assistant Under Secretary) Economic, to discuss economic and trade policy issues.

7–10 January 2003 Director (Assistant Under Secretary) Asia/Pacific, accompanying the Prime Minister on his visit to Indonesia.

14 May 2003 Director (Assistant Under Secretary) Asia/Pacific (designate), to attend an ASEM senior officials meeting.

21–25 July 2003 Director (Assistant Under Secretary) Asia/Pacific, accompanying the Minister to the ASEM Foreign Ministers Meeting.

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when files on the visit to Indonesia by department officials in October 1975 will be released. [133128]

Mr. Mike O'Brien: The file containing papers relating to a visit to Indonesia by department officials in October 1975 is due for review in 2005 for consideration for release under the 30-year rule in January 2006.

Iraq

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his written statement of 17 September 2003, *Official Report*, column 53WS, on Iraq, what provisions have been made to ensure security against theft of arms and other related military material exported to Iraq. [132491]

Mr. Rammell: The Government takes very seriously the security of arms and military equipment approved for export to Iraq. Provisions, determined on a case-by-case basis, include the condition that equipment will remain under the control of the end user at all times, be stored securely, and removed from Iraq at the end of its period of use.

Mr. David Stewart: To ask the Secretary of State for Foreign and Commonwealth Affairs how many barrels of oil have been exported from Iraq since the fall of Saddam Hussein; what value this represents; and what use has been made of the proceeds. [133158]

Mr. Rammell: Between May and 14 October around 85.2 million barrels of oil were exported by the Iraqi State Oil Marketing Organisation. The total sales revenues amounted to around $2.14 billion. Under UN Security Council resolution 1483 all proceeds from Iraq's oil sales must be paid into the Development Fund for Iraq. The money in this fund is to be used to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration and other purposes benefiting the people of Iraq as specified in the resolution.

Denzil Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of Order 39, issued by Mr. Paul Bremer III. [132749]

Mr. Rammell: Copies of Coalition Provisional Authority (CPA) Order 39 have been placed in the Library of the House. Orders are also available on the CPA website at www.cpa-iraq.org.

Middle East

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the US Administration on its approach to ending the Palestinian-Israeli conflict. [133151]

Mr. Rammell: The establishment of a Palestinian state alongside Israel is at the heart of President Bush's vision of a final settlement, as set out in his speech of 24 June 2002. My right hon. Friends the Prime Minister and the Foreign Secretary, the noble Baroness Symons of Vernham Dean and FCO officials are in constant touch with US colleagues to realise that vision. We agree with them that the Quartet roadmap provides the right mechanism, and are working with them to implement it.

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to persuade the Israeli Government to pursue a negotiated settlement with the Palestinians; and what assessment he has made of the possible use of targeted sanctions. [133152]

Mr. Rammell: The Government constantly urges the Israeli Government at the highest level and through the EU to fulfil its obligations under the roadmap, which is agreed by both parties and the international community to be the route to a peaceful settlement in the Middle East. The Government believe that, as a friend of Israel and the Palestinians, we can best exert influence and encourage both sides to take the steps needed for progress through close engagement with them. We do not believe that targeted sanctions would bring the parties any nearer to a peaceful resolution.

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EU colleagues on the development of a mechanism for monitoring the roadmap for peace. [133153]

Mr. Rammell: EU Foreign Ministers discussed the mechanism for monitoring the roadmap at their meeting on 29 September. We agreed that

> "the EU will continue to work closely and consistently with the US and with other Quartet partners on all issues linked to the successful implementation of the roadmap by the parties".

The EU co-ordinates the work of the Task Force on Palestinian Reform and is ready to contribute to a credible and effective monitoring mechanism.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the deportation by the State of Israel of persons against whom no charges have been laid; and what action he plans to take consistent with Articles 146 and 147 of the 4th Geneva Convention. [133068]

Mr. Rammell: We are deeply concerned by the Israeli government policy of relocating certain Palestinians to Gaza. We believe such actions are inconsistent with international law. We have previously raised our concerns with the Government of Israel and urged them not to carry out expulsions. We will continue to do so.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to condemn the bombing of Syria by Israel; and if he will make a statement. [132354]

Mr. Rammell: We deplore Israel's attack on Ayn Sahib on 5 October. As our Ambassador to the United Nations told the Security Council, this was unacceptable and represented an escalation of the situation in the region. While we understand Israel's need to protect her citizens from terrorism, we urge all sides to exercise restraint and refrain from actions that escalate tension.

Russian Polar Medal

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on discussions to enable Arctic Convoy Veterans to accept the Russian Polar Medal. [133544]

Mr. Rammell: Officials are continuing to research the possibility of an exception to the present rules to permit veterans to accept the Defence of the Soviet Arctic Region Medal, should the Russian Government formally seek the Government's authority to award the medal to British citizens. We hope that the work will be completed before the end of the year.

Russia

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date the Department last made representations on seal clubbing to the Russian authorities. [131828]

Mr. Rammell: The British Embassy in Moscow last raised the issue of seal clubbing with the Ministry of Natural Resources on 22 April and followed by a letter to the Ministry on 23 April. The Embassy also raised the issue through letters to the Russian Fisheries Committee on 23 February and to the All-Russia Scientific Research institute under the Fisheries Committee on 13 February.

The issue of seal clubbing is also regularly raised with the Russian Embassy in London.

Syria

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the US imposition of sanctions on Syria. [132507]

Mr. Rammell: The imminent passing of the Syrian Accountability Act through Congress is an internal matter for the US. The UK remains committed to a policy of constructive and, where necessary, critical engagement with Syria. This allows us to support change for the better while clearly communicating our views on issues of concern.

UN Security Council

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy on the representation of the *(a)* United Kingdom and *(b)* European Union on the UN Security Council. [131513]

Mr. Rammell: We support continued British Permanent membership of the Security Council. Britain supports enlargement of the Security Council, but we do not support a European Union seat.

Vietnam

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Vietnam. [132841]

Mr. Mike O'Brien: 2003 marks the 30th anniversary of diplomatic relations between the UK and the Socialist Republic of Vietnam. Visits to the UK in September by the Vietnamese Deputy Prime Minister, Vu Khoan, and four other Vietnamese Ministers are testimony to the growing breadth and depth of relations. We have regular engagement with the Vietnamese Government on a range of issues: development, trade and investment, and education, as well as political issues, including human rights. The UK is a major investor in Vietnam and DFID's aid programme to Vietnam, currently £25 million, is its fastest growing aid programme in the world.

TREASURY

Correspondence

Mr. Kaufman: To ask the Chancellor of the Exchequer when he will reply to the letter to him dated 27 August from the right hon. Member for Manchester, Gorton, with regard to Mr. M. Galian, passed to him by the Department for Transport. [133841]

John Healey: The letter from my right hon. Friend arrived in the Treasury on 21 October. I have replied.

EU Constitution

Mrs. Dunwoody: To ask the Chancellor of the Exchequer whether direct taxation will remain the responsibility of Her Majesty's Government if the draft EU Constitution is ratified by the UK. [132558]

Dawn Primarolo: Any changes to the provisions of the existing EU Treaties, including in relation to direct taxation, require the unanimous agreement of all member states. The Government have made it clear in their White Paper, "The British Approach to the European Union Intergovernmental Conference 2003", that they will insist that tax matters continue to be decided by unanimity.

European Constitution

Mr. Bellingham: To ask the Chancellor of the Exchequer if he will make a statement on the implications of the proposed European Constitution on the UK's ability to set corporation tax. [133414]

Dawn Primarolo: Any changes to the provisions of the existing EU Treaties, including in relation to corporation tax, require the unanimous agreement of all member states. The Government have made it clear in their White Paper, "The British Approach to the European Union Intergovernmental Conference 2003", that they will insist that tax matters continue to be decided by unanimity.

National Insurance

Mr. Chope: To ask the Chancellor of the Exchequer if he will estimate the cost to the Treasury of removing the obligation on those who have paid or been credited with 44 years of national insurance contributions to make further payments prior to their retirement. [133532]

Dawn Primarolo: Reliable information is not readily available and could be provided only at disproportionate cost.

Mr. Chope: To ask the Chancellor of the Exchequer how many people aged under 65 who have contributed for 44 years and have qualified for a 100 per cent. retirement pension paid employee national insurance contributions in the last year for which figures are available. [133533]

Dawn Primarolo: Reliable information is not readily available and could be provided only at disproportionate cost.

Unused Airline Tickets

Richard Ottaway: To ask the Chancellor of the Exchequer what procedures are in place for refunding taxes on unused airline tickets; and if he will make a statement. [133038]

John Healey: Air passenger duty (APD) is payable by aircraft operators. Nearly all airlines pass on the duty charge to their passengers via fares, though whether or not they do so is a decision for the airlines, and it is normal commercial practice for them to charge their customers at the time of ticket sale.

No liability to APD arises if a flight is cancelled, or a passenger is unable to travel on a pre-booked flight. Whether the airline makes a refund to the passenger in such circumstances is a commercial matter between them. If passengers consider that they have been misled, they can contact their Local Trading Standards Office, who can investigate and prosecute traders in such circumstances.

Working Tax Credit (Scotland)

John Barrett: To ask the Chancellor of the Exchequer how many people are in receipt of working tax credit in Scotland, broken down by *(a)* parliamentary constituency and *(b)* local authority; and what percentage each of these figures represents of the number of people eligible for the credit. [133000]

Dawn Primarolo: The number of families in each constituency and local authority who were receiving child and working tax credit at 11 July 2003 are shown in "Child and Working Tax Credit Statistics. Geographical Analyses. July 2003." This is available on the Inland Revenue website at: www.inlandrevenue.gov.uk/stats/personal-tax-credits/geog-analysis-jul03.pdf

No estimates are available of the number of families eligible by local constituency or local authority.

WORK AND PENSIONS

Workplace Stress

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what plans his Department has to introduce regulations on businesses in relation to the reduction of stress in the workplace. [133412]

Malcolm Wicks: Existing legislation (Health and Safety at Work, etc Act 1974. and the Management of Health and Safety Regulations 1999) places a general duty on employers to protect the health and safety of their employees and to carry out an adequate risk assessment. These duties apply equally to work-related stress as any other work-place hazard.

Following public consultation during 1999 the Health and Safety Commission decided that a legislative approach would be hard to define. Consequently there are no plans to introduce further legislation, although the need for an Approved Code of Practice will be kept under review.

To assist employers to tackle the problem of work-related stress the Health and Safety Executive are currently piloting draft management standards with the intention of launching them in late 2004. The standards will have the status of guidance and will provide a yardstick against which employers can measure their progress in measuring work-related stress.

Bereavement Payment

Mr. Robathan: To ask the Secretary of State for Work and Pensions how many claims for Bereavement Payment were made in tax year 2002–03; and what estimate he has made of how many people *(a)* failed to make claims for Bereavement Payment and *(b)* there were whose claims were made after the three month deadline. [133493]

Mr. Pond: 64,000 claims for Bereavement Payment were received in 2002–03. We have made no estimate of the number of people who have failed to make a claim, or whose claims were made outside the time limit.

We have extended the time limit for claiming a Bereavement Payment from three to 12 months for all cases where death occurred on or after 1 April 2003.

Note:
Rounded to nearest thousand
Source:
DWP Data

Child Poverty

Mr. Wray: To ask the Secretary of State for Work and Pensions what progress has been made in eradicating child poverty; what assessment has been made identifying further work that needs to be done; and if he will make a statement. [132945]

Mr. Pond: Poverty is a complex and multi-dimensional problem. We published 'Opportunity for all—Fifth Annual Report' (Cm 5956) in September 2003, which sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy.

In April 2002, we published 'Measuring child poverty: a consultation document' to gather views on an appropriate measure of child poverty for the long term. We published the preliminary conclusions of our consultation on 14 May 2003. The report states that further technical work is necessary before finalising any new measure of child poverty and that we intend to publish final conclusions by the end of 2003.

Both reports are available in the Library.

Crown Immunity

Huw Irranca-Davies: To ask the Secretary of State for Work and Pensions if he will make a statement on his policy on the removal of Crown Immunity from prosecution. [132980]

Malcolm Wicks: The Government stands by its commitment to remove Crown immunity from statutory health and safety enforcement and will seek a legislative opportunity, when parliamentary time allows.

Health and Safety Executive

Andrew Bennett: To ask the Secretary of State for Work and Pensions when he expects the Health and Safety Executive will conclude negotiations on the 2003 annual pay increase. [132537]

Mr. Browne: We are not able to say when the negotiations will be concluded. That is a matter for the Health and Safety Executive and the trade unions and will depend upon their ability to reach an agreed settlement.

Andrew Bennett: To ask the Secretary of State for Work and Pensions by what means principal inspectors in the field offices of the Construction Division of the Health and Safety Executive are supervised from remote locations. [132539]

Mr. Browne: Principal Inspectors are managed using a variety of techniques including face to face meetings (either individually or as a group), video conference, telephone or e-mail contact. The Health and Safety Executive has a detailed staff appraisal system which is supported by management information systems and the review of samples of work in accordance with HSE's quality systems.

Andrew Bennett: To ask the Secretary of State for Work and Pensions what proportion of notification of building sites (F10 forms) received in local offices of the Health and Safety Executive resulted in an inspection visit by a fully qualified inspector in the last 12 months. [132540]

Mr. Browne: The information is not held centrally and can be obtained only at disproportionate cost.

Andrew Bennett: To ask the Secretary of State for Work and Pensions whether the field inspectors and work contract officers of the Health and Safety Executive will prosecute companies who do not possess an employer's liability compulsory insurance certificate; and how many such prosecutions there have been in the past 12 months. [132542]

Mr. Browne: Where an employer has not got appropriate employers' liability insurance, or does not produce a valid certificate of insurance when required to do so, then the Health and Safety Executive will consider prosecution.

Each case must be considered on its own merits, and in accordance with the Code for Crown Prosecutors. Prosecution decisions will also take account of the time since the date of offence, because offences under ELCI Act 1969 are triable only summarily, which means there is a six-month time limit from the date of the offence to commencing a prosecution.

Where there is evidence of non-insurance, and the case is within the statutory time period, then HSE will normally prosecute.

During the period 15 October 2002 to 14 October 2003, there were a total of 10 prosecution cases heard for prosecutions brought by HSE for failure to have insurance.

In addition to prosecution, the issue of 'Notices to Produce' (NTPs) is an important part of HSE's enforcement of ELCI. NTPs require the employer to produce a valid certificate of insurance to HSE. During the same period, HSE issued a total of 73 NTPs.

Insurance Premiums

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what assessment he has made of the last six months of problems for small and medium sized enterprises caused by the recent increases in insurance premiums. [132843]

Malcolm Wicks: A survey by the Office of Fair Trading (OFT) found that price increases were most concentrated on a limited number of companies. Nearly half of all companies had no price rise or less than 20 per cent. However, between 5 per cent. and 12 per cent. of businesses saw premiums at least double and often increase by several hundred per cent. More recent figures from Datamonitor, a leading business information company, show less extreme pricing trends than the OFT survey but support the general picture. Overwhelmingly, these were small and medium sized companies, mostly in sectors traditionally associated with high accident risks.

In the First Stage Report of the Review of Employers' Liability Compulsory Insurance (ELCI) the Department noted that many SMEs have faced real difficulties including:

- reduced profit margins tied to an inability to pass on increased costs, with a potential knock-on affect on business investment;
- curtailment of business activity in some sectors deemed to be too high risk by insurers;
- difficulties with business planning caused by uncertainty;
- according to some business representatives, being forced to make staff redundant or reduce rates of pay;
- anecdotally, the linking of increased EL premiums to business failure; and reports of trading uninsured.

The Department has been looking at ways of alleviating the difficulties in the Second Stage of the Review and will report in the autumn on the progress that has been made and on the further steps that we intend to take.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what discussions his Department has had with the insurance industry over the past six months regarding the issue of notice periods for the renewal of employers liability insurance; and what the outcome of such discussions was. [132844]

Malcolm Wicks: The Department has had a number of discussions with the Association of British Insurers (ABI) and the British Insurance Brokers' Association (BIBA) about Employers' Liability Compulsory Insurance (ELCI) over the last six months. The discussions covered a range of issues including the issue of notice periods for the renewal of ELCI.

The ABI and BIBA recently announced a statement of good practice, which recommends that liability insurance policy holders receive at least 21 days' notice of their renewal terms.

The Department welcomes the initiative on the part of the ABI and BIBA.

In addition, the Financial Services Authority (FSA) has recently consulted on whether it should set an 'in good time' requirement or a 21 day notice period for renewals for commercial customers, and is currently considering responses to its consultation.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions if he will set out in his Department's second report into Employers Liability Compulsory Insurance a list of trade organisations that he has met. [132848]

Malcolm Wicks: Yes.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what criteria his Department will use in deciding the content of the follow-up report on Employer's Liability Compulsory Insurance due for publication in the autumn. [132854]

Malcolm Wicks: The content of the Second Stage Report will accord with the commitments given in the First Stage Report, namely that the Department will continue to monitor developments in the Employers' Liability Compulsory Insurance market and will report on the progress that has been made against the agenda for action that was set out in the First Stage Report. The agenda for action comprised:

- working with interested parties to help develop the basis for more risk-related premiums;
- working with stakeholders to maximise the benefits for EL of current initiatives within the legal system. In parallel, discussing with stakeholders the options for alternative dispute resolution arrangements;
- engaging with business, industry and other stakeholders to further evaluate the evidence for separating long-term occupational disease risks from accident risks—more evidence would be needed to assess whether a radical separation is justified;
- making rehabilitation play a more central role in the UK workers' compensation system, to improve outcomes for employees and to let compensation reflect this;
- reforming the arrangements for enforcement of EL, to tackle the unfairness of competition trading illegally without insurance cover and to better protect employees.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what assessment his Department has made on the impact of long tail insurance on the level of premiums. [132892]

Malcolm Wicks: The Department is aware that the Association of British Insurers (ABI) has commissioned research to develop proposals in this area. We have discussed this with the ABI and other stakeholders. We await the results of the research with interest.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions pursuant to his answer of 18 September, *Official Report*, column 904W, to the hon. Member for Broxbourne (Mrs. Roe), when he expects the follow-up report on employer's liability compulsory insurance to be published. [132904]

Malcolm Wicks: I refer the hon. Member to the answer given to the hon. Member for Broxbourne (Mrs. Roe) on 18 September, *Official Report*, column 904W. The position remains the same.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions pursuant to his answer of 18 September 2003, *Official Report*, column 904W, to the hon. Member for Broxbourne (Mrs. Roe), what steps his Department is taking to make an assessment of the number of small and medium sized enterprises that have stopped trading in the past 12 months as a result of increased insurance premiums. [132905]

Malcolm Wicks: I refer the hon. Member to the answer given to the hon. Member for Broxbourne (Mrs. Roe) on 18 September, *Official Report*, column 908W. The position remains the same.

Pension Credit

Mr. Drew: To ask the Secretary of State for Work and Pensions (1) how many applications for pension credit there have been, broken down by region; and how many have been successful; [133639]

(2) if he will make a statement on take-up of pension credit. [133673]

Malcolm Wicks: I refer my hon. Friend to the written statement made by my right hon. Friend the Secretary of State on 14 October 2003, *Official Report*, column 5WS.

Pensions (Means-testing)

Miss McIntosh: To ask the Secretary of State for Work and Pensions if he will make a statement on means testing of state pensions on *(a)* 1 October 1997 and *(b)* 1 October 2003. [133588]

Malcolm Wicks: This Government is targeting money where it is most needed. And that means targeting more money on the poorest pensioners. In 1997, the rate of income support from age 60 was £68.80 for single persons and £106.80 for couples. In April 2003, the rate of minimum income guarantee from age 60 increased to £102.10 for single persons and £155.80 for couples.

Pension credit, introduced on 6 October 2003, abolishes the old weekly means test, replacing it with a less intrusive form of assessment. From age 65, most pensioners will have their awards fixed for five years at a time. In addition, pension credit is intended to reward rather than penalise those people who have modest amounts of second pension or other savings.

Compared with the 1997 system as a result of the Government's measures including pension credit, on average, from October 2003, pensioner households are £1,250 a year better off in real terms, around £24 extra a week, and the poorest third of pensioner households will have gained £1,600 a year in real terms.

Royal Mint

Huw Irranca-Davies: To ask the Secretary of State for Work and Pensions if he will make a statement on the health and safety record of the Royal Mint in Llantrisant. [132979]

Malcolm Wicks: The Royal Mint at Llantrisant is treated by the Health and Safety Executive the same as any other similar manufacturing operation, and irrespective of the issue of Crown Immunity, to the same regulatory regime and standards.

There have been three fatalities since the operation has been on this site; one in 1987, one in 1992 and one in June 2001. The fatality in June 2001 resulted in Crown Censure proceedings. Substantial remedial measures were put in place following this tragedy.

Over the last few years reportable accidents at the Mint have been falling; 34 in 2001, 26 in 2002 and 10 to date in 2003. This is below the national average for manufacturing industry for last year (November to November).

In 2001 a Crown Improvement Notice was served on the Royal Mint requiring risk assessments associated with workplace transport to be carried out. This was complied with fully by the Royal Mint and the Notice discharged.

In June 2003 there was a breakout of molten metal from an induction furnace on site. There were no injuries. Following investigation the Mint management produced an action plan and have acted positively upon this plan, and the advice given by HSE inspectors. No formal enforcement action arose out of this matter.

Activities at the site require that the Royal Mint submits a safety report to the HSE under the Control of Major Accident Hazards Regulations 1999. This report was submitted in January 2002 as required by those Regulations. HSE will carry out inspections and interventions on the Royal Mint site taking into account the safety report, as it would for any other site with similar industrial risks.

HEALTH

Care Homes

Bob Russell: To ask the Secretary of State for Health (1) what representations he has made to Essex County Council over proposals for the sale of the council's care homes; and if he will make a statement; [132802]

(2) what powers he has to intervene on proposals by Essex County Council to sell care homes owned by the Council. [132803]

Dr. Ladyman: The Government cannot influence decisions taken by local councils or decide for them how they should manage their services. It is for local councils to make such decisions and I have no plans to intervene.

The twelve care home homes are being transferred, either through leasehold disposal or sale of the freehold, to the independent sector. I understand the council is pursuing this option as a way of increasing residential care capacity and strengthening partnership working with the independent sector.

Ambulance Service

Mr. Alan Duncan: To ask the Secretary of State for Health (1) what percentage of category B emergency calls were answered within 19 minutes in *(a)* the East Midlands Ambulance Trust area, *(b)* Rutland county and *(c)* Melton borough in each of the last 12 months; and if he will make a statement; [132824]

(2) what percentage of category A emergency calls were answered within eight minutes in *(a)* the East Midlands Ambulance Trust area, *(b)* Rutland county and *(c)* Melton borough in each of the last 12 months; and if he will make a statement; [132825]

(3) what percentage of emergency calls from GPs' surgeries were answered within 15 minutes in *(a)* the East Midlands Trust area, *(b)* Rutland Council area and *(c)* Melton borough in each of the last 12 months; and if he will make a statement; [132826]

(4) how many times in each of the past 12 months an ambulance has taken over *(a)* 15, *(b)* 30, *(c)* 50, *(d)* 60 and *(e)* 90 minutes to respond to category A emergency calls in (i) the East Midlands Ambulance Trust area, (ii) Rutland county and (iii) Melton borough; and if he will make a statement; [132827]

(5) on how many occasions in each of the past 12 months an ambulance has taken over *(a)* 30, *(b)* 50, *(c)* 60 and *(d)* 90 minutes to respond to category B emergency calls in (i) the East Midlands Ambulance Trust area, (ii) Rutland county and (iii) Melton borough; and if he will make a statement. [132828]

Dr. Ladyman: This information is not centrally available in the format requested. However, the latest information about the proportion of emergency calls resulting in an ambulance arriving at the scene of the reported incident within the Governments target response times for all ambulance trusts can be found in the Department of Health Statistical Bulletin, "Ambulance Services, England 2002/2003".

Copies of the bulletin are available in the Library and also on the Department's website at www.doh.gov.uk/public/sb0313.htm.

Cancer Specialists

David Davis: To ask the Secretary of State for Health how many patients in *(a)* 2002 and *(b)* 2003 in Hull and the East Riding waited longer than eight weeks after being referred to a cancer specialist. [132396]

Miss Melanie Johnson: Information on the number of patients waiting longer than eight weeks after being referred to a cancer specialist is not collected by the Department. Statistics are collected on the number of patients who wait more than 28 days for a first outpatient appointment following general practitioner urgent referral with suspected cancer. For Hull and East Yorkshire Hospitals National Health Service Trust, when the referral was received within 24 hours, one patient waited more than 28 days to see a cancer specialist in 2001–02 and three patients waited longer than 28 days in 2002–03.

Source:
Department of Health form QMCW.

Deep Vein Thrombosis

Mr. Mike Hancock: To ask the Secretary of State for Health pursuant to the Answer from the Secretary of State for Transport of 15 September, *Official Report*, columns 499–500W, on deep vein thrombosis, when the research will be published; and if he will make a statement. [131931]

Miss Melanie Johnson: A research project on the public perceptions of the risk of deep vein thrombosis (DVT) and the awareness and use of information sources relating to DVT was commissioned earlier this year on behalf of the Aviation Health Working Group. A draft report is currently being peer reviewed and will be published in 2004.

Dementia

Mr. Berry: To ask the Secretary of State for Health how many people with dementia live in residential care; and how many people with dementia in residential care are funded by the NHS. [132639]

Dr. Ladyman: Information is not available centrally in the form requested.

Midwifery

David Davis: To ask the Secretary of State for Health how many beds were available in the Hull and East Yorkshire Hospitals NHS Trust in the last two quarters for which figures are available. [133218]

Miss Melanie Johnson *[holding answer issued on 20 October]:* Information on the number of beds is collected and published on an annual basis. In 2002–03, the average daily number of open and staffed beds in the Hull and East Yorkshire Hospitals National Health Service Trust was 1,391.

Source:
Department of Health form KH03.

North Cheshire Hospitals NHS Trust

Helen Jones: To ask the Secretary of State for Health (1) which organisations and individuals have so far been consulted by North Cheshire Hospitals NHS Trust on their plans for future service provision; [133021]

(2) when North Cheshire Hospitals NHS Trust intends to publish its plan for the re-organisation of services; and what the timetable is for consultation on these proposals. [133023]

Miss Melanie Johnson *[holding answer 21 October 2003]:* The chief executives of North Cheshire Hospitals National Health Service Trust and Warrington and Halton primary care trusts are working together to

build on recent discussions with general practitioners and hospital clinicians from Halton and Warrington concerning developments to surgical services.

The trust plans to discuss the views of its clinicians and those within primary care at its next board meeting on 6 November 2003. Following the trust board discussion, the Overview and Scrutiny Committees of Warrington and Halton will need to take a view on whether formal consultation is required. The North Cheshire Hospitals NHS Trust is not planning to undertake a major re-organisation of its services.

Helen Jones: To ask the Secretary of State for Health (1) what steps he will take to ensure that people living in areas of health deprivation in North Warrington are consulted about future service provision at North Cheshire Hospitals NHS Trust; [133022]

(2) what steps he is taking to ensure that the needs of people living in the most deprived areas of Warrington North are met by any future re-organisation of services at North Cheshire Hospitals. [133024]

Miss Melanie Johnson *[holding answer 21 October 2003]:* Warrington Primary Care Trust (PCT) will continue to be closely involved in the development of acute services in North Cheshire. In conjunction with North Cheshire Hospitals National Health Service Trust, Warrington PCT will engage with Warrington Borough Council and the Overview and Scrutiny Committee to ensure appropriate consultation with Warrington residents in relation to developments in health care.

If plans require formal consultation, Warrington PCT will ensure that local people have a range of opportunities to give their views and every effort will be made to ensure equity issues are addressed.

There is a programme of activity in Warrington to address deprived areas. Warrington Health and Well Being Partnership, which is led by Warrington PCT, are in the process of compiling the Health Improvement Plan. Deprivation in Warrington Central is the key priority of this plan. There is a programme of activity in Warrington to address deprived areas. Warrington Health and Well Being Partnership, which is led by Warrington PCT, are in the process of compiling the Health Improvement Plan. Deprivation in Warrington Central is the key priority of this plan.

Travel Vaccines

Dr. Starkey: To ask the Secretary of State for Health what guidance his Department has issued to general practitioners on *(a)* the provision of travel vaccines and *(b)* the appropriate charge for such vaccines. [133591]

Miss Melanie Johnson: The guidance for vaccines provided on the National Health Service are listed in the Statement of Fees and Allowances, which is known as the Red Book.

General practitioners may only charge for travel vaccinations where they receive no remuneration for providing such a vaccination from the NHS. In such circumstances the charge levied is a private matter between the patient and their GP.

Vehicle Emissions

Mr. Amess: To ask the Secretary of State for Health what assessment he has made of the impact on human *(a)* health, *(b)* mortality and *(c)* morbidity of the emission of ultrafine particles by the UK vehicle parc. [132755]

Miss Melanie Johnson: The evidence on the biological effects of ultrafme particles has been described in the 2001 report, Airborne Particles, by the expert panel on air quality standards. The panel noted that only limited evidence was available on the effect of ultrafme particles on health in humans. For this reason, the Department has not at this stage assessed the impact of ultrafme particles from vehicles on human health.

The report is available on the website of the Department for Environment, Food and Rural Affairs at www.defra.qov.uk/environment/airquaritv/aqs/air measure/index.htm.

Viruses

Mr. Meacher: To ask the Secretary of State for Health what research he has commissioned to create new mutations of viruses that can be deprived of their species' specific properties; and which of these viruses *(a)* are being and *(b)* have been used for genetic engineering. [130424]

Miss Melanie Johnson *[holding answer 16 September 2003]:* Genetically disabled viruses are widely used in scientific and medical research. The focus of funding provided by the Department is primarily on research that brings the benefits of new medicines into the National Health Service. Basic scientific research of the type referred to in the question is mainly commissioned through the Medical Research Council.

CONSTITUTIONAL AFFAIRS

Divorced Parents (Removal of Children from UK)

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs what research has been commissioned by his Department on the number of divorced fathers who manage to maintain effective contact with their children should the children's mother be granted leave to remove them from the United Kingdom; and what steps his Department takes to monitor the welfare of such children. [133034]

Mr. Lammy: My Department has not commissioned research into this issue. We do not monitor the welfare of children who live abroad with their mothers with the agreement of the court.

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many applications were made by *(a)* mothers and *(b)* fathers in each of the last five years for which figures are available for leave to remove children from the jurisdiction of the United Kingdom courts; and how many of those applications were (i) granted and (ii) rejected. [133035]

Mr. Lammy: The number of orders made under Section 13 of the Children Act 1989 for removal from the jurisdiction since 2000 (when figures were first collected) were as follows. The figures in brackets were the number of those made by consent.

2000—190 (41)

2001—292 (65)

2002—333 (88)

2003—[1]344 ([1]90)

[1] Figures for January to September inclusive.

No separate figures are held for mothers or fathers, nor is information available about the number of applications that were refused.

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs what information his Department holds about *(a)* the research findings and *(b)* other formal evidence available to the courts about the impact upon (i) mothers seeking leave to remove children from the United Kingdom should their application be denied and (ii) the impact upon children of losing access to their father should such leave be granted to the mother. [133036]

Mr. Lammy: We are not aware of any research or other formal evidence in relation to this issue.

European Elections

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans the Department has to encourage the electorate to participate in European Elections. [133347]

Mr. Leslie: The Government introduced the European Parliamentary and Local Elections (Pilots) Bill on 17 September. This will permit innovative voting systems to be piloted in selected regions at next year's European Parliamentary elections building on the experience gained from the piloting of innovative systems at local election level. This is designed to adapt to the needs of today's changing lifestyles and the work and family commitments which people have.

In addition, the Electoral Commission has a statutory responsibility to promote public awareness of current electoral systems, including the European Parliamentary elections. It recently conducted research on people's attitude to the European Parliamentary elections and the findings will inform their campaign to encourage greater participation by the electorate at next year's elections. A copy of that research 'Public opinion and the 2004 elections' is available on the Electoral Commission's website at www.electoralcommission.org.uk. The Institute for Citizenship is also running a 'Get the Vote Out 2004!' campaign (with support from the Electoral Commission) to raise awareness and encourage participation. The Government fully supports these initiatives.

Franchise (EU Citizens)

Andrew Mackinlay: To ask the Parliamentary Secretary, Department for Constitutional Affairs, what measures he proposes to take to enable citizens of countries who will be admitted to European Union membership in April 2004 to be admitted to the franchise in time for local government and European elections in June 2004; and if he will make a statement. [132696]

Mr. Leslie: The local and European Parliamentary Elections (Registration of Citizens of Accession States) Regulations 2003 (SI 2003/1557) and the Representation of the People (Form of Canvass) (England and Wales) Regulations 2003 (SI 2003/1899) were introduced earlier this year in time for the annual electoral registration canvass, which permit citizens of States that are due to accede to the European Union next year who are resident in this country to register to vote in local government and European Parliamentary elections to be held on or after 1 May 2004.

Young Voters

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs what changes to the voting system are planned to encourage young people to vote. [133348]

Mr. Leslie: The Government are keen to encourage young people to participate in elections. My Department has contributed to the Children and Young People Unit's work in the Department for Education and Skills on the engagement of young people in democracy. We fully support the Electoral Commission's campaigns and competitions aimed specifically at young people and the addition of 'citizenship studies' to the school curriculum. All these developments recognise the importance and value of voting and aim to increase the interest, understanding and involvement of young people with democratic processes. The use of new technology to vote, as piloted in recent local elections, is also regarded as having particular appeal for younger voters.

HOME DEPARTMENT

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department what efforts are made to prepare a local population for the reception of dispersed asylum seekers in their area prior to arrival of the asylum seekers; and what guidance is given by his Department on this. [124117]

Beverley Hughes: The Home Office National Asylum Support Service (NASS) has systems in place to ensure local authorities and other agencies in an area to which asylum seekers are to be sent for the first time are fully consulted to minimise the risk of asylum seekers being placed inappropriately in an area.

However, I do not believe this is appropriate and in future NASS staff will be responsible for ensuring that consultation and a joint approach is developed at local level. Primarily, this will be achieved by the regionalisation of NASS, a process ensuring the successive devolution of NASS staff and functions to regional offices. This will enable the dialogue and joint work with regional consortia, local authorities other agencies and NASS to develop.

Burglary

Mr. Gibb: To ask the Secretary of State for the Home Department if he will estimate the cost of burglary to *(a)* the commercial sector, *(b)* the public sector and *(c)* private individuals in each year between 1995 and 2002. [128546]

Ms Blears: The Home Office made estimates of the economic and social cost of crime in England and Wales in 1999–2000. Estimates were published in Home Office Research Study 217 (HORS 217), "The economic and social costs of crime". This study estimated that the average burglary in a dwelling costs society around £2,300 (including £830 in property stolen and damaged). The average burglary not in a dwelling costs society around £2,700 (including £1,200 in property stolen and damaged). It is currently not possible to make a distinction between public and commercial sector burglary in respect of costs.

These figures for numbers of burglaries recorded can be applied to the estimates of the average costs of burglaries presented in HORS 217. This gives total costs of recorded burglary as follows:

Table 1—Total economic and social cost of burglaries recorded by the police, 1995 to 2002–03 (constant 2000 prices)

£ million

	Burglary and aggravated burglary in a dwelling	*Burglary and aggravated burglary other than in a dwelling*
1995	1,480	1,609
1996	1,385	1,519
1997	1,194	1,339
1997–98	1,154	1,314
1998–99	1,088	1,293
1998–99	1,089	1,296
1999–2000	1,018	1,252
2000–01	927	1,169
2001–02	990	1,210
2002–03	1,007	1,219

However, these figures do not take into account those burglaries which are not reported to the police. The British Crime Survey (BCS) collects information on household burglaries which are both reported and not reported, and figures for numbers of household burglaries for the period 1995 to 2002–03 are reported in HOSB 07/03. These can be used to derive estimates for the total costs (in constant prices) of household burglary over this period are given in Table 2. The BCS does not provide information on burglaries in premises other than households.

Table 2—Numbers of household burglaries reported in the British Crime Survey, with estimated total economic and social costs (constant 2000 prices), 1995 to 2002–03

£ million

	Burglaries	*Total cost*
1995	1,743,000	4,009
1997	1,589,000	3,655
1999	1,261,000	2,900
2001–02	966,000	2,222
2002–03	974,000	2,240

Correspondence

Mr. Keith Bradley: To ask the Secretary of State for the Home Department what criteria are used in deciding whether a detailed reply to letters from members of the public is appropriate. [132688]

Mr. Blunkett *[holding answer 20 September 2003]:* The Department follows the Code of Practice on Access to Government Information, Second Edition (1997). The Code supports the policy of extending access to official information and responding to reasonable requests for information. The approach to the release of information in all cases is based upon the assumption that information should be released except where disclosure would not be in the public interest as specified in Part II of the Code. Where information cannot be provided under the terms of the Code an explanation will normally be given.

Responses are not sent to correspondence that is considered to be offensive. Examples of such letters include those that are gratuitously sexually explicit or threaten violence.

Interpreters

Mr. Andrew Turner: To ask the Secretary of State for the Home Department what the cost is of *(a)* interpretation facilities and *(b)* interpreters to each (i) police force and (ii) probation service area. [132142]

Ms Blears: This information is not held centrally and could be obtained only at disproportionate cost.

Media Training

Mr. Flight: To ask the Secretary of State for the Home Department what the cost was to his Department of media and voice training for ministers and officials in each year since 1997. [123131]

Fiona Mactaggart: Media training is available to Ministers and given to selected officials, mainly Prison Service Media Liaison Officers, immigration officers and senior appointees.

No Ministers or officials have been on training courses exclusively for the purpose of voice training. However one minor element of the Government's Centre for Management and Policy Studies' (CMPS) Creating Personal Impact course attended by senior officials does include an introduction to effective use of the voice. It is not possible to break down the cost of this element but since 1997 costs associated with the whole course total around £5,000.

Details and costs of all individual training courses are not held centrally and could be collated only at disproportionate cost.

Police Custody (Deaths)

Mr. Amess: To ask the Secretary of State for the Home Department how many deaths there have been of civilians while in police custody in police stations in *(a)* Southend-on-Sea and *(b)* Essex in each year since 2001. [132756]

Ms Blears: There have been no such deaths in police stations in Southend-on-Sea or any other part of Essex in the period referred to.

Prisoner Transportation

Mr. Best: To ask the Secretary of State for the Home Department (1) what assessment of procedures ensuring the safety of prisoners travelling in police vans will be made by *(a)* his Department and *(b)* another regulatory body; [132224]

(2) if he will issue guidance on the introduction of safety belts for prisoners in police security vans; [132225]

(3) if he will make a statement on recorded injuries to prisoners travelling in police vans in the past five years. [132226]

Ms Blears: Information is not collected centrally on injuries to people travelling in police vans. Cellular vehicles are not required to have seat belts but under the Road Vehicles (Construction and Use) Regulations (as amended), all new vehicles built after 1 October 2001 require appropriate anchorage points. The Association of Chief Police Officers issues operational guidance on the use of protected police vehicles. The safety and transportation of people in police vehicles is a matter for the chief officer of police for that area.

Terrorism Act

Mr. Gerrard: To ask the Secretary of State for the Home Department when, and for what areas, he has signed authorisations for the use by the police of section 44 of the Terrorism Act 2000. [131584]

Ms Blears: The use of the section 44 Stop & Search power is authorised by a senior police officer of at least the rank of Assistant Chief Constable. The role of the Secretary of State is to confirm those authorisations.

Between 19 February 2001 and 30 September 2003 a total of 653 authorisations by a senior police officer under section 44 of the Terrorism Act 2000 received confirmation from the Secretary of State. 583 of these relate to English police forces, and 70 to Welsh police forces.

It has been a longstanding policy of this and previous administrations not to comment on anti-terrorist operations. To provide a more detailed breakdown of the areas and times covered by Section 44 authorisations would put into the public domain, information that could prove valuable to terrorists.

Many forces run short term, localised operations for a variety of situations, that are supported by section 44 powers. These can include protective security operations for events or VIPs, intelligence gathering operations or measures taken in response to intelligence and threat assessments. To disclose detailed information on the times and locations of such operations could compromise their future effectiveness.

Written Answers to Questions

Thursday 23 October 2003

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Rural Communities

13. **Mr. Rendel:** To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the role of affordable housing in maintaining the viability of rural communities. [133795]

Alun Michael: The Rural White Paper of November 2000 recognised the importance of affordable housing in maintaining the viability of rural communities, as did the Sustainable Communities White Paper this year. That is why we have more than doubled the target for the Housing Corporation's special programme for small rural settlements. Our Rural Housing Enablers are helping to increase the supply of affordable housing. And we are currently consulting on an update of the existing guidance on planning for affordable housing.

Forestry

15. **Gregory Barker:** To ask the Secretary of State for Environment, Food and Rural Affairs what improvements she plans to make to the forestry infrastructure to allow greater amounts of wood residue to reach power generators. [133798]

Mr. Morley: Defra, in association with the Devolved Administrations and the Forestry Commission, is setting up a £3.5 million UK-wide Bio-energy Infrastructure Scheme. This scheme will help develop the supply chain required to harvest, store, process and supply biomass, such as energy crops and forestry woodfuel, to energy end-users. The European Commission's approval of the Scheme is currently being sought. Subject to this, we hope to launch the Scheme in early 2004.

Sewage

17. **Dr. Cable:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her public consultation exercise regarding sewage odour pollution. [133800]

Alun Michael: Before announcing their chosen way forward, the Government's immediate priority is to evaluate the impact of the recent High Court decision that odours from sewage treatment works can be controlled through the statutory nuisance regime of the Environmental Protection Act 1990. We also have to consider the results from the complementary consultation of the National Assembly of Wales before we can announce our chosen way forward.

I expect to be able to announce a clear way forward shortly after the House of Lords ruling regarding an appeal on this matter.

Fly Tipping

18. **Andrew Selous:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her policies to combat fly tipping. [133801]

Mr. Morley: The Government are developing a wide ranging strategy for dealing with fly tipping.

Proposals in the Anti-Social Behaviour Bill will allow local authorities to use an enhanced set of powers designed to lead to more successful prosecutions.

Farming

19. **Mr. Nicholas Brown:** To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for introducing whole farm approach pilots. [133802]

Mr. Bradshaw: The first pilot of the core whole farm appraisal will take place in November 2003.

Agri-environmental Schemes

20. **Bob Spink:** To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received regarding her Department's agri-environmental schemes. [133803]

Mr. Morley: We received 166 responses to the public consultation on our agri-environment schemes held earlier this year, and last week we launched a final round of consultation on more detailed aspects of how the schemes should operate in future.

Air Quality

21. **Andrew Mackinlay:** To ask the Secretary of State for Environment, Food and Rural Affairs what measures she proposes to improve air quality. [133804]

Alun Michael: The Government policies to improve air quality are set out in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, published in January 2000, and the Addendum to the Air Quality Strategy published in February 2003.

Common Agricultural Policy

22. **Mr. Kidney:** To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of reform of the Common Agricultural Policy on the support available for growing energy crops. [133805]

Alun Michael: The reform of the Common Agricultural Policy was positive in its support for energy crops. It will still be possible to grow energy crops on set-aside land and to receive payments under the new Single Payment Scheme. If energy crops are grown on non set-aside land payments under the new Single Payment Scheme and the new €45 per hectare energy crops payment will be available. The energy crops payment is limited to 1.5 million hectares for the EU as a whole and aid will be reduced if production exceeds that area.

Mr. Wills: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made with the reform of the common agricultural policy sugar regime. [133799]

Mr. Morley: The European Commission issued an options paper on reform of the Sugar Regime in late September 2003. A Defra consultation exercise has just been launched to help inform the UK response, covering agricultural, development and trade issues.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when she next plans to meet the National Chairman of the Tenant Farmers Association to discuss the CAP Reform package of 26 June. [132264]

Mr. Bradshaw: My right hon. Friend the Secretary of State, has no plans at present to meet the National Chairman of the Tenant Farmers' Association. However, my noble Friend, the Lord Whitty, is currently considering a request from the Chief Executive of the Tenant Farmers' Association to meet him. The Chief Executive attended a meeting with Defra officials and representatives of other key stakeholders on 8 October which unfortunately my noble Friend was unable to chair due to last minute diary pressures. The Chief Executive has also been invited to a meeting with officials on 17 October.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the impact of the CAP Reform package of 26 June on the nation's tenant farmers. [132265]

Mr. Bradshaw: No specific assessment has been undertaken of the impact of the CAP reform proposals on tenant farmers. However, we have assessed the impacts of the proposals on farming and other businesses generally, including an analysis by farm activity, and a summary of these is included in the Regulatory Impact Assessments which have been lodged in the House Libraries. An additional analysis looking at the impact on distribution of payments of various options for operating the Single Payment Scheme has also been carried out and a copy has been placed in the Library of the House.

For the first time, the bulk of farm subsidy will not be dependent on what or how much farmers produce. As with the previous system, subsidy would be paid to the farmer, whether owner or tenant, will continue to hold the subsidy entitlement. Tenant farmers, along with other farmers, will therefore be free to produce what they judge the market wants and so be better able to cut costs and increase profits. Farmers will also be freed from some of the bureaucracy associated with the subsidy schemes which are being replaced by the new decoupled subsidy.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the possible impact on tenant farmers of the option available to EU member states to implement the CAP Reform package of 26 June by using regional average payments. [132266]

Mr. Bradshaw: No such assessment has been done in relation to tenant farmers specifically. However, we have prepared an analysis of the impacts of regional average payments on farming and other businesses generally and a copy has been placed in the Library of the House.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the extent of redistribution of payments between farmers if the CAP Reform package of 26 June is implemented using regional average payments as opposed to the historic payment basis. [132267]

Mr. Bradshaw: We are currently consulting stakeholders on whether the historic or area model of the new Single Payments Scheme should be operated in England. Responses to that exercise will help develop our understanding of the range of environmental, social and economic impacts of each of the models including the impact on the agriculture industry and its constituent parts. An assessment has been made of the redistributive effects of a number of CAP direct aid payments. A copy has been placed in the Library of the House.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if it is her policy to ensure that as farm tenants progress to better agricultural holdings they will be free to move their single payment entitlements established under the CAP Reform package of 26 June to those holdings without penalty. [132268]

Mr. Bradshaw: Entitlements under the Single Payment Scheme will be allocated to farmers rather than holdings. It follows that a tenant would be free to use the eligible land on any new holding to claim payment against the entitlements he or she owns. There is also provision to lease entitlements but only with an equivalent number of hectares. Leased entitlements would, therefore, revert back to their owner at the same time that the accompanying land does.

Beef Exports

Sir Sydney Chapman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the withdrawal by the European Commission of its application to the European Court of Justice for the imposition of a fine on France for its ban on the import of British beef; and what the total fine was for which the French Government was liable. [133017]

Mr. Bradshaw *[holding answer 21 October 2003]:* The UK Government was gratified that France at last complied with EU law and lifted its ban on British beef on 25 October 2002.

The European Commission withdrew its case in the European Court of justice seeking a daily fine on France after France lifted its ban. Therefore, no fines were payable, but the Commission asked the Court to order that costs of the case be borne by France. The UK Government regretted the decision by the European Commission not to pursue the case for penalties against France. The UK supported the Commission throughout and believed that pressing this case would have sent a firm message to member states that no one country can avoid its obligations and responsibilities.

Common Fisheries Policy

Sir Nicholas Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received on reform of the Common Fisheries Policy. [133794]

Mr. Bradshaw: The Department continues to receive a considerable amount of correspondence from a wide range of interest groups. In addition i meet regularly with industry representatives to hear their concerns, as do my colleagues in the devolved Administrations.

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's aims in connection with the next Fisheries Council meeting. [133796]

Mr. Bradshaw: It is not yet clear what the agenda will be on the 17 and 18 November, but the Government always aims to pursue a sustainable future for the UK fishing industry and the fish stocks on which it depends.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been spent in each year by her Department in preparing for United Kingdom entry to the euro; how much her Department plans to spend on preparations for United Kingdom entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates she has made of the total costs to her Department of changeover to the European Single Currency. [131601]

Mr. Bradshaw: I refer the hon. Member to the answer given by my hon. Friend (Ruth Kelly) on 14 October 2003, column 142W.

Fisheries

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the sea fisheries committees, naming her appointee to each to represent the interests of recreational fishing. [132526]

Mr. Bradshaw *[holding answer 20 October 2003]:* Members appointed by the Secretary of State to Sea Fisheries Committees (SFC) are appointed every four years and are expected to represent all the local fishing and marine environmental interests in the waters of the SFC district. The following were appointed after consultation with a range of recreational fishing organisations. These organisations are consulted as and when mid term vacancies arise.

Cornwall SFC—Mr. Malcolm Gilbert

Devon SFC—Mr. David Rowe

Isles of Scilly SFC—Mr. Timothy Allsop

Northumberland SFC—Mr. Cedric Bilverstone

North Eastern SFC—Mr. Frank Nesbitt, Mr John Whitton

NWNW SFC—Mr. Allan Marklew

Southern SFC— Mr. Bob Watton

South Wales SFC—Mr. B Williams

Sussex SFC—Mr. Peter Reece

No recreational fishing organisations nominations have been appointed to the following;

Cumbria SFC

Kent and Essex SFC

Eastern SFC

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those fish species which may be *(a)* caught (i) within the 12 mile limit and (ii) outside the 12 mile limit and *(b)* landed below their normal spawning size. [132527]

Mr. Bradshaw *[holding answer 20 October 2003]:* There is no distinction made in EU or national legislation between species which can be caught within and outside 12 miles.

Under EU legislation 38 species are subject to minimum landing sizes. Some Sea Fisheries Committees have introduced minimum sizes for additional species. Fisheries scientists generally advise that a minimum landing size should correspond to the average size of first maturity of female fish. However, this is difficult to achieve in practice when fish of different species, which grow to, and mature at, different sizes, are taken together in a mixed fishery, where the mesh size is not ideal for all species. Some minimum landing sizes, therefore, represent a compromise caused by the mixed fishery problem, and a desire to reduce the need to discard undersized fish. The table as follows lists the current minimum landings size, and recommended minimum landing size based on maturity criteria for some commercial species:

Biologically desirable minimum landing sizes (mls)

Species	*Current mls*	*Mls based on maturity criteria*
Cod	35	40–70 (depending on region)
Haddock	30	35–40
Whiting	27	20–22
Saithe	35	60
Sole	24	26–28
Place	27	30–32
Hake	27	55
Megrim	20	26–28

Large Combustion Plants Directive

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs how many of the responses to the consultation paper on the implementation of the revised Large Combustion Plants Directive favoured the implementation of the Directive by *(a)* an Emission Limit Values approach and *(b)* a National Emission Reduction Plan approach. [133178]

Mr. Bradshaw *[holding answer 21 October 2003]:* Some 70 substantive responses have been received so far from individuals, businesses, trade associations, environmental groups, regulators, and Government agencies. Of these about 30 favoured the implementation of the Directive by emission limit approach; about 20 favoured the national plan approach; and about 20 expressed no views. In addition, some 1550 individual letters have been received so far from employees of the coal mining and associated industries, all of which favoured the emissions limits approach.

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the effect of the National Emission Reduction Plan outlined in the revised Large

Combustion Plants Directive on *(a)* the English coal mining industry and *(b)* English coalfield communities. [133367]

Mr. Bradshaw *[holding answer 21 October 2003]:* The Government has just completed a consultation on a proposal to implement the Large Combustion Plants Directive for plants first licensed before July 1987 using a national plan. Officials have discussed the potential impact of the alternative implementation routes with representatives of the UK coal industry and have received consultation responses from the Confederation of UK Coal Producers and other bodies and organisations with an interest in UK coal mining. The Government will take a decision on the most appropriate implementation approach after considering all of the consultation responses.

Light Pollution

Vera Baird: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to reduce light pollution for the benefit of astronomers. [132382]

Mr. Bradshaw: In 1997 the Government issued "Lighting in the Countryside: Towards good practice". This document continues to be a valuable guide for local authorities, highway engineers and members of the public. It demonstrates what can be done to lessen the adverse effects of external lighting, including security lights and street lighting. The advice within it is applicable in towns as well as the countryside. Copies may be obtained from www.odpm.gov.uk

Defra considered the control of nuisance caused by security lighting in its recent consultation "Living Places—Powers, Rights, Responsibilities". A summary of the comments received to this consultation exercise has now been published. A copy of this document may be obtained from www.defra.gov.uk/environment/consult/pubspace/index.htm

The Government will consider what additional guidance on light pollution may be needed taking into consideration any recommendations emerging from Defra's consultation exercise and from the House of Commons Select Committee's recent inquiry into light pollution and astronomy that was recently completed.

New Covent Garden Market

Martin Linton: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the cost of defending the action by the City of London Corporation against New Covent Garden Market. [132549]

Mr. Bradshaw: The Corporation of London have brought proceedings against Defra and the Covent Garden Market Authority. The litigation is at a very early stage and it is not possible to provide a reliable estimate of costs.

REACH

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to reduce bureaucracy in REACH. [133489]

Alun Michael: The UK government's concerns about the workability of REACH have been addressed in our response of 16 July 2003 to the European Commission's internet consultation on the draft legislative proposals for REACH which can be found on the Defra website at http:/www. defra.gov.uk/environment/chemicals/reach/ukresponse.pdf

More recently on 20 September 2003 the Prime Minister along with the President of France and the Chancellor of Germany sent a joint letter to the European Commission addressing these same concerns, details of which have been made available at http://www.defra.gov.uk/environment/chemicals/pdf/trilateral.pdf

Our aim is to support the principles of REACH which are intended to protect public health and the environment while making sure that bureaucratic burdens on the chemical industry are kept to the minimum necessary for effectiveness.

South American Meat

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what tonnage of meat has been imported into the UK in each of the last five years from *(a)* Argentina, *(b)* Brazil, *(c)* Uruguay and *(d)* other South American nations. [133228]

Mr. Bradshaw: The following table shows the tonnage of meat and meat preparations, imported into the UK from South American nations, in each of the last five years (1998–2002).

Thousand tonnes

	Brazil	*Argentina*	*Uruguay*	*Chile*	*Others*
1998	58.0	10.9	13.9	2.0	0.0
1999	81.6	10.1	11.3	1.8	0.0
2000	97.7	10.5	9.6	2.5	0.0
2001	124.1	6.6	10.0	4.2	0.1
2002	132.3	24.7	16.6	3.0	0.0

Source:
HM Customs and Excise
Data prepared by Statistics (Commodities and Food) Consultancy Trade and IT, ESD, DEFRA

CONSTITUTIONAL AFFAIRS

Judges (Appeals)

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action the Secretary of State takes against judges who are successfully appealed against in relation to *(a)* sentence and *(b)* conviction significantly more often than the norm. [134113]

Mr. Leslie: I shall reply to the hon. Member as soon as possible.

Judicial Appointments

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether appointments of tribunal chairmen and members will continue to be made during the period of the consultation on judicial appointments. [134112]

Mr. Leslie: Appointments will continue to be made, to meet the needs of Tribunals, under the current arrangements until decisions on a new approach are implemented following the consultation now under way.

Legal Aid

Mr. Dodds: To ask the Parliamentary Secretary, Department for Constitutional Affairs what criteria are applied by the Legal Aid Board in considering whether to grant assistance to defendants in civil proceedings. [133081]

Mr. Leslie: In Northern Ireland the Legal Aid Committee of the Law Society of Northern Ireland has statutory responsibility for the administration of applications for civil legal aid. The Legal Aid, Advice and Assistance (NI) Order 1981 (the '1981 Order'), provides that legal aid will be available in specified proceedings to any person who meets the prescribed statutory tests. Before granting civil legal aid the Legal Aid Committee must be satisfied that the applicant's disposable income and disposable capital does not exceed the statutory maximum limits. The Legal Aid Committee must also be satisfied that the applicant meets the statutory test of having reasonable grounds for taking, defending or being a party to the proceedings and that it is not unreasonable that he should receive civil legal aid.

With effect from 1 November the Northern Ireland Legal Services Commission will assume statutory responsibility for the administration of legal aid. The Commission will be responsible for applying the same statutory tests as are currently applied by the Legal Aid Committee.

Mr. Dodds: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much money has been granted by the Legal Aid Board to defendants in civil cases in the past two years. [133082]

Mr. Leslie: The Legal Aid Department of the Law Society of Northern Ireland has indicated that during the year ended 31 March 2002 £2,477,126 was paid in respect of defendants in civil legal aid cases. During the year ended 31 March 2003 £3,025,397 was paid in respect of defendants in civil legal aid cases.

MINISTER FOR WOMEN

Female Pensioners

Mrs. Spelman: To ask the Minister for Women if she will take into account women's unpaid caring and domestic responsibilities when calculating future female pensions. [133474]

Malcolm Wicks: I have been asked to reply.

People who receive carer's allowance are credited with national insurance contributions which count towards all future contributory benefits, including state pension. Others who are precluded from work because they are caring for a child or a sick or disabled person may, since 1978, be eligible for home responsibilities protection (HRP). These provisions are of particular benefit to women. HRP allows for years spent caring to be discounted from the number of qualifying years needed to achieve a full basic state pension.

Mrs. Spelman: To ask the Minister for Women what measures are being taken to tackle female poverty in old age. [133473]

Malcolm Wicks: I have been asked to reply.

The Department has no single definition of pensioner poverty. However, measures since 1997 to improve pensioners' incomes have been targeted largely on those in the lower part of the income distribution, many of whom are older women.

The main measures since 1997 include: above inflation increases in the basic state pension between April 2000 and April 2003, increases to the level of the minimum income guarantee and earnings uprating of the guarantee so that no single pensioner need live on less than £102.10 a week and no couple on less than £155.80 a week, the introduction of pension credit in October this year to provide extra support for those with modest savings, winter fuel payments of £200 a year for the remainder of this Parliament, an extra £100 a year within the winter fuel payments for those aged over 80 and free TV licences for someone aged 75 or over.

The Government are spending around £8 billion a year extra on pensioners as a result of these measures. They have resulted in pensioner households gaining £1,250 a year in real terms with the poorest third of pensioners gaining £1,600 a year in real terms.

Judiciary (Women)

Mrs. Spelman: To ask the Minister for Women what measures are in place to bring more women to the higher levels of the judiciary. [133472]

Mr. Leslie: I have been asked to reply.

The principle of appointment on merit is central to the judicial appointments process and those appointed should be those who are best qualified for the job.

Notwithstanding this, the Government believe it is desirable to have a judiciary which is more reflective of the society it serves. While our judges have a reputation for excellence that is second to none, the Government recognise that there is, among other things, a significant gender imbalance within the judiciary.

Specific measures to bring more applications (including from women) for appointment to the High Court include the abolition of the previous procedure of appointments to the High Court Bench by invitation only, and the removal of lower and upper age limits for appointment to the senior judiciary.

More generally, initiatives to encourage a greater and more diverse range of applicants for judicial office include:

the work shadowing scheme (which allows legal practitioners the opportunity to see what it is like to sit as a judge);

the career statement scheme (which allows applicants for judicial office to explain any concerns they may have if they believe their career progress to date understates their judicial potential);

the introduction of salaried part-time working for certain judicial posts (enabling individuals who cannot or choose not to commit to a full time post to nevertheless apply for judicial office);

the introduction of a system of "block sittings" (which allows those who sit part-time as recorders, and have taken a career break, to obtain the necessary experience by sitting in 'blocks' to enable them to apply for full-time appointments on an equal footing with those recorders who have not had a break from sitting).

The Government recognise that more needs to be done, and has announced the intention to create a Judicial Appointments Commission. While the precise role of the commission is subject to consultation, we envisage that it will be tasked with looking at ways both to attract a more diverse range of suitably qualified candidates to apply for judicial office, and to find ways of making judicial career progression a more realistic prospect for traditionally under-represented groups, including women. The consultation paper 'Constitutional Reform: a new way of appointing judges' is available in the Library.

In the interim, the Department will continue to look at other ways of increasing diversity in the judiciary.

PRIME MINISTER

Iraq

Llew Smith: To ask the Prime Minister pursuant to his statement of 4 June 2003, *Official Report*, column 148, what subsequent communication with the Chairman of the Joint Intelligence Committee he has had in respect of disquiet over the 45-minute claim made by members of the Defence Intelligence staff prior to the final publication of the dossier on Iraq's weapons of mass destruction, of September 2002; and whether the Defence Intelligence staff brought to his attention the disquiet after he requested that if people had any evidence on the matter they should produce it. [132490]

The Prime Minister: None.

This matter was considered by the Intelligence and Security Committee in its report on "Iraqi Weapons of Mass Destruction—Intelligence and Assessments" (Cm 5972), copies of which are available in the Libraries of the House. It has also been covered in both written and oral evidence to the Hutton Inquiry which has been published on its website at www.the-hutton-inquiry.org.uk.

TREASURY

Capital Gains Tax

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer whether he plans to impose capital gains tax on all sales of domestic houses. [134415]

Dawn Primarolo: The Government have no such plans.

Family Income

Mr. Keith Bradley: To ask the Chancellor of the Exchequer what estimate he has made of the net income of a family with two children *(a)* aged 20 in full time education and *(b)* aged 12 with a gross income of (i) £13,000, (ii) £13,500, (iii) £14,000, (iv) £14,500, (v) £15,000, (vi) £15,500 and (vii) £16,000 a year; and what assessment he has made of the sources of that net income. [134061]

Dawn Primarolo: The general definition of a child, as given in the Households Below Average Income publication, is an individual aged under 16 or an unmarried 16 to 18-year-old on a course up to and including 'A' level standard. On this basis a 20-year-old in full time education is treated as independent in the tax and benefits system.

Given annual gross earnings, a single full-time earner family with a dependent child aged 12 will have an annual net household income in 2003–04 that is tabulated as follows:

Gross earnings	*Income tax*	*National insurance*	*Child benefit*	*Working tax credit*	*Child tax credit*	*Net income*
13,000	1,610	921	835	707	1,980	13,992
13,500	1,720	976	835	523	1,980	14,142
14,000	1,830	1,031	835	339	1,980	14,293
14,500	1,940	1,086	835	155	1,980	14,444
15,000	2,050	1,141	835	0	1,951	14,595
15,500	2,160	1,196	835	0	1,767	14,747
16,000	2,270	1,251	835	0	1,583	14,898

Housing Supply

Mr. Howard: To ask the Chancellor of the Exchequer if he will make a statement on the progress of the Barker review of the issues affecting housing supply in the UK; what recent discussions he has had with Kate Barker; when he expects to receive the *(a)* interim report and *(b)* final report; and if he will publish (i) the reports and (ii) all the inquiry findings. [134393]

Ruth Kelly: The Barker review was commissioned by the Chancellor and Deputy Prime Minister as an independent review. As set out in its terms of reference, the review has undertaken to deliver its interim report this autumn, around the time of the pre-Budget report. The final report will be delivered in spring 2004. Both reports will be publicly available, and make clear the findings of the review.

During the course of the review, Kate Barker has undertaken a range of meetings with interested parties from both the public and private sector, including the Chancellor and the Deputy Prime Minister. The review also invited submissions from relevant organisations and has received over 120 responses. These responses, and the review's terms of reference, are available online at www.barkerreview.org.uk.

Insurance and Corporation Taxes Act

Malcolm Bruce: To ask the Chancellor of the Exchequer how much revenue has been generated for the Inland Revenue by sections 660A to 669 of the Insurance and Corporation Taxes Act 1988 in each year since 1997; and what forecasts he has made of future revenue generation. [133857]

Dawn Primarolo: The information requested is not available as the amounts charged by these sections of the 1988 Act are not reported separately.

Mortgages (Fixed Rate)

Mr. Howard: To ask the Chancellor of the Exchequer what recent discussions he has had with Professor David Miles regarding his review of the fixed rate mortgages market in the UK; if he will make a statement on the progress of the review; when he expects to receive the interim report; when he expects to receive the final report; and if he will publish them. [134391]

Ruth Kelly: The Chancellor commissioned Professor David Miles to carry out an independent review into the UK mortgage market. We expect the interim report to be delivered around the time of the pre-Budget report and the final report to be delivered by Budget 2004.

Mr. Howard: To ask the Chancellor of the Exchequer if he will make public the findings of the Miles review of the fixed rate mortgages market in the UK. [134392]

Ruth Kelly: Yes.

Inland Revenue (Customer Services)

Mr. Webb: To ask the Chancellor of the Exchequer (1) how many and what percentage of telephone calls to Inland Revenue contact centres which were not classed as engaged or abandoned were answered within 20 seconds in each of the last 12 months; [126382]

(2) how many and what percentage of attempted telephone calls to Inland Revenue contact centres reached an engaged tone in each of the last 12 months; [126383]

(3) how many and what percentage of telephone calls to Inland Revenue contact centres were abandoned in each of the last 12 months. [126384]

Dawn Primarolo: The tables give figures for the 12 months to August 2003, for calls attempted, received, handled, abandoned and receiving the engaged tone for all Inland Revenue contact centres in Great Britain, including those dealing with calls concerning the child and working tax credits, WFTC, DPTC, taxes and national insurance. They also give figures for the estimated number of callers attempting those calls. They do not include the many hundreds of thousands of calls handled by the Northern Ireland contact centres, the child benefit centre and the Inland Revenue's network of local offices, using a range of telephony services.

Tables 1 and 2 cover the period August 2002–February 2003 and describes what is one of the country's top 10 call centre operations in broadly steady state, handling around 2 million calls per month. The number of attempted calls not being handled is in line with industry standards when related to the number of callers attempting to make those calls and the sharp peaks of activity which underlie those numbers.

Table 1

Thousands

	Number of call attempts	*Number of callers*[1]
August 2002	5,683	1,639
September 2002	5,881	1,816
October 2002	4,413	1,793
November 2002	3,858	1,922
December 2002	3,064	1,316
January 2003	7,017	2,780
February 2003	4,812	2,408

[1] The number of separate telephone numbers from which call attempts were received on each day, summed over the month.

Table 2

Number of calls (thousands)

	Received[1]	*Handled within 20 seconds*[2]	*Handled in more than 20 seconds*	*Reaching engaged tone*	*Abandoned*[3]
August 2002	1,801	1,167	545	3,873	90
September 2002	1,935	1,117	727	3,928	90
October 2002	1,893	1,271	550	2,494	71
November 2002	2,068	1,509	464	1,762	95
December 2002	1,355	949	342	1,689	64
January 2003	3,041	1,742	1,047	3,900	252
February 2003	2,785	1,570	862	1,557	352

[1] Where the caller selected an option for the call steering menu and was put in a queue to speak to an adviser.
[2] Where the caller selected an option from the call steering menu, was put in a queue to speak to an adviser, and spoke to an adviser within 20 seconds of being put in that queue. Estimated for calls on the disabled person's tax credits helplines.
[3] Where the caller selected an option from the call steering menu and was put in a queue to speak to an adviser but the call was terminated before the caller spoke to an adviser.

Tables 3 and 4, which cover March to August 2003, reflect a period where the Inland Revenue's contact centres dealing with new tax credits inquiries experienced call volumes so large that no call centre could have coped, notwithstanding the measures taken to increase capacity to deal with demand. Comparing the number of calls attempted each month with the number of callers, shows, particularly in April-June, a clear pattern of many callers making multiple calls, often using automatic redial equipment. During the same period, due to slow running of the IT system, there were times when calls took longer to handle, thus making it more difficult for other callers to get through.

Table 3

Thousands

	Number of call attempts	*Number of callers*[1]
March 2003	10,007	4,005
April 2003	22,600	5,465
May 2003	16,220	4,468
June 2003	16,398	3,465
July 2003	9,195	2,526
August 2003	5,215	2,099

[1] The number of separate telephone numbers from which call attempts were received on each day, summed over the month.

Table 4

Number of calls (thousands)

	Received[1]	*Handled within 20 seconds*[2]	*Handled in more than 20 seconds*	*Reaching engaged tone*	*Abandoned*[3]
March 2003	4,308	1,600	1,702	1,435	1,005
April 2003	4,043	1,286	1,827	5,666	930
May 2003	2,969	1,138	1,386	3,525	445
June 2003	1,652	716	834	1,493	101
July 2003	2,192	1,135	915	2,880	143
August 2003	2,192	1,373	692	2,710	126

[1] Where the caller selected an option for the call steering menu and was put in a queue to speak to an adviser.
[2] Where the caller selected an option from the call steering menu, was put in a queue to speak to an adviser, and spoke to an adviser within 20 seconds of being put in that queue. Estimated for calls on the disabled person's tax credits helplines.
[3] Where the caller selected an option from the call steering menu and was put in a queue to speak to an adviser but the call was terminated before the caller spoke to an adviser.

The figures for July and particularly August—when the number of calls handled only falls just short of the number of callers attempting to get in touch with the Revenue—show a steady return towards steady state with the Revenue's call centre operations much better supported by the IT system.

Money Laundering Regulations

Mr. Best: To ask the Chancellor of the Exchequer (1) what implications the Money Laundering Regulations 2003 will have for client confidentiality between professional accountants and their clients; [131853]

(2) if he will introduce a minimum reporting level in the Money Laundering Regulations 2003 at which professional accountants must report their clients for errors and omissions in their financial affairs; [131854]

(3) what assessment he has made of the impact that the Money Laundering Regulations 2003 will have upon the number of *(a)* persons and *(b)* businesses evading tax in the UK. [131855]

Ruth Kelly: I propose shortly to lay before the House the new Money Laundering Regulations, and amending orders to the Proceeds of Crime Act 2002 and Terrorism Act 2000. They will bring those providing accountancy services, along with other specified activities and professions, into the regulated sector for the purposes of the money laundering legislation.

The Proceeds of Crime Act requires a person who has knowledge, suspicion or reasonable grounds for knowledge or suspicion, of money laundering as a result of information or other matter that came to him or her in the course of a business in the regulated sector to report this to a nominated person in that organisation, or to the National Criminal Intelligence Service. This obligation to report relates to the proceeds of any crime—regardless of the sum of money involved and will override, in this case, the duty of confidentiality owed to that client.

The new Money Laundering Regulations will require regulated bodies to put in place the systems that will allow them to discharge their responsibilities under the Proceeds of Crime Act.

The subject of a minimum reporting threshold was debated extensively during the passage of the Proceeds of Crime Bill, and was rejected by Parliament (mainly because of the poor correlation between the sums laundered and the seriousness of the underlying offences). Given that the Act has no minimum reporting level, there can be no such de minimis provision in the Regulations.

The UK takes the view that tax evasion is a serious criminal offence. The strengthening of the whole anti-money laundering regime within the UK, and internationally, will aid in the detection and reduction of money laundering and underlying crime, including tax evasion. Ministerial assurances were given during Parliamentary debate on the Proceeds of Crime Bill that the civil settlement procedure known as "Hansard" by which the Inland Revenue deals with cases of suspected tax evasion, where the taxpayer is actively seeking to set their affairs straight, would be unaffected.

Productivity Performance.

Dr. Cable: To ask the Chancellor of the Exchequer what the productivity performance figures were for each year since 1997 expressed as *(a)* output per worker and *(b)* output per hour; and if he will make a statement. [132879]

John Healey: In the UK output per worker is measured as output per filled job. Productivity performance figures are published regularly by the Office for National Statistics. Figures for 1997 to 2002 (the last complete year for which figures are available) are given in the table.

Year	*Output per filled job (index 2000 = 100)*	*Output per hour worked (Index 2000 = 100)*
1997	94.6	92.2
1998	96.5	94.8
1999	97.6	96.4
2000	100	100
2001	101.1	100.9
2002	102.5	102.6

Public Sector Jobs

Mr. Redwood: To ask the Chancellor of the Exchequer how many public sector jobs there were in *(a)* May 1997, *(b)* May 2000 and *(c)* May 2003. [133661]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Redwood, dated 23 October 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question concerning how many public sector jobs there were in *(a)* May 1997, *(b)* May 2000 and *(c)* May 2003. (133661)

Data for periods to May are not available, but the table below shows the job levels in the public sector for the three month periods ending in August for each of the years 1997, 2000 and 2002 (the latest available data).

Public sector job levels in the UK

Thousands[1]

	August 1997	*August 2000*	*August 2002*
Public sector	4,954	5,094	5,298

[1] Not seasonally adjusted

Source:
Administrative Returns from public bodies

United Kingdom Companies (Government Subsidy)

Mr. Redwood: To ask the Chancellor of the Exchequer what this year's budget is for Government subsidy of United Kingdom companies. [133663]

Mr. Boateng: There is no Government budget for subsidies. However, the Government seeks to promote economic growth through tackling the five drivers of productivity (innovation, investment, enterprise, competition and skills).

Government Departments that run programmes include the Department of Trade and Industry, whose total budget for business support programmes in 2003–04 stands at £425 million, and the Department for Education and Skills.

DEFENCE

International Security and Peace

Jim Knight: To ask the Secretary of State for Defence how many members of the British armed forces are engaged in operations aimed at strengthening international security and peace. [132273]

Mr. Ingram: The Aim of the Ministry of Defence, as set out in the Public Service Agreement, is:

> "To deliver security for the people of the United Kingdom and the Overseas Territories by defending them, including against terrorism; and to act as a force for good by strengthening international peace and stability".

The two parts of this aim are interdependent and it is not possible to separate the contribution that individual members of the armed forces are making to each part. However, as at the beginning of October 2003, some 12,500 armed forces personnel and 300 Ministry of Defence civilians were deployed on operations (including United Nations operations) in Iraq, Kosovo, Bosnia, Afghanistan, Cyprus, Sierra Leone, Ethiopia/Eritrea, the Democratic Republic of the Congo, Liberia, and Georgia; and operations directly aimed at strengthening international peace and stability.

New Recruits

Mr. McNamara: To ask the Secretary of State for Defence what his estimate is of the number of new recruits required to bring each of the Services up to full strength as outlined in the Strategic Defence Review. [132180]

Mr. Caplin: The latest audited armed forces manning shortfall figures available show that, as at 1 July 2003, the armed forces had a deficit of 6,060 trained personnel (Naval Service 1,020; Army 4,220; RAF 820).

Last year, the Services exceeded their numeric recruiting target of 25,381 with 26,220 new entrants. This year, the recruiting target currently stands at 25,618.

Psychiatric Reports

Mr. McNamara: To ask the Secretary of State for Defence what his policy is on the disclosure of psychiatric reports as part of a submission to the courts pertaining to the character of a soldier charged with unlawful killing; and what rank of officer would be charged with approving the contents of such a submission. [131986]

Mr. Caplin: The Ministry of Defence is required by law to release medical information during the course of certain legal proceedings and its policy is in compliance with the requirements of the Data Protection Act 1998. For the Army, the disclosure of medical records is the responsibility of the Army Medical Directorate. The rank of the individual charged with approving the release will vary from case to case.

Service Veterans

Mr. McNamara: To ask the Secretary of State for Defence what steps he has taken to compile a register of Service veterans; what his estimate is of the number of living veterans; and what information is recorded to assess the welfare needs of former members of the armed services. [131960]

Mr. Caplin: The Ministry of Defence does not compile a register of Service veterans. At the first Veterans Forum held on the 24 July 2001 it was agreed with members of the Confederation of British Service and Ex-Service Organisations that the definition of a veteran should be as wide as possible and cover anyone who has ever served in HM forces, their widows/ers and dependants.

I announced, to the House (17 September 2003, *Official Report*, column 51WS) the publication of a King's College London research paper into areas of unmet need within the veterans' community. This found that although joining the armed forces is generally a positive experience, with the overwhelming majority of Service leavers appearing to do well in civilian life, there is a small minority of Service personnel who have difficulty making the transition back to civilian life.

Personnel most vulnerable to problems of transition include those discharged for medical reasons, including mental health conditions, as well as those dismissed for disciplinary reasons, premature leavers and those discharged as temperamentally unsuitable. The Ministry of Defence is working with a wide range of organisations across Government, the ex-Service voluntary sector

and other non-governmental organisations to further improve the support available to these and other ex-Service personnel.

Chemical Weapons

Mr. Wray: To ask the Secretary of State for Defence pursuant to his answer of 6 October 2003, *Official Report*, column 1111W, on chemical weapons, what further discussions have taken place as part of the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea; what the British contribution was; whether all Government documents relating to the dumping of chemical weapons in the sea after World War Two have been supplied; what proposals he has to assist in the monitoring and prevention of the leakage of chemicals from dumped weapons stock sunk in Skagerrak after World War Two; if he will make a statement on the environmental risks from the chemical weapons dumped in the Baltic and Skagerrak after World War Two; and what is being done to combat dangers to human and marine life. [133202]

Mr. Caplin: I will write to my hon. Friend and a copy of my reply will be placed in the Library of the House.

Airfield Support Services Projects

Mr. Grogan: To ask the Secretary of State for Defence how many employees he estimates are likely to be transferred into the private sector under the Airfield Support Services Projects; and how many of these are employed by his Department's Fire Service. [133429]

Mr. Ingram: No decisions about ASSP will be made until the Consortia bids have been fully evaluated. We would need to be satisfied that a Private Finance Initiative/Public Private Partnership solution offered the most cost-effective solution for the provision of airfield support and wider fire services without compromising operational effectiveness or safety before we decided to outsource this activity. Should a PFI/PPP solution be adopted approximately 2,100 civilian staff would be affected, of which it is estimated that some 1,800 would be eligible for transfer (under the Transfer of Undertakings (Protection of Employment) Act 1981). Of the latter some 1,500 are Defence Fire Service personnel.

Arms Exports

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy to support an international arms treaty by 2006 to prevent the export of arms where they contribute to violations of human rights and humanitarian law; and if he will make a statement. [132556]

Mr. MacShane: I have been asked to reply.

The Government fully support the aim of raising export control standards internationally. The UK operates the most vigorous export control policies in the world and actively works to encourage other states to apply similar principles. Any instrument that has the support of all major arms exporting states would be an important step towards this goal. The Government are still considering the ramifications of the proposed treaty; however, it is clearly an important contribution to the international debate on arms export control issues.

Cadet Forces

Mr. Keetch: To ask the Secretary of State for Defence what percentage of *(a)* Royal Navy, *(b)* Royal Air Force and *(c)* Army personnel were previously members of the cadet forces. [133754]

Mr. Caplin: This information is not held centrally and could be provided only at disproportionate cost.

Campaign Medal (Iraq)

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects to award a campaign medal for servicemen and women who have served in Iraq. [133756]

Mr. Caplin: Following my announcement to the House on 8 July 2003, *Official Report*, column 47WS, that a campaign medal would be awarded for service during the recent operations in Iraq, officials have been preparing the detailed eligibility criteria to be associated with this award. Once determined, they have to be agreed by the Committee on the Grant of Honours, Decorations and Medals and then passed to Her Majesty the Queen for her approval. The work is progressing well and I hope to make a further announcement shortly.

Corporal Anthony Green

Mr. McNamara: To ask the Secretary of State for Defence what the rank and regiment was of each officer present and involved in *(a)* initial questioning of Private William Graham following the fatal shooting of Private Anthony Green, *(b)* attending the formal interview and *(c)* attending each interview conducted by the civilian police. [132195]

Mr. Caplin: All of these matters concern the detail of the investigation into the death of Corporal Anthony Green and are matters for the Police Service of Northern Ireland.

Defence Fire Service

Mr. Grogan: To ask the Secretary of State for Defence at which locations overseas elements of his Department's Fire Service have been based in each of the last five years. [133419]

Mr. Ingram: Military and civilian personnel have been based, in each of the last five years, in the Falkland Islands, Cyprus, Germany, Gibraltar, Kuwait, Saudi Arabia, Bosnia and Kosovo, and in Iraq since February this year. In addition, there have been the following deployments:

	Location
1999	Italy
1999	Turkey
1999–2000	Croatia
2001	Oman
2002	Afghanistan
2002	United States of America
2003	Republic of South Africa

Departmental Staff (Medical Retirement)

Mr. Hancock: To ask the Secretary of State for Defence how many employees of the Ministry of Defence have applied for early retirement on medical grounds in each of the last five years; and how many have been *(a)* granted and *(b)* refused. [133499]

Mr. Caplin: The information requested is shown in the table.

Year	Applied for Medical Retirement	Approved	Refused
1999	613	550	63
2000	584	480	104
2001	629	465	164
2002	468	326	142
2003[1]	383	227	156

[1] Up to 20 October

Figures for 2003 relate to cases where a decision has been made.

Mr. Hancock: To ask the Secretary of State for Defence what the role is of BMI Ltd in the process of determining applications for medical retirement from the Ministry of Defence; what the average length of time has been for determining these applications; what the rights of appeal are; and if he will make a statement. [133503]

Mr. Caplin: BMTs role in relation to ill-health retirement is in advising employers about whether or not applicants meet the Principal Civil Service Pension Scheme's criteria for access to this benefit, from a medical perspective. The final decision on each ill-health retirement rests with the employer.

Figures for the average length of time it takes to process applications to retire on health grounds are not held centrally and could only be provided at disproportionate cost.

An employee who has additional medical evidence to support his or her case may appeal through a three stage process culminating in a Medical Appeal Board. The employee can appeal against:

termination of employment on medical grounds during probation;

a decision by the Department to retire them on medical grounds;

a refusal by the Department to retire them on medical grounds.

Depleted Uranium

Angus Robertson: To ask the Secretary of State for Defence how many rounds of depleted uranium ammunitions were *(a)* deployed to the Gulf region in 2002, *(b)* deployed to the Gulf region in 2003, *(c)* fired during the conflict in Iraq and *(d)* recovered during UK-led clean-up operations; and if he will make a statement. [133712]

Mr. Ingram: I am withholding information about numbers of rounds of depleted uranium (DU) munitions deployed on operations in accordance with exemption 13 of the Code of Practice on Access to Government Information. With regards to DU firings during the recent conflict in Iraq, I refer the hon. Member to the answer given by my right hon. Friend, the Secretary of State for Defence on 4 June 2003, *Official Report*, column 445W to the hon. Member for Islington North (Mr. Corbyn). Surface-lying DU fragments continue to be removed from the battlefield as they are discovered, however the details of DU findings are not held centrally.

Angus Robertson: To ask the Secretary of State for Defence what programmes his Department has *(a)* planned, *(b)* discussed, *(c)* initiated and *(d)* concluded to (i) locate and (ii) collect depleted uranium (A) ammunition and (B) ammunition fragments in Iraq; and if he will make a statement. [133713]

Mr. Ingram: All surplus depleted uranium (DU) ammunition has now been returned to the UK. Obvious surface-lying DU fragments continue to be removed from the battlefield as they are discovered.

Deployment

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the deployment of UK forces around the world. [132124]

Mr. Ingram: As of September 2003, some 20,200 British armed forces personnel were deployed on operations and other military tasks around the world, including:

Location	Approximate numbers
Iraq	10,500
Cyprus	3,300
Bosnia	1,430
Brunei	1,120
Falkland Islands	1,120
UN deployments	460
Afghanistan	400
Kosovo	330
Gibraltar	370

In addition, some 11,500 British armed forces personnel are currently stationed in Germany.

Detached Duties

Mr. David Stewart: To ask the Secretary of State for Defence if he will make a statement on recent representations he has received to exempt or reduce council tax charged on service personnel while on detached duties. [133175]

Mr. Caplin *[holding answer 20 October 2003]:* Service personnel who own or rent a private property remain liable to pay council tax on their property to the local authority concerned while they are absent from that property as this normally remains their "sole or main residence". Local authorities are responsible for administration of council tax, including the interpretation of regulations concerning "sole or main residence". In this respect, Service personnel stationed in the United Kingdom or overseas are treated in the same way as any civilian who is required to live and work away from home.

Foreign Contracts

Mr. Keetch: To ask the Secretary of State for Defence if he will list the contracts let by the MOD to foreign companies since 1997, stating in each case *(a)* the

company concerned, *(b)* the country of origin and *(c)* the amount of the contract; and if he will make a statement. [133775]

Mr. Ingram: This information is not held centrally and could be provided only at disproportionate cost. (Exemption 9 of the Code of Practice on Access to Government Information).

Global Warming

Llew Smith: To ask the Secretary of State for Defence what research has been undertaken by the Meteorological Office on the possibility of a release of methane hydrate from sea floor sediments caused by increased sea temperatures resulting from global warming and climate change. [133312]

Mr. Caplin: The Hadley Centre of the Meteorological Office has made a start assessing the potential destabilisation of hydrates. Analysis of results from the Hadley Centre climate models has shown that the most vulnerable deposits are likely to be marine hydrates in the shallow parts of the Arctic Ocean. Furthermore, it has been confirmed that the gradual melting of land ice-sheets (which tends to stabilise marine hydrates by increasing sea-level and thereby the pressure at the bottom of the ocean), will be too slow to counteract the effects of global warming in the 21st century.

King's Own Scottish Borderers

Angus Robertson: To ask the Secretary of State for Defence what deployment is planned for the King's Own Scottish Borderers after their tour of duty in Iraq; what timetable is projected for their transfer from their current deployment to their next deployment; and if he will make a statement. [133652]

Mr. Ingram: Following their tour in Iraq, one Battalion The King's Own Scottish Borderers personnel should return to Catterick by 1 November 2003. They will conduct an Arms Plot move from Catterick to Omagh (Northern Ireland) during January 2004, on completion of which they will assume operational responsibilities in Northern Ireland; this will be a two year residential and accompanied tour. Pre-deployment training for Northern Ireland begins on 10 November. Post Operational Tour Leave (POTL) will not be affected as steps have been taken to ensure that individuals can take POTL in a reasonable timeframe and within the constraints imposed by their Training commitments and Arms Plot move.

Lance Corporal Graham

Mr. McNamara: To ask the Secretary of State for Defence on what date Lance Corporal William Graham was discharged from Her Majesty's armed forces. [132194]

Mr. Caplin: In accordance with the Data Protection Act 1998, I am unable to make public any personal data relating to Lance Corporal Graham.

Mr. McNamara: To ask the Secretary of State for Defence what his policy is concerning the award of promotion to a soldier while released on bail on charges of unlawful killing; and what considerations were involved in the decision to promote Private William Graham. [132197]

Mr. Caplin: Policy on manning issues governing soldiers' careers is set out in The Queens Regulations for the Army. In accordance with the Data Protection Act 1998, I am unable to make public any personal data relating to Lance Corporal Graham unless the relevant conditions are met.

Manning Control Points

Mr. Keetch: To ask the Secretary of State for Defence when manning control points have been suspended by the Army; what the reasons were; and if he will make a statement. [133352]

Mr. Caplin *[holding answer 22 October 2003]:* The Manning Control Point policy has not been suspended by the Army.

Iraq

Mr. Keetch: To ask the Secretary of State for Defence if he will list the amount and type of ordnance dropped on Iraq during Operation Telic; and what the overall cost was of the munitions used during the conflict. [111812]

Mr. Ingram: During Operation Telic RAF aircraft released some 840 weapons over Iraq: The types were:

Stormshadow stand-off missile
ALARM anti-radiation missile
Paveway II laser-guided-bomb
Enhanced Paveway II laser-guided bomb
Enhanced Paveway III laser-guided bomb
AGM-65 Maverick air-to-ground missile
RBL755 cluster bomb
1,000 lb inert bomb
500 lb inert bomb
CRV-7 Rocket Pod
AIM-9L Sidewinder air-to-air missile

Calculating the costs of munitions consumed during the Coalition's military action will take some time since they will include the cost of ammunition, bombs and guided weapons consumed in excess of peacetime levels and the cost of repairing and replacing ordnance destroyed or damaged. Once this work is complete I will write to the hon. Member.

Gareth Thomas: To ask the Secretary of State for Defence if he will make a statement on the use of cluster bombs during the Iraq conflict. [132440]

Mr. Ingram: We made every effort to minimise the impact on the Iraqi population of the coalition's military action. Cluster bombs are lawful weapons and were used by United Kingdom forces in a manner consistent with our obligations under international law, against fielded Iraqi military forces in the open or on the periphery of built up areas.

Llew Smith: To ask the Secretary of State for Defence what methods have been used to date to estimate the number of Iraqi civilians killed by United Kingdom or United States military forces in Iraq *(a)* since 20 March

and *(b)* since the end of the conflict; and what steps are being taken to increase the reliability of these assessments. [133307]

Mr. Ingram: I refer my hon. Friend to the answers given to the hon. Member for Lewes (Mr. Baker) on 16 June 2003, *Official Report*, column 55W, and to the hon. Member for Carmarthen East & Dinefwr (Mr. Price) on 14 October 2003, *Official Report*, column 7W, respectively.

Missile Defence

Mr. Kilfoyle: To ask the Secretary of State for Defence what assessment has been made of the use of missile defence for destroying satellites. [133233]

Mr. Ingram: We have made no such assessment.

MOD Estate

Mr. Keetch: To ask the Secretary of State for Defence if he will list the *(a)* name and *(b)* location of premises used, leased and owned by private companies on MOD property, stating in each case (i) the company concerned and (ii) the nature of the relationship. [133776]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Precision-guided Munitions

Mr. Wray: To ask the Secretary of State for Defence how many types of precision guided munitions are in use by the RAF; and which aircraft are capable of operating precision guided munitions. [133040]

Mr. Ingram: 13 types of air launched and one ground launched Precision Guided Munitions are currently in use with the Royal Air Force. Of current in-service aircraft, Tornado F3, Tornado GR4, Jaguar, Harrier, Hawk and Nimrod MR2 are capable of carrying and releasing Precision Guided Munitions. The type of Precision Guided Munition that is carried varies from aircraft to aircraft.

RAF Aircraft

Mr. Wray: To ask the Secretary of State for Defence how many RAF aircraft of each type are based outside the UK; and where they are based. [133041]

Mr. Ingram: At 16 October 2003 the numbers of RAF aircraft by type based outside the United Kingdom are located as follows:

Area	*Aircraft*	*Number*	*Location*
Balkans	Merlin	2	Banja Luca, Bosnia
East Med	Griffin	4	Akrotiri, Cyprus
Middle East	Tornado GR4	6	Al Udeid, Qatar
	VC10	2	Muharraq, Bahrain
	C130J Hercules	2	Basrah, Iraq
	CH47 Chinook	5	Basrah, Iraq
	HS125 Dominie	1	Basrah, Iraq
	Nimrod MR2	2	Seeb, Oman
Afghanistan	C130J Hercules	1	Kabul
Falklands	CH47 Chinook	1	
	Sea King	2	
	VC10	1	
	C130K Hercules	1	
	Tornado F3	4	

In addition, the Joint Helicopter Command has helicopters based in Basrah, Iraq. On 16 October 2003, the numbers were as follows:

Area	*Aircraft*	*Number*	*Location*
Middle East	Sea King	5	Basrah, Iraq
	Lynx	5	Basrah, Iraq
	Gazelle	3	Basrah, Iraq

RAF Lyneham

Mr. Gray: To ask the Secretary of State for Defence pursuant to his answer of 17 September 2003, ref 130872, if he will place the study of the commercial potential of RAF Lyneham in the Library. [132932]

Mr. Ingram: I am withholding this information under Exemption 13 of the Code of Practice on Access to Government Information.

Sri Lanka

Angus Robertson: To ask the Secretary of State for Defence if he will make a statement on his Department's role in the Peace Building and Reconciliation Strategy in Sri Lanka; and if he will make a statement. [133711]

Mr. Ingram: The Ministry of Defence works closely with the Foreign and Commonwealth Office and Department for International Development on the Peacebuilding and Reconciliation Strategy for Sri Lanka. The Defence Adviser and his Assistant in Colombo represent MOD interests on the High Commission's Steering Committee on the Strategy and lead on Defence liaison in country.

Suez Medal

Peter Bottomley: To ask the Secretary of State for Defence whether eligible former members of the military Services will need to apply to receive the Suez Emergency Medal. [133625]

Mr. Caplin: I refer the hon. Member to the written ministerial statement I made earlier today, which details the addresses of the appropriate medal offices and Command Paper 5999 for the eligibility criteria for the award of the Suez medal.

Tomahawk

Mr. Hancock: To ask the Secretary of State for Defence how many Tomahawk cruise missiles have been used in the last nine months; and at what cost their replacements are being supplied. [133394]

Mr. Ingram: I refer the hon. Member to answer I gave on 9 June 2003, *Official Report*, column 652W, to the hon. Member for Hereford (Mr. Keetch).

Unexploded Ordnance

Angus Robertson: To ask the Secretary of State for Defence what programmes his Department has *(a)* planned, *(b)* discussed, *(c)* initiated and *(d)* concluded to (i) locate and (ii) collect depleted uranium (A) ammunitions and (B) ammunition fragments in Afghanistan; what other programmes are in place in Afghanistan for these purposes; and if he will make a statement. [133642]

Mr. Ingram: Depleted Uranium (DU) ammunition was not used by Allied Forces in Afghanistan.

The United Nations Environment Programme Post Conflict Assessment Unit (UNEP PCAU) published the findings of their post-conflict environmental assessment of Afghanistan earlier this year. The report does not cite uranium or depleted uranium as causes of concern.

LEADER OF THE HOUSE

Legislation

Mr. Shepherd: To ask the Leader of the House if he will list for each Bill introduced in *(a)* Session 2001–02 and *(b)* Session 2002–03 (i) the date on which the first programme motion relating to each Bill was agreed to by the House, (ii) the dates of further programme motions agreed to by the House relating to the Committee stage, (iii) the dates on which programme motions relating to (A) Standing Committee proceedings, (B) dates for conclusion of proceedings in Standing Committee and (C) proceedings in consideration on Report or on Third Reading were agreed to in Standing Committee, (iv) whether Sessional Order B relating to programming committees was disapplied, (v) the dates on which further programme motions relating to consideration on Report or to proceedings on Third Reading were agreed to by the House, indicating whether the motion was (X) pursuant to a resolution of the programming committee, (Y) pursuant to a resolution of the Standing Committee and (Z) not pursuant to either and (vi) the dates on which programme motions relating to proceedings on consideration of Lords amendments and Lords messages were agreed to by the House. [134055]

Mr. Hain: The information requested is a matter of public record. The Sessional Returns 2001–02 provide for each public Bill introduced in that Session the date of all programme motions agreed to by the House, and whether they were pursuant to a report. Information for the current session is available from the Votes and Proceedings, and will be collated in due course in the Sessional Return. Information on proceedings in Standing Committee is obtainable from the Standing Committee Hansard.

Mr. Shepherd: To ask the Leader of the House if he will list for each Bill introduced in *(a)* Session 2001–02 and *(b)* Session 2002–03 (i) the number of sittings in Committees, (ii) the number of knives (A) for which provision was made and (B) which took effect, (iii) the number of groups of amendments not reached because a knife took effect, (iv) the number of clauses on which the question that the clause stand part was not reached because a knife took effect, (v) for how many days each Bill was considered at Report stage, (vi) the number of knives (X) for which provision was made and (Y) which took effect at report stage, (vii) the number of groups of amendments not reached because a knife took effect and (viii) how long was spent in debate (1) at second Reading, (2) in Committee, (3) in consideration on Report and (4) on Third Reading. [134056]

Mr. Hain: The information requested is a matter of public record. As the hon. Member is aware, the Public Bill Office has provided detailed information on programming in the current Session to the Modernisation Committee.

TRADE AND INDUSTRY

Post Office Card Account

Mr. Gordon Marsden: To ask the Secretary of State for Trade and Industry what guidance his Department has made available to sub-postmasters on promoting the Post Office card account to their customers. [133386]

Mr. Timms: None. The promotion of Post Office products and services is a matter for the company. Post Office Ltd. is providing information to customers and guidance to sub-postmasters on the range of banking options available at post offices, including the Post Office card account.

Mr. Gordon Marsden: To ask the Secretary of State for Trade and Industry how many Post Office card accounts she estimates will be opened. [133389]

Mr. Timms: I understand from the Department for Work and Pensions that as of 3 October 2003, 1.25 million customers had requested a Post Office card account and that the Government now expects the total number of card accounts to exceed the 3 million operating assumption.

The number of customers who will eventually choose to open a Post Office card account is difficult to predict: at this stage, as it will depend on a large number of future individual choices.

Arms Exports

Llew Smith: To ask the Secretary of State for Trade and Industry pursuant to the answer to the hon. Member for Brent, North (Mr. Gardiner) of 6 October 2003, *Official Report*, column 1070W, on arms exports, if she will publish the statement to which reference is made. [133317]

Nigel Griffiths: The Government have taken note of the Fund for Peace's submission of 1 May 2003 concerning the US laws on arms brokering, and on this matter, I refer my hon. Friend to my answer of 9 June 2003, *Official Report*, column 630W.

Biomass Renewables

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what recent representatations she has received from *(a)* organisations and *(b)* individuals on biomass renewable projects. [131358]

Mr. Timms *[holding answer 14 October 2003]:* Ministers and officials have received a number of representations from organisations and officials on biomass renewable projects covering a number of issues, in particular, the issues of fuel supplies, finance, planning and technology.

BSkyB

Bob Spink: To ask the Secretary of State for Trade and Industry if she will make a statement on early day motion 1711, Monopoly of BSkyB. [133993]

Mr. Sutcliffe: This is a matter for the Office of Fair Trading to consider. It would not be appropriate for Government to intervene.

Building Control Work

David Taylor: To ask the Secretary of State for Trade and Industry what assessment she has made of the proportion of building control work carried out by the private sector in *(a)* 1987, *(b)* 1992, *(c)* 1997 and *(d)* 2002; what assessment she has made of the effect of the trend upon standards; and if she will make a statement. [132894]

Keith Hill: I have been asked to reply.

Statistics on the market shares of the local authority and private sectors of building control are not held centrally, and could be provided only at disproportionate cost. The terms of reference of the Building Control Performance Standards Advisory Group include the drawing up of recommendations on performance indicators for the effective delivery of building control, and on procedures for the monitoring of building control bodies. I look forward to seeing the recommendations of the Advisory Group in due course.

Corporation Tax

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has conducted on the likely impact of rates of corporation tax in countries set to join the EU upon levels of inward investment into the UK. [132862]

Ruth Kelly: I have been asked to reply.

Figures from the OECD show that the UK is a relatively lightly taxed economy. Since 1997, the Government have introduced a wide-ranging package of measures to make the UK an attractive place for business to locate and to help small businesses, including cuts in the corporation tax, an R&D tax credit for all companies, and an exemption for gains and losses on most substantial shareholdings. In August 2003, the Government published a consultation document ("Corporation Tax Reform") on proposals for taking forward the Government's commitment to ensuring that the UK has a competitive and fair tax system.

Directory Inquiries

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the response by Oftel to problems raised by customers with the new 118 directory assistance providers. [132851]

Mr. Timms: The Government welcome in principle the opening up of the Directory Inquiries Market to competition. However, the implementation of Directory Inquiries liberalisation is a matter for the Office of Telecommunications (Oftel) and the enforcement of the regulatory regime is for the regulator, the Independent Committee for the Supervision of Standards of Telephone Information Services (ICSTIS).

Fireworks

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what further measures are being taken to enforce the age restriction on the sale of fireworks. [133216]

Mr. Sutcliffe: No further measures are being taken to enforce the age restriction on the sale of fireworks under the Fireworks (Safety) Regulations 1997. Recent research undertaken indicates that trading standards departments generally give high-priority to firework matters during the firework season including enforcement of the age restriction. This often includes test purchasing by under 18s in many trading standards authority areas.

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what measures are being taken to prevent firework-related injuries. [133225]

Mr. Sutcliffe: The DTI's annual firework safety campaign aims to encourage the public to take care when using fireworks in order to help reduce the number of firework-related injuries. This year's campaign is focusing on the misuse of fireworks by young teenagers and the safe use of sparklers by young children.

Also the provisions of the Fireworks (Safety) Regulations 1997 governing the safety of fireworks used by the public and the fireworks industry's voluntary ban on air bomb type fireworks both help in preventing firework-related injuries.

Investment in Canada

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will break down by region and by *(a)* industrial and *(b)* economic sector investment by UK companies in Canada in each year since 1997; and if she will make a statement. [133650]

Mr. Mike O'Brien: Data on investment by UK companies in Canada is available only by industry sector as shown in the following table. Data for 2002 will be published early next year.

UK foreign direct investment in Canada by industry 1997–2001

£ million

Stock level at year end	*1997*	*1998*	*1999*	*2000*	*2001*
Agriculture, forestry & fishing	[1]—	[2]—	[1]—	[1]—	[1]—
Mining & quarrying(including oil/gas)	703	[2]—	900	2,493	1,495
Food products	786	808	900	1,210	[2]—
Textile & wood, printing & publishing	157	126	168	137	164
Chemical, plastic & fuel products	619	487	773	576	891
Metal & mechanical products	120	132	299	396	640
Office, IT & communications equipment	[2]—	3	2	[2]—	[2]—
Transport equipment	[2]—	77	308	387	70
Other manufacturing	570	253	243	81	369
Electricity, gas & water	[2]—	[2]—	[2]—	[2]—	[2]—
Construction	187	103	106	[2]—	[2]—
Retail/wholesale trade & repairs	492	205	180	969	374
Hotels & restaurants	[2]—	-1	[2]—	[2]—	[2]—
Transport & communications	81	85	186	183	74
Financial services	1,467	988	1,108	12,263	2,012
Real estate & business services	511	990	379	275	420
Other services	33	4	45	[2]—	[2]—
Total UK FBI in Canada	5,748	4,952	5,627	10,142	11,843

[1] —nil or less than half of one million
[2] —disclosive data
Source:
National Statistics, Overseas Direct Investment

Post Office Closures

John Barrett: To ask the Secretary of State for Trade and Industry how many post offices have closed under the Urban Reinvention Programme. [133508]

Mr. Timms: I understand that Post Office Ltd. produces information on post office closures, including those made under the urban reinvention programme, on a quarterly basis. There were 342 closures under the Urban Reinvention Programme to end of June 2003, the latest quarter for which figures are currently available.

Quality Mark

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much has been spent by her Department on running the Quality Mark scheme since its introduction; and if she will make a statement. [132847]

Nigel Griffiths: From its introduction until March 2003, approximately £6.7 million has been spent on development, marketing and running costs of the scheme.

The Quality Mark is viewed by the construction industry as a valuable marketing tool to guarantee high quality work, underpinned by independent corroboration of a contractor's competence.

Leading trade associations in the sector support the scheme and are working with the DTI on Quality Mark.

Recycled Rubber

Mr. Lidington: To ask the Secretary of State for Trade and Industry how much recycled rubber was imported in each of the last five years; what proportion imports accounted for of all recycled rubber used in each of those years; and if she will make a statement. [132670]

Mr. Mike O'Brien: Figures for the import of recycled rubber are:

Kilograms

	Imports	
	Reclaimed rubber[1]	*Waste rubber*
1998	2,712,604	4,038,920
1999	2,200,850	3,442,150
2000	1,186,301	3,807,662
2001	1,325,191	5,084,458
2002	2,246,603	6,749,131

[1] Reclaimed rubber in primary forms or in plates, sheets or strip (CN 400300.
[2] Waste parings and scrap of unhardened rubber and powders and granules obtained therefrom (CN400400).

Although there is some limited information on the sales of reclaimed rubber by UK manufacturers [PRODCOM Report PRA 25130, available from the National Statistics website http://www.statistics.gov.uk/onlineproducts/PRODCOM2001_annual.asp], it excludes reclaimed rubber not sold because it is subsequently used by the same manufacturer. It also excludes such recycled rubber products as those obtained by cutting up worn-out tyres. As such it is not possible to produce an estimate of the use of recycled rubber.

Relocation Abroad

Mr. Donaldson: To ask the Secretary of State for Trade and Industry what steps are being taken to encourage UK based companies not *(a)* to relocate off-shore and *(b)* to transfer jobs to other countries. [133521]

Mr. Mike O'Brien: This Government believe that, as UK based companies are operating in an increasingly competitive, global marketplace, they have the freedom to choose where to locate in order to maximise their competitive advantage. The Government are continuing to create a competitive environment in the UK where an educated and skilled work force, better infrastructure and access to European and world markets has made

this country the leading country for Foreign Direct Investment in Europe and second in the world only to the United States.

The UK is a trading nation. Our economic long-term interest must be based on our ability to innovate to produce high value-added goods and services which need a highly skilled work force, high calibre managers, forward looking unions and knowledgeable consumers. A protectionist approach would damage the interests of the UK. Figures on the potential for outsourcing do not take account of the fact that the UK could gain jobs in some sectors as a result of increased competition for services. We are the world's second largest exporters of service products especially in financial services. Our service exports at £82 billion are larger than our service imports at £69 billion. Growing international competition in services could see us gain more jobs then we lose.

Road Haulage

Phil Sawford: To ask the Secretary of State for Trade and Industry what recent representations her Department has received regarding *(a)* Drivertime Recruitment Ltd. and *(b)* Drivernet Ltd. of Manchester. [132201]

Mr. Sutcliffe: For reasons of confidentiality my right hon. Friend the Secretary of State for Trade and Industry cannot comment upon the affairs of individual companies.

The Department's Companies Investigation Branch is however always ready to receive for consideration any information with regard to companies whose activities give cause for concern.

I have already responded to a letter received from the hon. Member for Kettering with regard to this matter.

Sub-post Offices

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much of the package of funding for the Post Office Ltd. which the Government has provided to maintain the rural post office network will be spent on Scottish post offices. [133487]

Mr. Timms: The package of support that the Government have made available for the rural post office network is for the maintenance of the rural network across the UK, including Scotland. The Post Office does not account for assistance by country. Of 8,465 rural post offices in the UK, 1,205 are in Scotland.

Overall, the Government have made £450 million available to Post Office Ltd. to maintain a rural post office network for a three year period from 2003–04 to 2005–06. This breaks down as follows:

	£ million
Assigned office payments (fixed payments to sub-postmasters)	198
Support costs (provision of computer services, secure cash delivery etc)	227
Flexible fund to trial innovative ways of delivering services	25

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what guidelines the Government has set Post Office Ltd. in its use of funds provided to maintain the rural post office network in relation to the devolved regions. [133860]

Mr. Timms: The Government have placed on Post Office Ltd. an obligation to use the funds provided to maintain a rural post office network throughout the UK. This obligation extends to the devolved regions. The obligation is intended to be achieved by ensuring that there are no avoidable closures of post office branches in rural areas before 1 April 2006.

In determining whether an individual closure is avoidable, Post Office Ltd. will follow the provisions of an agreed code of practice.

Trading Statistics

Mr. Wray: To ask the Secretary of State for Trade and Industry if she will make a statement on trade levels to EU countries since UK membership in 1973; and what effect this has had on UK trade to non-EU countries. [132937]

Mr. Mike O'Brien: The UK's trade with the EU[1] has grown steadily since UK membership in 1973. The value of the UK's total goods trade (exports and imports) with other EU countries has increased 20-fold since 1973 compared to a 12-fold increase in total goods trade with non-EU countries. Consequently, the EU's share of the UK's total trade in goods rose from 45 per cent. in 1973 to 57 per cent. in 2002.

Data for trade in services with all other current members of the EU before 1992 is not readily available, therefore it is not easy to calculate the exact increase in UK trade for goods and services since 1973. The UK's exports of goods and services to the EU are now worth £142 billion and imports from the EU are worth £166 billion, making the value of the UK's trade with the EU £308 billion. The EU accounts for 53 per cent. of the UK's total trade, but for trade in services the proportion is 43 per cent.

The UK's membership and increasing economic integration with the EU, in particular following the Single Market Programme, has generated considerable opportunities for UK businesses. This has been behind the substantial growth in UK trade with the EU. But, as the 12-fold rise in UK trade in goods with non-EU members demonstrates, this has not been at the expense of overall trade with non-EU members, which has continued to grow rapidly.

[1] All figures refer to the UK's trade with the other current 14 members of the EU.

HOUSE OF COMMONS COMMISSION

Maintenance/Renewal Contracts

Mrs. Dunwoody: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the total cost was of the recall of the House from 8 September to 18 September; how many maintenance and renewal contracts were deferred for this period; and what the additional staff cost was. [132875]

Sir Archy Kirkwood: I refer the hon. Lady to the answer I gave to the hon. Member for Lewes on 21 October 2003, *Official Report*, column 504W for details of the costs of the September sitting of the House.

No maintenance or renewal contracts were deferred during this period, because the majority were programmed after the September sitting was announced. The few which were organised before this were re-planned or re-programmed to fit in with the daily sitting times. The costs of this are included in the figures given in my previous answer.

TRANSPORT

Aircraft Noise

David Taylor: To ask the Secretary of State for Transport what plans he has to include the measurement of aircraft noise in the noise mapping the Department is required to carry out under the terms of the EU Noise Directive 2002/49/EC; and what methods it will employ to measure these noise levels. [133774]

Mr. McNulty: Major airports will be covered by the Directive. A major airport is defined in the Directive as a civil airport, designated by the member state, which has more than 50,000 movements (a movement being a take-off or a landing) per year excluding those purely for training purposes on light aircraft. The noise maps will be produced by computation using the standard methodology as set out in ECAC Document 29.

Airport Capacity (South-East)

John McDonnell: To ask the Secretary of State for Transport if he intends to make planning decisions involving airport capacity, before he has decided how to tackle long term environmental damage consequent on them. [133333]

Mr. McNulty: The air transport White Paper will not take planning decisions, but will set out a long term framework of Government policy for airport development and seek to maximise the beneficial aspects of aviation and minimise the negative effects. In deciding on policies on new airport capacity, we will take account of the environmental impacts and consider measures to control and mitigate those impacts.

Aviation Security

Mr. Wray: To ask the Secretary of State for Transport (1) what recent assessment has been made of the security threat posed against civil aviation by terrorists using portable ground to air missiles; [133129]

(2) what security measures have been put in place at airports and surrounding areas to protect aircraft from potential terrorist attacks; [133130]

(3) what recent discussions have taken place with *(a)* airlines and *(b)* other Governments on international threats posed by terrorists with portable missile units. [133131]

Mr. McNulty: The terrorist threat to UK civil aviation, including from portable ground to air missiles or MANPADS, is kept under active review, as too are the security measures needed to protect UK aviation against terrorism in all its various guises. The potential threat from MANPADS is among those being addressed, including through joint work with industry and with foreign partners, both bilaterally and in the relevant multilateral fora. Security considerations make it inappropriate to comment further on these matters.

Buses

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the arrangements for checking increases in costs of tenders for bus services; what the percentage change in tender costs to local authorities in the North West for bus services has been over the last five years; and what arrangements are in place to ensure that local authorities can specify *(a)* times, *(b)* frequencies, *(c)* routes, *(d)* fares and *(e)* standards of bus journey. [132560]

Mr. McNulty: We keep a close watch on increased tender prices through our own research and the regular survey by the Association of Transport Co-ordinating Officers. We also have frequent discussions with local authorities, for example through the Bus Partnership Forum, about funding of bus services.

Our information is that the prices for contracts let in the North West region in 2002–03 were on average around 17 per cent. above the price when the contract was last let (typically two to three years before). There was significant variation between authorities within the region. Information is not available for the region for contracts let in previous years.

In using their subsidy powers under the Transport Act 1985, local authorities may specify contract conditions on all the aspects listed at *(a)* to *(e)*. About 17 per cent. of local bus services are provided under these powers.

Mr. Don Foster: To ask the Secretary of State for Transport (1) if he will list the *(a)* local authorities and *(b)* bus companies which use CCTV (i) on buses, (ii) at bus stops and (iii) on buses and at bus stops, listing the (A) the number of attacks reported and (B) the cost of vandalism (1) 12 months before and (2) after implementation; and if he will make a statement; [133947]

(2) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to improve lighting at bus stops; and if he will make a statement; [133948]

(3) if he will list the *(a)* local authorities and *(b)* bus companies that have improved lighting at bus stops, providing details of (i) the number of attacks reported and (ii) the cost of vandalism (A) 12 months before and (B) after implementation; and if he will make a statement; [133949]

(4) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to cut back vegetation at bus stops; and if he will make a statement; [133950]

(5) if he will list the *(a)* local authorities and *(b)* bus companies that have cut back vegetation at bus stops, listing (i) the number of attacks reported and (ii) the cost of vandalism (A) 12 months before and (B) after implementation; and if he will make a statement; [133951]

(6) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to employ full-time schools liaison officers to tackle anti-social behaviour on buses; and if he will make a statement; [134019]

(7) if he will list the *(a)* local authorities and *(b)* bus companies which have employed full-time schools liaison officers to tackle anti-social behaviour; what estimate he has made of the cost of vandalism (i) before and (ii) after the scheme was set up; and if he will make a statement. [134020]

Mr. McNulty: In April 2002 the Department published "Get on board: an agenda for improving personal security in bus travel", including guidance and good practice case studies on measures that can be taken by bus companies and local authorities. This included advice on the use of CCTV on buses and at bus stations, the need for good lighting at bus stops, the need to ensure that bus stops and shelters should be kept unobscured by vegetation and on employing schools liaison officers.

The Government have established the Safer Travel on Buses and Coaches Panel (STOP), bringing together bus operators, local authorities, police, unions, and other stakeholders to exchange and disseminate good practice in tackling problems caused by crime and anti-social behaviour around bus and coach travel. It is currently updating the booklet "Protecting Bus and Coach Crews". This includes advice on CCTV, good lighting and links with schools.

In its recent publication "Travelling to School: an action plan", the Government ask schools and local authorities to work with the police, bus operators and the local community to promote positive behaviour by pupils on their journey to and from school.

Data on the extent to which bus companies and local authorities have applied measures such as CCTV, better lighting, cutting back vegetation and working with schools and their effect on incidences of vandalism, assaults and anti-social behaviour are not collected centrally. While the Government provide advice on good practice, its implementation is a matter for operators and local authorities.

Mr. Don Foster: To ask the Secretary of State for Transport what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to widen pavements at bus stops on busy streets; and if he will make a statement. [133952]

Mr. McNulty: It is for local highway authorities to ensure that footways are suited to the surroundings and pedestrian numbers. The Department has published Local Transport Note 1/97 "Keeping Buses Moving", and "Inclusive Mobility—A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure". These give some advice on local build-outs of the footway at bus stops (sometimes called "bus stop boarders") and recommendations for footway widths at bus stops.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to offer free travel for under-16s on buses when accompanied by an adult; and if he will make a statement; [134017]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which offer free travel for under-16s on buses when accompanied by an adult; how many passengers under 16 were carried (i) before, and (ii) after implementation; and if he will make a statement. [134018]

Mr. McNulty: There have been no measures to encourage local authorities and bus companies to offer free travel for under-16s on buses when accompanied by an adult. Free travel to and from school is provided by local education authorities under the education acts for school children up to the age of 16 living more than the statutory walking distances from school. Under the Transport Act 1985 local authorities have a discretionary power to provide concessionary travel for children of school age. That power applies to all journeys, not just those to or from school.

We do not collect information on what bus companies offer for this age group nor on how many passengers under 16 were carried before and after implementation of any discount schemes.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to implement travel training courses for bus travel for the (i) elderly and (ii) disabled; and if he will make a statement; [134022]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have implemented a travel training scheme; how many (i) elderly and (ii) people with disabilities have attended; and if he will make a statement. [134023]

Mr. McNulty: We recognise the value of travel training and familiarisation for older and disabled people. Over the last year, for example, we have been monitoring a programme at a school in Yorkshire to help young people with learning disabilities to be able to travel on mainstream services. We aim to publish guidance on the lessons learnt in that programme for wider dissemination.

We currently have no formal schemes in place to promote such activity within the bus industry or within local authorities. We do, however, take every opportunity to promote such initiatives in discussions with them.

There is no centrally held data on individual schemes that have been introduced.

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the *(a)* local authorities and *(b)* bus companies that have widened pavements at bus stops on busy roads, providing details of the number of pedestrian casualties (i) 12 months before and (ii) after implementation; and if he will make a statement. [134098]

Mr. McNulty: This is a matter for local highway authorities. The Department does not hold data on which local authorities have widened pavements at bus stops on busy roads, nor on pedestrian casualties at those locations.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to introduce low-floor buses; and if he will make a statement; [134105]

(2) if he will list the *(a)* local authorities and *(b)* bus companies that have introduced low-floor buses; how many (i) passengers were carried, (ii) disabled passengers were carried (A) before and (B) after implementation and (iii) services have been run; and if he will make a statement. [134114]

Mr. McNulty: In recent years, low-floor buses have been introduced in increasing numbers. This change was promoted both by the Department, through a series of research and demonstration projects, and by our statutory advisers, the Disabled Persons Transport Advisory Committee, who produced a recommended specification for low-floor buses which they disseminated widely.

Since 31 December 2000, all new buses and coaches over 7.5 tonnes and with a carrying capacity of more than 22 passengers, which have been introduced on local and scheduled services, have had to meet the access requirements of the Public Service Vehicles Accessibility Regulations 2000. Those Regulations, which were made under the Disability Discrimination Act 1995, set down minimum access requirements for vehicles to address the needs of disabled people including wheelchair users. The Regulations do allow for high-floor vehicles, but in the case of full size single deck and double deck buses, production has now moved to low-floor designs.

About one-third of full size local buses are now low-floor.

There are no centrally held statistics about bus patronage before and after introduction of low-floor vehicles. However, from the research which the Department carried out it, was clear that people were able to board and alight from these vehicles more easily, and that with the elimination of steps in the entrance, many more elderly and disabled people would be able to use buses and to use them for longer.

Of course, having the right vehicle is only part of the solution. We have also made changes to the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations to introduce new duties on drivers to provide reasonable assistance to disabled passengers. The Department is also working with TransFed—the training body for the bus industry—to update their NVQ disability awareness training material for bus drivers.

Concessionary Travel

Patrick Mercer: To ask the Secretary of State for Transport (1) what estimate he has made of the costs to *(a)* each local authority, *(b)* London boroughs and *(c)* local government as a whole of extending the national minimum standards for concessionary travel schemes to give people over the age of 70 a 100 per cent. discount on fares; [133960]

(2) what estimate he has made of the increase in the local government finance settlement necessary fully to reimburse local government for the costs of increasing the national minimum standards for concessionary travel schemes from a 50 per cent. discount to a *(a)* 60 per cent., *(b)* 75 per cent., *(c)* 90 per cent. and *(d)* 100 per cent. discount for (i) people over the age of 60, (ii) the disabled and (iii) in total; [133961]

(3) what estimate he has made of the cost to *(a)* each local authority, *(b)* London boroughs and *(c)* local government as a whole, of increasing the national minimum standards for concessionary travel schemes from a 50 per cent. discount to a (i) 60 per cent., (ii) 75 per cent., (iii) 90 per cent. and (iv) 100 per cent. discount for (A) people over the age of 60 years, (B) the disabled and (C) in total; [133962]

(4) what estimate he has made of the change in the local government finance settlement necessary fully to reimburse local government for the costs of extending the national minimum standards for concessionary travel schemes to give people over the age of 70 a 100 per cent. discount on fares. [133963]

Mr. McNulty: The extension this year of the minimum statutory requirement to men aged 60 to 65 cost £50 million per year. The Government do not plan further extensions of concessionary fares. We estimate that free concessionary travel for pensioners in England (women aged 60 and over, men aged 65 and over) would cost in excess of an extra £300 million a year. We have not costed all the variants listed in the question and could do so only at disproportionate cost.

Mr. Dodds: To ask the Secretary of State for Transport what his policy is on the recognition and acceptance of public transport concessionary passes, issued in Northern Ireland, by public transport services in England. [133242]

Dr. Howells: There are no arrangements in place between England and Northern Ireland over the recognition and acceptance of concessionary travel passes, nor do we have plans to set up such a scheme.

In England, local authorities implement concessionary bus travel schemes for their eligible residents. Beyond the statutory half-fare minimum requirement, local authorities are free to determine the extent and generosity of their schemes within their areas.

Local authorities can negotiate with train operating companies to participate in local concessionary rail fare schemes, or ask the Strategic Rail Authority to require franchised train operators to participate in them. The SRA will only do this if it does not result in additional cost to it or the operator. In addition, national discounted railcard schemes for the elderly, disabled and young in Great Britain are protected by the Railways Act 1993.

MOT Certificates

Mr. Simmonds: To ask the Secretary of State for Transport how many vehicles he estimates are on British roads without a valid MOT certificate. [133728]

Mr. McNulty: The information is not currently available. The Vehicle and Operator Services Agency (VOSA) is responsible for supervision of the MOT testing scheme and is involved in a private finance initiative contract with Siemens Business Services to establish a central MOT database which will hold information on every test carried out in Great Britain.

Roll-out is currently planned for 2004. Twelve months after the completion of roll-out, when the database is fully populated, it will be possible to compare the MOT data held by VOSA against the Driver and Vehicle Licensing Agency's (DVLA) database of registered vehicles to establish the number of vehicles without current MOT certificates.

Port of Tyne Authority

Mr. Nicholas Brown: To ask the Secretary of State for Transport what discussions he has had with Port of Tyne Authority concerning issues of environmental pollution connected to the dredging of the river. [133391]

Dr. Howells: Officials from the Transport team at the Government Office for the North East have held recent, without prejudice discussions with representatives from the Port of Tyne Authority about the port's application to DEFRA for a licence for the dredging and sea disposal of contaminated sediment from various locations on the River Tyne. This matter is, of course, the subject of on-going negotiations between the port and DEFRA.

Railway Stations (Wales)

Chris Ruane: To ask the Secretary of State for Transport if he will list the improvements to railway stations in Wales, broken down by *(a)* location and *(b)* cost in each of the last five years; and what the proposed improvements are for the next three years. [133054]

Mr. McNulty *[pursuant to the answer, 22 October 2003, Official Report, c. 567–68W]:* In September 2002 £2.4 million was provided by the Strategic Rail Authority (SRA) for the installation of 'Inform Cymru' at 46 stations in Wales; in April 2002 £99,000 for additional car parking spaces, improved security and better passenger facilities at Haverfordwest Station; and £1.1 million for a new waiting room, toilet with disabled access, CCTV and Customer Information Service/ PublicAnnouncement (CIS/PA) at Trefforest Station.

The new Wales and Borders franchise agreement which was signed on 20 October 2003 provides £400,000 for improving car parks, including those at Cardiff Central (Wood Street) and Newport. Under the Vale of Glamorgan scheme the Welsh Assembly Government (WAG) is meeting the costs for the building of the two new stations at Rhoose and Llanwit Major. The Vale of Glamorgan line is expected to re-open in December 2004. The Welsh Assembly Government has also set aside £2.5 million for Wales and Borders to improve 47 of their stations before April 2004. The Ebbw Valley scheme, which provides for up to six new stations, is still under consideration by the Welsh Assembly Government.

Railways

Mr. Redwood: To ask the Secretary of State for Transport what plans the railway industry has for station renewal and improvement in the Thames Valley. [133665]

Dr. Howells: The Strategic Rail Authority (SRA), in conjunction with Reading borough council, is developing a business case for major capacity enhancements at Reading. The project would require a Transport and Works Act Order, an application for which would be made around 2005. The business case will form part of that application.

Local stakeholders are also looking to commission a feasibility study on a proposal to relocate Oxford station to increase platform capacity.

More generally, the SRA has held a competition for the right to run the Thames Trains franchise in the 2004–06 period. The competition required bidders to propose ways of improving station environments. The bids are currently being evaluated by the Strategic Rail Authority. A decision is expected shortly.

Mr. Redwood: To ask the Secretary of State for Transport what plans *(a)* he and *(b)* the railway industry have to expand track capacity on (i) the Reading to Waterloo line and (ii) the Great Western Reading to Paddington line. [133666]

Dr. Howells: The Great Western Main Line will be the subject of one of the first of the Strategic Rail Authority's route utilisation strategies, on which the SRA expect to consult in summer 2004. The work will help inform decisions on any future route upgrades.

Combining the Thames, Great Western and Wessex franchises from 2006 will create a single operator at Paddington and so free up some capacity. The SRA are also considering track layout revisions at Reading which, subject to affordability, could be undertaken when resignalling takes place in 2008.

River Traffic

Mr. Laurence Robertson: To ask the Secretary of State for Transport what representations he has received on the introduction of a navigation authority in England to regulate river traffic; and if he will make a statement. [134048]

Dr. Howells: No representations have been received.

Road Journey Times

Mr. Rosindell: To ask the Secretary of State for Transport what proposals he has to reduce journey times on roads. [133204]

Dr. Howells: The 10-year plan for transport published in July 2000, set out a £180 billion integrated investment strategy in roads, rail and local transport of which £59 billion was for roads. The Government's clear priority is to reduce congestion, and offer a wider choice of quicker, safer, more reliable travel on road, rail and other public transport.

The Secretary of State for Transport made a statement to the House of Commons on 9 July in which he announced details of a £7 billion package of improvements to keep the traffic flowing on some of Britain's most congested strategic roads which will be funded out of the roads element of the 10-year plan.

Road Safety

Mr. Burns: To ask the Secretary of State for Transport if he will make a statement on the action being taken to improve road safety on the A414 between Chelmsford and the M11/Harlow junction. [132928]

Dr. Howells: The section of the A414 between Chelmsford and the M11/Harlow junction is the responsibility of Essex County Council which has identified it as one of the routes to be the subject of a priority route study. Initial analysis has been undertaken and accident measures are being determined for implementation in the next financial year, subject to the availability of funding.

Mr. Liddell-Grainger: To ask the Secretary of State for Transport what guidance his Department provides on the siting of speed limit signs on roads. [133356]

Dr. Howells: Guidance exists in the form of traffic advisory leaflet 1/95, "Speed Limit Signs, a Guide to Good Practice", copies of which are available in the Libraries of the House. It is also available via the Department for Transport website.

Traffic Commissioners

Pete Wishart: To ask the Secretary of State for Transport if he will list the statutory functions of traffic commissioners; what powers he has to intervene in the decisions made by traffic commissioners; if he will list the public inquiries called by traffic commissioners in the past year and the basis on which these inquiries were called; and if he will publish the guidance issued to traffic commissioners in respect of self-employed traffic managers. [132777]

Mr. McNulty: Traffic commissioners are statutorily responsible for licensing the operators of heavy goods vehicles and public service vehicles in their area, including taking disciplinary action against operators who breach the conditions of their licence: the conduct of vocational drivers, and for the registration of local bus services. The traffic commissioner for Scotland is also responsible for taxi fare and parking appeals.

The Secretary of State has no powers to intervene in decisions by traffic commissioners in carrying out their statutory functions.

Details of public inquiries are published by the traffic commissioners in their Annual Report to the Secretary of State. The report for 2002–03 is due to be published shortly and copies will be placed in the library.

No guidance has been issued to traffic commissioners in respect of self-employed transport managers. The requirements for transport managers are set out in the legislation and it is the responsibility of traffic commissioners to interpret whether these requirements are being met in individual cases.

Trans Consult Ltd.

Mr. Peter Duncan: To ask the Secretary of State for Transport (1) what action he has taken to investigate claims of discrimination against Trans Consult Ltd. by his Department's traffic commissioners; [132425]

(2) what his assessment is of the economic impact of the alleged discrimination against Trans Consult Ltd. by his Department's traffic commissioners; [132426]

(3) if he will launch an independent inquiry into the alleged discrimination and conduct of his Department's traffic commissioners against *(a)* Trans Consult Ltd., *(b)* its clients and *(c)* its agents; [132427]

(4) what the cost has been of bringing *(a)* small businesses, *(b)* farmers and *(c)* transport operators before public inquiries solely because they are connected to Trans Consult Ltd. [132428]

Dr. Howells: Statutorily independent Traffic Commissioners are responsible for deciding applications for the licence required by operators of public service vehicles and heavy goods vehicles and Ministers cannot interfere in their decisions. Commissioners must satisfy themselves that applicants meet statutory conditions about good repute, financial standing and professional competence. They are also responsible for taking action against licence holders who do not comply with the terms of their licence. Traffic Commissioners can call public inquiries to assist their investigations. These inquiries are treated as tribunals. Appeals must be made to the Transport Tribunal.

Widford Bridge

Mr. Burns: To ask the Secretary of State for Transport when he expects work to commence on repairing the Widford Bridge, Chelmsford; and how long he expects the work will take to complete. [132930]

Dr. Howells: Widford Bridge is owned by Network Rail and is included in their national load carrying assessment programme. A draft assessment report on the bridge is being prepared by W. S. Atkins on behalf of Essex County Council as part of a Joint Venture Agreement with Network Rail and this is expected to be delivered to Network Rail's consultant by the end of November 2003. If the report concludes that the bridge is weak, a weight restriction would be imposed as an interim measure.

HOME DEPARTMENT

Animal Experiments

Mr. Best: To ask the Secretary of State for the Home Department what steps the Government is taking to reduce the number of animals used for experimentation in the UK. [132230]

Caroline Flint: Under the Animals (Scientific Procedures) act 1986 Act the Home Office, and its counterpart in Northern Ireland (the Department of Health, Social Security and Public Safety), license the use of animals for scientific purposes where there is no non-animal alternative, and then only when both the number of animals and their suffering are minimised. This reflects the principles of the 3Rs—replacement, reduction and refinement.

As the regulator of the use of live animals in scientific procedures the Government is demand-led—it has no control over the number of project licence applications which it receives. While we must seek to minimise the number of animals used in particular programmes of work, we cannot therefore influence the overall amount of animal research and testing which takes place—that is determined by many other factors, including the economic climate and global trends in scientific endeavour. There are current developments—such as

advances in the use that can be made of genetically modified animals-which may lead in coming years to more rather than fewer animals used overall.

The Government fully supports and encourages development and promotion of the 3Rs in a number of ways, and additional impetus has been given to its efforts to that end by the related recommendations recently put forward by the House of Lords Committee on Animals in Scientific Procedures. In the longer term we must rely for any further significant reduction in animal use largely on the scientific community's own continuing efforts to develop, validate and accept non-animal alternative methods.

Drugs

David Davis: To ask the Secretary of State for the Home Department how many arrestees in *(a)* Haltemprice and Howden, *(b)* the East Riding of Yorkshire and *(c)* the Humberside police authority area tested positive for Category A and B drugs in each of the last two quarters for which figures are available. [133219]

Caroline Flint *[holding answer 20 October 2003]:* Drug testing of persons in police detention (after charge) is not currently available in Haltemprice and Howden or the East Riding of Yorkshire.

Within the Humberside Police Authority, the following figures relate to the Kingston-upon-Hull Basic Command Unit (BCU):

Out of 121 attempted tests since the drug testing after charge programme began on 8 September 2003, 48 people tested positive for both category A and B drugs. Of those 48 positive results, 52 per cent. tested positive for cocaine, 15 per cent. tested positive for opiates and 33 per cent. tested positive for both opiates and cocaine.

Mr. Battle: To ask the Secretary of State for the Home Department if he will estimate how many hits on average per registered heroin addict have been seized by the police in each of the last 10 years. [132732]

Caroline Flint: It is not possible to estimate the number of hits on average per registered heroin addict seized by the police because only broad ranging estimates of the number of heroin addicts are available. The quantity of drug used in a "hit" will also vary. We do have data on the number of seizures of heroin made by the police, and the quantities they seized: these appear in the table.

These data are taken from the annual Home Office Statistical Bulletin, and Finding 202 "Seizures of drugs in the UK 2001". These are available on the RDS website and in the Library (http://www.homeoffice.gov.uk/rds/pdfs2/hosb402.pdf and http://www.homeoffice.gov.uk/rds/pdfs2/r202.pdf).

Number of seizures of heroin and quantities in kilograms seized by the police by year 1993 to 2001

	Heroin seizures	
	Number	*Quantity (Kg)*
1993	3,480	130
1994	4,340	160
1995	6,340	360
1996	9,700	330
1997	12,340	490
1998	15,040	360
1999	15,360	1,500
2000	16,120	1,990
2001	18,080	2,800

Source:
Home Office Drug Seizure and Offender Statistics, United Kingdom—Supplementary Tables and Findings 202

Departmental Staff

Mr. Flight: To ask the Secretary of State for the Home Department how many *(a)* special advisers, *(b)* press officers, *(c)* civil servants, *(d)* advisers to civil servants and *(e)* permanent staff were working for his Department in each year since 1996. [126483]

Fiona Mactaggart: The figures can be found in Table C of the annual publication "Civil Service Statistics" published by Her Majesty's Stationary Office for the Government Statistical Service annually, and which covers permanent staff numbers in each Department and Agency from 1995 to 2002. Information on the Civil Service is published annually in 'Civil Service Statistics', copies of which have been placed in the Library. The latest edition, based on April 2002 data, was published on 24 July 2003. These figures include statistics on press officers, but the term "advisers to civil servants" is not one that is recognised.

Gun Trade

Mr. Kidney: To ask the Secretary of State for the Home Department what recent assessment he has made of the *(a)* trade in and *(b)* possession of (i) replica guns and (ii) disabled guns and *(c)* incidence of conversion of such guns to fire live ammunition; and what proposals he has to bring forward legislation to tackle gun crime. [132546]

Caroline Flint: There are no reliable statistics relating to the number of imitation and deactivated firearms in circulation. Imitation weapons were involved in 1,201 recorded offences in 2001–02. An examination of 217 real guns submitted to the Forensic Science Service between April-June 2003 showed that 59 had been converted from blank firing replicas, 19 from air weapons and two from de-activated guns.

Offences involving the use of guns are varied and need to be tackled on a number of different fronts. Tough laws and effective enforcement are important and the current Criminal Justice Bill includes proposals for a five-year minimum sentence for the illegal possession of prohibited firearms. We have also included provisions in the Anti-social Behaviour Bill which will ban the carrying of imitation firearms or air weapons in a public place without reasonable excuse. The sale, manufacture, transfer and import of air weapons which use the self-contained air cartridge system—which is readily converted to fire conventional ammunition—will also be banned. The law already regards any imitation which can be readily converted as a firearm which means that it is banned if it is a handgun.

Police

Mr. Drew: To ask the Secretary of State for the Home Department what discussions he has had with the Chairman of the Association of Police Authorities on next year's funding settlement. [133610]

Ms Blears: My right hon. Friend the Home Secretary has regular meetings with the Chairman of the Association of Police Authorities to discuss a range of issues, including prospects for future funding.

Prison Population

Simon Hughes: To ask the Secretary of State for the Home Department how many *(a)* unconvicted and *(b)* convicted unsentenced prisoners are held in prisons in England and Wales, broken down by sex. [131767]

Paul Goggins: On 31 July 2003 there were 7,163 untried and 4,603 convicted unsentenced males, and 537 untried and 495 convicted unsentenced females in Prison Service establishments in England and Wales.

CULTURE, MEDIA AND SPORT

Football Association (Financial Support)

Mr. Edwards: To ask the Secretary of State for Culture, Media and Sport what level of financial support was given by Sport England to the Football Association in the last year for which figures are available; and if she will make a statement on the purpose to which this expenditure is put. [133231]

Mr. Caborn: None. All Sport England Lottery support for football is channelled through the Football Foundation, a partnership between the Government, the Football Association and the FA Premier League. The Foundation receives income from the three funding partners in roughly equal proportions. It received approximately £17 million from public sources in 2002–03. Sport England's contribution to the Foundation was £6 million in that year, the balance of the £17 million coming from the New Opportunities Fund and the Reduction in Pool Betting Duty.

75 per cent. of the Foundation's total income is used to develop grass roots football, the balance funding community and education projects, and essential ground safety work.

Terrestrial Television

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport what plans she has to improve reception to terrestrial television in areas that traditionally have suffered from a weak signal. [130583]

Estelle Morris: There are no plans to develop further the analogue terrestrial television transmission network, this is to enable the broadcasters to concentrate their resources on the digital terrestrial television (DTT) network. The Digital Television Action Plan tasks Government to determine and agree a target level of coverage for digital terrestrial public services post-switchover in 2004. This spectrum plan will also enable us to assess the possibilities of improving current reception levels of DTT services across the UK. The latest version of the Digital Television Action Plan is available at: www.digitaltelevision.gov.uk.

EDUCATION AND SKILLS

Breast Feeding

Mrs. Brooke: To ask the Secretary of State for Education and Skills what action he is taking to ensure that health objectives relating to breast feeding are supported within the school curriculum. [133607]

Mr. Stephen Twigg *[holding answer 22 October 2003]:* The Department has no plans to specifically address breast feeding in the school curriculum. However, through Personal, Social and Health Education pupils learn about health and well-being, including making healthier, safer choices. They are taught to think about the alternatives and long and short term consequences when making decisions about personal health; and to seek professional advice confidently and find information about health. They also consider social and moral dilemmas, for example, how the choices they make affect others.

Class Sizes

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) what the average class size was in secondary schools, broken down by *(a)* school year and *(b)* local education authority in each year since 1997; [133688]

(2) what the average class size in primary schools was, broken down by *(a)* school year and *(b)* local education authority in each year since 1997. [133689]

Mr. Stephen Twigg: The available information has been placed in the House of Commons Library.

Data on class size by year group was not collected prior to 1998 for primary schools and prior to 2001 for secondary schools.

Early Literacy Support

Mr. Gibb: To ask the Secretary of State for Education and Skills what pilot studies were carried out in assessing the effectiveness of the Early Literacy Support approach to the teaching of reading; and if he will make a statement on the study and the results. [128687]

Mr. Stephen Twigg: A systematic study covering the one-year pilot of the Early Literacy Support (ELS) programme was taken forward during 2000–01 by a team of primary HMI, who have evaluated the National Literacy and Numeracy Strategies since 1998. Their detailed findings informed the development of the programme and were summarised in Ofsted's third Annual Report on the Literacy Strategy. Participating teachers, teaching assistants and literacy consultants also provided systematic feedback on the pilot which resulted in the materials and the programme being appropriately modified and refined before publication.

Teacher Training

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if he will reward the fourth year

undergraduate initial teacher training students with similar financial treatment to that for those committing to a Post Graduate Certificate in Education. [133582]

Mr. Miliband *[holding answer 22 October 2003]:* My right hon. Friend has no present plans to change the eligibility conditions for teacher training bursaries.

Tuition Fees

Mr. Boswell: To ask the Secretary of State for Education and Skills what information he has collated on *(a)* the administration costs to (i) local education authorities, (ii) the Student Loan Company and (iii) the Department of Assessment and Implementation of Tuition Fees Remission and *(b)* the compliance cost to higher education institutions of this system. [133421]

Alan Johnson: The information requested is not available.

Government funding of higher education institutions in England through the Higher Education Funding Council for England (HEFCE) takes account of the cost to universities and colleges of administering tuition fees. The forecast income that institutions receive from student contributions to fees is abated by 5 per cent. for collection of fees and any default. For 2002–03, that amounts to an estimated £21.36 million. The latest survey of the non-payment of fee contributions, published by Universities UK in November 2002, found that the amount unpaid at July 2002 across the UK was well within the 5 per cent. set aside for administration and default.

INTERNATIONAL DEVELOPMENT

Den Khodaida Water Project

Angus Robertson: To ask the Secretary of State for International Development what the aims are of the Den Khodaida Water Project in Afghanistan and the structure of the UK's involvement in it; if he will list the other countries involved in *(a)* projecting, *(b)* setting up and *(c)* running the project; and if he will make a statement. [133646]

Hilary Benn: Den Khodaida is a village in the hinterland of Kabul but lying outside the city boundary. The aim of the Den Khodaida Water Project is to repair the water supply system to the village. These repairs are on-going. The project is being implemented by one of the Civil-Military Co-operation teams of the International Security Assistance Force (ISAF). The team is under Finnish command. There has been no direct British involvement in funding, designing or running the project. The EC has also not had any involvement.

Foreign Aid

Mr. Connarty: To ask the Secretary of State for International Development how much the top 10 Department for International Development performers receive in direct budget support; and what percentage of that in his Department's budget was spent in those countries in the past 12 months. [133096]

Hilary Benn: DFID does not rank partner countries by performance. However, for the 10 largest recipients of bilateral assistance, the table lists total allocations and allocations of direct budget support (DBS) in 2002–03. As the table shows, allocations of DBS to the 10 largest recipients represent 58 per cent. of total DBS allocations and 7 per cent. of the total DFID bilateral programme.

	2002–03 Total spend (£ million)	*Direct budget support (DBS) (£ million)*	*Percentage DBS of total DFID programme*	*Percentage DBS of total DFID DBS*
India	161	30	2	14
Tanzania	96	45	2	21
Bangladesh	77	0	0	0
Afghanistan	75	13	1	6
Ghana	56	12	1	6
Uganda	55	23	1	11
Malawi	52	0	0	0
Kenya	45	0	0	0
Ethiopia	43	0	0	0
China	42	0	0	0

Horn of Africa

Angus Robertson: To ask the Secretary of State for International Development what programmes his Department has *(a)* run and *(b)* supported in (i) Somaliland, (ii) Somalia in general, (iii) Ethiopia and (iv) Eritrea; and if he will make a statement. [133657]

Hilary Benn: The UK has increased its involvement in Somalia over the last year. Most of our resources are aimed at meeting humanitarian needs, although we have also begun to support activities in regions, which have demonstrated steps towards peace and democratisation. For example, we have supported the electoral process in Somaliland, as well as exploring development programming in education, health and governance. We have also been providing support through the European Union (EU) and the UN.

We have provided substantial humanitarian assistance in response to current food shortages in Ethiopia. This has totalled £49.1 million since the beginning of 2002. We are also actively pressing ahead with our development programme for Ethiopia, as described in our Country Assistance Plan (CAP), published in March 2003. The CAP outlines our intention to work in three priority areas: education; food security; and capacity building. We will also continue to engage in HIV/AIDS, the private sector, roads and development of civil society.

We have no bilateral development programme in Eritrea, though we do provide humanitarian assistance and the British Ambassador in Eritrea manages a Small Grants Scheme. Our main avenues of engagement and support are through the EU, World Bank and IMF.

Iraq

Tony Baldry: To ask the Secretary of State for International Development whether the £200 million of aid announced for Iraq reconstruction has been taken from his Department's contingency fund for humanitarian emergencies in 2003; and whether it will be ringfenced for particular projects. [133004]

Hilary Benn: DFID's contingency reserve exists to enable us to respond to both humanitarian emergencies and reconstruction needs. The £209 million now committed by DFID to humanitarian and reconstruction assistance in Iraq in 2003 has been found from a number of sources, including £75 million from DFID's contingency reserve, an additional £120 million provided by HM Treasury from the central reserve, and money already allocated for assistance to Iraq. About £151 million has been committed to United Nations agencies, the Red Cross and Red Crescent Movement and NGOs, some of which is earmarked for specific projects and some of which is allocated for an agreed range of activities in a sector. The remaining £58 million has been allocated directly by DFID to particular projects and activities, including DFID secondments to the Coalition Provisional Authority.

Mrs. Spelman: To ask the Secretary of State for International Development (1) what recent discussions his Department has had with NGOs working with children and adults with learning disabilities in Iraq; [133475]

(2) what assessment he has made of the number of people suffering from learning disabilities in Iraq. [133553]

Hilary Benn: DFID has held no specific discussions with NGOs on this issue, and no assessment has been made to date.

The Ministry of Labour and Social Affairs is responsible for institutions which work with children and adults with learning disabilities. UNICEF is working closely with the Ministry of Labour and Social Affairs to support them to enhance services for vulnerable and disadvantaged children generally. DFID's programme in Iraq is focused on meeting the needs of all Iraqis, especially the most vulnerable.

Miss McIntosh: To ask the Secretary of State for International Development what the total amount of humanitarian aid provided to Iraq since the beginning of the conflict is; and if he will make a statement. [133486]

Hilary Benn: DFID has so far committed £209 million to humanitarian and reconstruction assistance in Iraq. Much of this finance is being channelled though organisations best placed to deliver assistance on the ground: United Nations agencies, the Red Cross and Red Crescent, and NGOs. The UK also provides 19 per cent. of European Community (EC) funding for Iraq. The total EC commitment to Iraq currently stands at €100 million.

Substantial additional contributions are being made at the Madrid Donors Conference on 23 October. My written statement to the House of 14 October sets out the details.

Mrs. Spelman: To ask the Secretary of State for International Development what measures are in place to prevent food shortages after the cessation of the UN Oil for Food programme in Iraq. [133552]

Hilary Benn: The ending of OFF will result in a change in management responsibilities for the Iraqi food procurement and distribution system, and not the end of the food distribution system. There is food in the pipeline until mid 2004 from contracts already funded and signed. As these contracts begin to expire the CPA will take over responsibility for contracting the supply of food and basic goods. Handover preparations have been under way for some time. The Ministry of Trade within the CPA is assessing expected OFF imports, the so called "food pipeline", against total needs. Where there is a shortfall the CPA is contracting alternative suppliers to provide the food. The financing for this will come from the CPA budget.

In the South and Centre of Iraq the Ministry of Trade has always had responsibility for distributing food and basic goods purchased under the Oil For Food scheme. This will not change with the ending of the Oil for Food programme. In the three Northern Governorates the Oil for Food programme was run by the World Food Programme. On 21 November responsibility in the North for this system will pass to a new organisation, the "Program Co-ordination Office". This will work under the CPA and may be able to re-employ many of those currently employed on the distribution side. Work is progressing to ensure that this office has the capacity to carry out its new role. The UK has a food security advisor in the CPA Ministry of Trade, and stands ready to provide further assistance against identified needs.

Kosovo

Mr. Wray: To ask the Secretary of State for International Development what financial aid has been granted to Serbia and the Kosovo region since 1999; what has been achieved in the country to date; and if he will make a statement. [132942]

Mr. Gareth Thomas: Since 1999, DFID has invested £161 million in the Union of Serbia and Montenegro, including Kosovo. Initially, we provided emergency humanitarian assistance covering such areas as food and drug supplies, emergency shelter, health care, mines clearance and funding for international relief agencies.

We have since focused on supporting key economic and social reforms and the poverty reduction agenda, through both technical and budgetary assistance. We have funded strategic interventions such as the reform of Serbia's crumbling banking sector and the development of a merit-based civil service in post-conflict Kosovo. We have also provided £14 million as budgetary assistance to the Kosovo authorities to help meet the costs of administration and reconstruction during the post-conflict period. We also work through multilateral agencies such as the World Bank and the European Commission, contributing £393 million since 1999 through our share of EC development assistance. The EC is the biggest donor in the region, financing large-scale reconstruction programmes in the energy and transport sectors, as well as supporting administrative, economic and social reforms that will help the region rejoin the European mainstream.

Recent reviews of our assistance strategies for the region have found that while international assistance has been successful so far in meeting humanitarian and reconstruction needs, the emerging challenge is to help the authorities to improve the environment for reforms and growth as levels of aid decline.

We will continue our support and have allocated £7.4 million for the coming financial year, in addition to a further £2 million through the inter-ministerial Global Conflict Prevention Pool and our continued contributions through the EC.

Liberia

Angus Robertson: To ask the Secretary of State for International Development if he will list the projects planned by his Department that are to be run in Liberia; what the *(a)* structure, *(b)* aims and *(c)* methods of each project are, and the projected schedule for project (i) initiation and (ii) conclusion; and if he will make a statement. [133647]

Hilary Benn: We have committed a total of £7.6 million this year for humanitarian programmes in Liberia, these are managed by the UN and other international relief agencies. An inter-departmental mission will visit Liberia in November. It will assess the current needs of the country, and the measures being taken by the international community, particularly through the UN, to assist the Transitional National Government to address them. The mission will make recommendations for the future role of the UK.

Angus Robertson: To ask the Secretary of State for International Development what discussions he has had with his US counterpart on the issue of *(a)* short-term emergency aid, *(b)* medium-term humanitarian aid and *(c)* long-term development assistance to Liberia; what programmes (i) were outlined to him and (ii) he outlined; when and where these discussions took place; and if he will make a statement. [133648]

Hilary Benn: DFID has been in regular contact with officials from USAID. In addition the FCO have regular discussions with the US Government concerning all aspects of the co-ordination of aid in Liberia. An inter-departmental mission will visit Liberia in November and will have further discussions with US officials on their plans. We understand that these may include support to security sector reform. There are provisional plans for a donor conference on Liberia, probably in December, at which donors will coordinate and exchange information on their intentions.

Angus Robertson: To ask the Secretary of State for International Development what discussions *(a)* his Department and *(b)* representatives of the Government have had with representatives of the governments of (i) EU member states, (ii) Norway, (iii) EU accession candidate countries, (iv) the US, (v) ECOWAS member states, (vi) Commonwealth member states and (vii) Japan on the subject of post-conflict reconstruction in Liberia; when and where these discussions took place; what concerns were raised during each discussion and by whom; and if he will make a statement. [133649]

Hilary Benn: Discussions on Liberia, by DFID and the FCO, have taken place with a range of governments and agencies. These have included EU member states, particularly France, Sweden, the Netherlands and Italy concerning aid to Liberia. We have also discussed with Norway the possibility of Norwegian police officers being seconded to UNMIL. We have had regular contact with the U.S. on all aspects of the situation in Liberia. We have had close and continuing contact with ECOWAS concerning its role in Liberia, and have contributed £1 million. to its international force. There has been contact with other states. We have had close contact with the European Commission concerning their intentions in Liberia.

Discussions are taking place on arrangements for a possible donors conference on Liberia in mid December. This will be an opportunity for the international community to coordinate its proposals.

Malaria

Mrs. Spelman: To ask the Secretary of State for International Development how much money his Department will give *(a)* for medicines to fight malaria and *(b)* to research into affordable anti-malarials in 2003–04. [133551]

Hilary Benn: DFID is strongly committed to meeting the Millennium Development Goal to halt and begin to reverse the incidence of malaria by 2015, recognising the importance of malaria, not just in terms of disease burden, but also the potential it has to undermine economic growth and human development.

Since 1998, DFID has provided in excess of £110 million to support malaria control activities globally and at country-level. This includes support to Roll Back Malaria, an international partnership to reduce competition and duplication of effort, develop technical consensus, increase political commitment and raise the profile of malaria.

As DFID contributes to a broad based effort to tackle this complex disease, it is not possible to break down our spend to show amounts spent on medicines for malaria by year. Our support at international level is to initiatives which support general malaria control activities and at country level provides finance to governments, either as support to particular sectors or direct into governments' budgets. Our commitment to combating malaria was reaffirmed in May 2003 with our pledge to increase our commitment to the Global Fund to Fight AIDS, TB and Malaria to US$280 million. Successful implementation of existing Global Fund proposals will result in the number of treatments for resistant malaria in Africa increasing from 15,000 to four million annually and also result in the purchase of seven and a half million insecticide treated nets over the next two years. These nets offer substantial protection against malaria.

Despite the great complexity of malaria, it remains a disease that is preventable, treatable and curable. DFID is committed to supporting national governments and partners ensure that effective drugs and commodities are accessible to the poor. We have committed over £1.5 billion since 1997 to strengthen health systems to deliver vital drugs and health care treatment. In malaria endemic countries a significant part of drug spend will be for anti malarials.

DFID also provides support to the Medical Research Council and initiatives such as the Medicines for Malaria Venture (£1 million in 2003–04) to help to find new low cost malaria treatments.

Cambodia

Angus Robertson: To ask the Secretary of State for International Development if he will list the *(a)* de-mining and *(b)* mine awareness projects (i) directly run, (ii) primarily funded directly, (iii) financially assisted directly by his Department, (iv) primarily funded and (v) financially assisted through (A) local, (B) regional and (C) international non-governmental organisations using contributions from his Department in Cambodia since 1997, including the structure and methodology of each project, and the latest assessment his Department has made of the progress of (1) each project, (2) de-mining and (3) mine awareness in general in Cambodia; and if he will make a statement. [133323]

Mr. Gareth Thomas: DFID has provided funding for demining in Cambodia at the following disbursement levels since 1997.

£ million

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
NGO	0.56	0.44	0.29	2.61	2.30	0.78	0.45
UNDP	0.50					0.50	0.48

DFID funding for Cambodia covers a number of different areas of activity and is part of DFID's global response to humanitarian mine action. In Cambodia specifically we have provided funds on a bilateral basis to the UK NGOs the HALO Trust and Mines Advisory Group (MAG) to carry out demining programmes in various parts of Cambodia. We have also provided funds for the in-country development and testing of mechanical demining equipment.

DFID has provided additional funds through the United Nations Development Programme (UNDP) to support the Cambodian Mine Action Authority (CMAA) and the Cambodian Mine Action Centre (CMAC) which are indigenous organisations set up with the assistance of the UNDP.

In March 2001 DFID carried out a review of its support to mine action in Cambodia. We concluded that there had been considerable successes since 1991 with thousands of mines having been cleared and large areas of land restored to economic use. We thought there were institutional weaknesses especially in the area of co-ordination where there was limited interaction between the various organisations working on mine action and the central mine action authorities. Our support to the Cambodian Mine authorities that we provide via the UN aims to address this issue. The UN will be providing support under the UNDP Country Co-operation Framework for 2001–05. Key objectives of the programme include development of the management capacity of the CMAC and CMAA. Specific activities include:

Strengthening partnerships among entities and stakeholders involved in the mine awareness sector;

Development of quality assurance and quality control processes;

Development and review of MRE guidelines and materials;

Promotion of national compliance with responsibilities detailed in the various national and international instruments pertaining to mine action;

Assistance in victim rehabilitation programmes.

European Union

The following contributions were reported since 1997:

1998 £3.0 million (UK share = 19.1 per cent.)

1999 £0.56 million (UK share = 17.75 per cent.)

More information on demining in Cambodia can be gained from the publication "Landmine Monitor". A copy will be sent to the House of Commons Library. There are also a number of useful websites on this subject, one of the most informative is the site hosted by the United Nations Mine Action Service (UNMAS) www.mineaction.org

Monrovia

Mrs. Spelman: To ask the Secretary of State for International Development what measures are being taken *(a)* to repatriate refugees from Monrovia to their homes in the rest of the country and *(b)* to reduce their dependence on aid handouts. [133550]

Hilary Benn: Such measures cannot be taken until security is restored outside the region of Monrovia. Internally displaced persons (IDPs) are reluctant to return to their homes while skirmishes continue. Aid agencies are unable to support such moves until security can be guaranteed for their own activities outside Monrovia. The situation is expected to improve as UNMIL gains in strength.

IDPs have returned to camps in Montserrado, Bong and Margibi counties. The UN and aid agencies are supporting relocation of IDPs to these camps from which they previously fled. The World Food Programme has stopped general food distributions to IDPs in Monrovia. NGOs are also scaling down feeding programmes in the light of evidence of access by IDPs to their own supplies of food.

Refugees

Angus Robertson: To ask the Secretary of State for International Development what response his Department has made to the UN High Commissioner for Refugees appeal for Sudanese refugees in Chad; and if he will make a statement. [133656]

Hilary Benn: The UN High Commissioner for Refugees (UNHCR) has requested $16.6 million (approximately £11 million) for 65,000 Sudanese refugees in Chad, including $6.2 million for emergency operations. The refugees have fled the fighting in Darfur, in western Sudan.

We have been following this situation closely and have been in contact with the UNHCR assessment mission, which led to the appeal. We have also been in touch with non-governmental organisations active in this area. We have agreed to provide £1 million towards the appeal and remain concerned about the plight of Sudanese refugees in Chad.

Reproductive Health

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, *Official Report*, column 75–76W, what end of programme assessment his Department has made of the Bolivia Health and Sexual Education programme,

with particular reference to *(a)* the aims successfully achieved and *(b)* issues still outstanding; what replacement programme his Department has (i) planned and (ii) initiated in Bolivia, including aims and delivery methods, with specific reference to sexual education programmes; and if he will make a statement. [133191]

Hilary Benn: The Bolivia Health and Sexual Education Project ended in July 2003. An end of project review was undertaken by GTZ on behalf of DFID. It concluded that the project successfully demonstrated the interest and demand for improved health and sex education in Bolivia. The project supported over 1,000 young people (between the ages of 12 and 25) in five departments of Bolivia to take leadership roles in the promotion of health and reproductive rights issues, and promoted better health service delivery to these populations.

The project was less successful in strengthening the supply side of health and sex education services. The Ministry of Education was not prepared to integrate these activities into its curriculum and hence DFID was unable to promote the successful local experiences at national level and is no longer supporting sexual education programmes in Bolivia. DFID is currently investigating whether health and sex education should be incorporated into its new programme promoting more inclusive citizenship and the realisation of human rights.

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 4 October 2003, *Official Report*, columns 75–76W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of the Andean Reproductive Health Initiative are; how much of the effort is aimed at (i) Peru and (ii) Bolivia; what support structure is provided to the programme by (A) the Government of Peru, (B) the Government of Bolivia, (C) local and ethnic leaders in Peru, (D) local and ethnic leaders in Bolivia, (E) local non-governmental organisations, (F) national non-governmental organisations; (G) regional non-governmental organisations and (H) international non-governmental organisations; and if he will make a statement. [133198]

Hilary Benn: The Andean Reproductive Health Initiative (RHI), which ended in July 2002, was a joint collaboration between DFID, the European Commission (EC), and Population Concern, who managed the project. Population Concern together with local, national and regional NGOs, public sector providers and Ministries of Health and Education in Bolivia and Peru, developed ways of improving demand for and access to reproductive health services for marginalised groups. These formed the basis for identifying innovative ways of delivering services to be piloted, and for establishing management systems to support lesson learning focusing on adolescents and marginalised groups. Other civil society groups, such as the Catholic Church were involved in and supported some project initiatives.

The project focused on the improvement of human development opportunities for women and men by reducing the risks they face from dangerous pregnancies, and the improvement of adolescents' access to reproductive and sexual health and information services. The lessons learnt from the initiative were disseminated through a communications strategy to the Governments of Bolivia and Peru, donors and NGOs with a view to improving reproductive health policy and programmes. The programme's overall budget of approximately £1,856 million was split equally between Bolivia and Peru, with DFID contributing £630,000 and the EC Euros 1.7 million.

Sierra Leone

Mrs. Spelman: To ask the Secretary of State for International Development (1) what measures are being taken to re-educate and re-integrate former child soldiers in Sierra Leone; [133547]

(2) what provisions are being made for the demobilisation and reintegration of child soldiers involved in the recent conflict. [133549]

Hilary Benn: A total of 3,039 ex-combatant children are currently in education through a UNICEF community education investment programme. Other child protection agencies, such as CARITAS, have helped provide educational opportunities through the National Commission for Disarmament Demobilisation and Reintegration (NCDDR) supported Training and Employment Programme.

According to figures provided by UNICEF, 6,845 child soldiers were demobilised over a year ago. 4,894 have been reunited with their families. A further 2,151 non-combatant children have been reunited with their families, with the support of UNICEF.

Mrs. Spelman: To ask the Secretary of State for International Development what recent assessment he has made of the security situation in Sierra Leone and its impact on the humanitarian situation. [133548]

Hilary Benn: All areas of Sierra Leone are accessible. UNAMSIL is progressively withdrawing, and currently consists of 12,300 personnel. It is currently scheduled to withdraw completely by December next year. The Sierra Leone Government is undertaking a wide-ranging review of the security sector, which we are supporting. The review is intended to assist the Government to prepare for UNAMSIL's departure. The UK is providing extensive support to reform and strengthening of the security sector, as part of this preparation.

There is no security restriction on humanitarian activity. There is a general shift in emphasis, by the Government of Sierra Leone and by international agencies, from relief to development activities.

SOLICITOR-GENERAL

Iraq

Llew Smith: To ask the Solicitor-General if she will reconsider the decision not to publish the legal advice provided by the Attorney-General on the legal basis for military action in Iraq. [133313]

The Solicitor-General: No. As the hon. Member is aware from my answers to him on the 26 March and 21 May 2003, there is a long-standing convention, observed by successive governments, that advice which

the Law Officers have given to the Government is not publicly disclosed. This is consistent with paragraphs 2 and 4*(d)* of Part II of the Code of Practice on Access to Government Information.

Llew Smith: To ask the Solicitor-General on how many occasions, and in what forms, the Attorney-General has been asked to publish the advice she provided to the Government in respect of the legality of military action in Iraq; if she will list the individuals and organisations which have made requests; and what criteria were used in determining a response. [133314]

The Solicitor-General: The Legal Secretariat to the Law Officers does not maintain any records of the occasions on which the Attorney-General has been asked to publish the advice he provided to the Government in respect of the legality of military action in Iraq. It is not therefore possible to provide a comprehensive answer to the hon. Member's question. The following information is available. Since the Attorney-General made his statement on 17 March 2003 setting out his view of the legal basis for the use of force against Iraq:

(a) four parliamentary questions have been tabled asking if I will publish the Attorney-General's advice. Three of these questions were posed by the hon. Member himself (on 26 March, 21 May and 22 October 2003). The fourth question was put by the hon. Member for Liverpool, Walton (Mr. Kilfoyle) on 24 March 2003;

(b) the Attorney-General has received four letters from members of the general public asking him to publish his advice. The hon. Member for North-West Hampshire (Sir George Young) also wrote to the Attorney-General enclosing a letter from one of his constituents asking for disclosure of the advice; and

(c) the Lord Alexander of Weedon has written to the Attorney-General requesting disclosure of his advice.

The reply on all these occasions was to decline the request. The reason given was that there is a long-standing convention, adhered to by successive governments, that advice which the Law Officers have given to Government is not publicly disclosed. This is to enable the Government, like everyone else, to obtain full and frank legal advice in confidence.

Street Crime

Mrs. Curtis-Thomas: To ask the Solicitor-General what steps the CPS has taken to narrow the gap between the overall levels of crimes recorded by the police and the offences brought to justice *(a)* in general and *(b)* with particular reference to hate crimes. [128720]

The Solicitor-General: The Crown Prosecution Service (CPS) is narrowing the justice gap by improving performance so that cases are better prepared, increasing early guilty pleas and ensuring more contested cases reach trial. They are taking a number of steps to achieve this, including increasingly giving early advice to the police so that the case is reviewed early and the appropriate charge laid; improving case preparation and communication with the police to reduce the number of committals discharged; providing greater support to victims and witnesses by providing more information about the progress of the case so that they continue to support the prosecution and reduce the number of ineffective trials, and helping them through the trial process by, where appropriate, using video evidence, screens, and other special measures; working with local community groups so that local communities can see that the work of the CPS is responsive to their concerns.

The CPS is working with colleagues in other criminal justice agencies, through the Local Criminal Justice Boards, to:

(a) bring more offenders to justice; and

(b) increase public confidence in the CJS.

With particular reference to hate crimes, the CPS has produced three Public Policy Statements since November 2001 on Domestic Violence, Homophobic Crime, Racially and Religiously Aggravated Crime, and given specific training to lawyers on domestic violence and racially and religiously aggravated crimes. Work is currently under way to develop training with regard to homophobic crime. The training involves lawyers hearing from victims or practitioners who work directly with victims.

In February 2003, the CPS held a conference in Cardiff specifically on reducing the justice gap in hate crimes. This included representatives from voluntary sector organisations, other criminal justice agencies, the Bar and the Law Society, and a number of academics and focused on ways to improve the performance of prosecutors.

The success of the CPS in increasing public confidence and reducing the justice gap, particularly as regards vulnerable communities, is subject to scrutiny and comment by HMCPS Inspectorate in their regular reports.

NORTHERN IRELAND

Bursaries

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many *(a)* further education and *(b)* higher education bursaries are available to students studying in Northern Ireland. [132788]

Jane Kennedy: The payment of further and higher education bursaries is determined by [illegible]nd. All Northern Ireland domiciled students whose family incomes are less than £20,000 are eligible to apply for bursaries of up to £2,000. These bursaries are payable to eligible NI students studying in Northern Ireland, elsewhere in the United Kingdom and the Republic of Ireland.

Figures relating to students studying in NI in receipt of a bursary are currently not available. However, in the 2002–03 academic year, bursaries were awarded to *(a)* 415 in further education and *(b)* 11,959 students studying in higher education in the UK and Republic of Ireland.

Civil Partnership

Lembit Öpik: To ask the Secretary of State for Northern Ireland (1) if he will make it his policy to ensure that Northern Ireland is included from the outset in any forthcoming bill on civil partnership; and if he will make a statement; [129295]

(2) what areas of the proposed civil partnership legislation have been assessed by his officials as requiring distinctive Northern Ireland sections; and if he will make a statement; [129296]

(3) what research *(a)* he has assessed and *(b)* will be commissioned on the consequences for same-sex couples who move to Northern Ireland of a civil partnership law only applying in England and Wales; and if he will make a statement; [129297]

(4) what he estimates would be the cost of processing and legislating a civil partnership law separately for Northern Ireland through an Order in Council; and if he will make a statement. [129298]

Mr. Pearson: There has been no decision yet as to whether the civil partnership registration scheme set out in the consultation paper issued by the Department of Trade and Industry should be extended to Northern Ireland. My officials are currently examining those proposals with a view to issuing a consultation paper in the autumn. Beyond that, no decision has yet been taken as to whether a parallel civil partnership registration scheme should be introduced in Northern Ireland. In examining the DTI proposals, my officials are considering the possible impact for Northern Ireland of the introduction of a civil partnership registration scheme across a wide range of areas, including those areas where Northern Ireland law and practice differ from England and Wales. This preliminary consideration also includes an examination of the likely impact on couples who register their partnership under the scheme in England and Wales and who subsequently move to Northern Ireland. There is little information on how many such couples there may be, but work is on-going between officials in Northern Ireland and their counterparts in the Department of Trade and Industry. No calculation of the estimated costs of processing and legislating a civil partnership law separately for Northern Ireland through an Order in Council has been carried out.

Electoral Rolls

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland what measures he proposes to enable citizens of countries who will be admitted to European Union membership in April 2004 and who are resident in Northern Ireland to be admitted to the franchise in time for the European elections in June 2004; and if he will make a statement. [132695]

Jane Kennedy: The Local and European Parliamentary Elections (Registration of Citizens of Accession States) Regulations 2003 and the Representation of the People (Form of Canvass) (Northern Ireland) Regulations 2003 were introduced earlier this year in time for the annual electoral registration canvass. These regulations permit citizens of states due to accede to the European Union next year who are resident in Northern Ireland to register to vote in local government and European parliamentary elections to be held on or after 1 May 2004.

Health Service Funding

Mr. Beggs: To ask the Secretary of State for Northern Ireland what budget funding was given to the Northern Ireland National Health Service in each of the last three years expressed *(a)* by percentage change and *(b)* as a percentage of Northern Ireland GDP. [132789]

Angela Smith: The information is as follows:

(a) In Northern Ireland, health services are fully integrated with personal social services in a single financing, planning and delivery system—the HPSS (health and personal social services). It follows that the HPSS budget is considerably larger than a separate health budget would be. The figures in the table reflect this fact.

	Health and Personal Social Services
2000–01 budget allocation (£ million)	1,976.3
2001–02 budget allocation (£ million)	2,238.7
Percentage change from 2000–01	13.27
2002–03 budget allocation (£ million)	2,475.3
Percentage change from 2001–02	10.5
2003–04 budget allocation (£ million)	2,898.6
Percentage change from 2002–03	17.1

(b) The following table shows budget funding for the HPSS estimated as a percentage of Northern Ireland GDP. In addition to the fact that they derive from an HPSS (as opposed to a merely "health") budget, the percentage shares reflect Northern Ireland's exceptionally high need for expenditure on public services—health and social care included.

	HPSS budget allocation estimated as a percentage of GDP
2001–02	11.65
2002–03	12.3
2003–04	14

WORK AND PENSIONS

Child Support

Mr. Wray: To ask the Secretary of State for Work and Pensions how much each absent parent is expected to contribute towards their children's care; who makes the decision on levels of payment; and what account is taken of the parents' work status. [128073]

Mr. Pond: In the new child support scheme non-resident parents with net incomes of over £200 will pay 15 per cent. of their net income for one child; 20 per cent. for two children and 25 per cent. for three or more children. Allowances will be made for any children in the non-residents parent's current household.

Those with net income over £100 up to and including £200 will pay a reduced rate on a sliding scale. Those non-resident parents with net earnings of £100, or on benefit, will pay a flat rate of £5.

Mr. Francois: To ask the Secretary of State for Work and Pensions how many full-time staff were employed by the Child Support Agency in Essex on 15 September. [132634]

Mr. Pond: In the month of September the Child Support Agency employed 80 full time staff and 25 part time staff in Essex.

Mr. Goodman: To ask the Secretary of State for Work and Pensions what research he has commissioned on the cancellation of driving licences for those who have not properly maintained child support payments in *(a)* EU countries, *(b)* the USA and *(c)* Canada; and if he will make a statement. [134063]

Mr. Pond: In developing our proposals for child support reform we considered the experiences of a range of countries including the USA, Australia, Canada and a number of EU countries.

The powers in sections 14A (information-offences) and 39A to 40B (commitment to prison and disqualification from driving) of the Child Support Act 1991 are intended to help the Child Support Agency to secure compliance. Their success is in the extent to which non-resident parents co-operate with the Agency.

Harry Cohen: To ask the Secretary of State for Work and Pensions what reports he has received of former Child Support Agency employees setting up businesses specialising in CSA cases; what assessment he has made of the implications of these businesses for the administration of the CSA; and if he will make a statement. [125659]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Harry Cohen, dated 17 July 2003:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary question about the Child Support Agency promised a substantive reply from the Chief Executive.

You ask what reports he has received of former Child Support Agency employees setting up businesses specialising in CSA cases; what assessment he has made of the implications of these businesses for the administration of the CSA; and if he will make a statement.

I am aware of a number of bodies who offer a variety of services about child support, for example through internet sites ranging from shared experience to claiming to be able to influence maintenance assessments. I am also aware that some of the bodies attempt to validate their service by claiming to be ex-employees of the Child Support Agency. Where the advice offered is constructive and accurate I welcome its availability. When staff leave the Agency they are reminded of their responsibilities to keep confidential personal information gained during their service.

Combined Benefits Payments

Paul Holmes: To ask the Secretary of State for Work and Pensions how many people did not receive combined benefits payments owing to the breakdown of the link between Pension Service computer systems; when the link broke down; how long the link was broken; how much in benefit payments was not paid in this period owing to the problem; why the Department did not realise the breakdown had taken place until contacted by a benefit recipient; and if he will make a statement. [125932]

Malcolm Wicks: This is a matter for Alexis Cleveland, Chief Executive of The Pension Service. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Paul Holmes, dated 17 July 2003:

The Secretary of State for Work and Pensions has asked me to respond to your recent Parliamentary Question asking how many people did not receive combined benefits payments owing to the breakdown of the link between Pension Service computer systems; when the link broke down; how long the link was broken; how much in benefit payments was not paid in this period owing to the problem; why the Department did not realise the breakdown had taken place until contacted by a benefit recipient; and if he will make a statement.

It would appear that the breakdown of the link between The Pension Service computer systems was restricted to a single benefit recipient and was not a national problem affecting numbers of customers. It is of course possible that other cases may have similar circumstances however, we are not aware of any other cases where this problem has occurred.

The customer was receiving a combined payment of Minimum Income Guarantee (MIG) and Severe Disablement Allowance (SDA) and then submitted a claim for Retirement Pension (RP). For the RP claim to be assessed and paid, the other two payments for MIG and SDA had to be de-combined as three payments cannot be combined into a single payment for these benefits.

The customer subsequently withdrew the RP claim and an attempt was made to recombine the SDA and MIG payments. However, due to incompatible data being held in the two benefit systems, we were not able to reconnect the interface. Incompatible data may occur due to a simple inconsistency such as an incorrect office code, resulting in the two pieces of information 'missing' each other when attempting to link.

The MIG section was notified on the system on 9 February 2003 when an error message 'interface failed' appeared on the customers account. We were aware that a system error had occurred prior to the customer writing to us and took action to issue payments in the most efficient manner.

Arrears have been paid in full to the customer in question. The customer is currently receiving all benefit entitlement, but these are being paid separately.

The Pension Service has a duty to ensure that all of our customers receive their payments correctly and on time. Therefore alternative arrangements were made to ensure that the customer received the correct payment amounts on time.

I hope that this is helpful.

Compulsory Interviews

Paul Holmes: To ask the Secretary of State for Work and Pensions how many compulsory interviews have taken place in each year since 1997, broken down by *(a)* benefit and *(b)* welfare to work scheme; and what the total cost of interviews was in each year since 1997, broken down by (i) benefit and (ii) welfare to work scheme; and if he will make a statement. [125935]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Paul Holmes, dated 28 July 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning the number of compulsory interviews that have taken place in each year since 1997, broken down by benefit and welfare to work scheme and the total cost of the interviews. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobcentre Plus conducts a wide range of compulsory interviews in a variety of circumstances. For example compulsory interviews are conducted at the start of every Jobseeker's Allowance claim and in our new integrated offices at the start of every claim for a

Jobcentre Plus benefit. Compulsory interviews are then conducted at various stages of a claim and also under a variety of circumstances in our welfare to work programmes.

We do monitor workflows and activity in Jobcentre Plus offices and maintain statistics for some individual programmes, such as those held on the New Deal database. However, it is not possible to provide the information you have requested on the total number of interviews or breakdowns by benefit or welfare to work programme. Similarly we cannot provide a figure for the cost of compulsory interviews.

My apologies for not being able to provide the information you requested.

Disability Issues

Mr. Boswell: To ask the Secretary of State for Work and Pensions if the non-discriminatory treatment of disability issues alongside other equal opportunity issues will form part of the United Kingdom's position in negotiations on the EU constitution. [129980]

Maria Eagle: The existing Treaty provides a good basis for legislation to combat various forms of discrimination including discrimination against disabled people. Legislation under the Article 13 of the Treaty establishing the European Community can only be adopted by the unanimous agreement of member states. This allows for the wide diversity between member states' social systems to be respected as demonstrated by the provisions of the Race and Employment Directives adopted by the Community in 2000. Our view is that the existing voting arrangements should be retained in the Intergovernmental Conference.

Health and Safety Executive

Mr. Lazarowicz: To ask the Secretary of State for Work and Pensions how many *(a)* deaths and *(b)* serious injuries at work occurring in the Edinburgh area have been reported to the Health and Safety Executive in each of the last five years, broken down by sector. [128542]

Mr. Browne: The number of fatal and serious injuries[1] reported to HSE and local authorities (LAs) in the LA area of the city of Edinburgh 1997–98 to 2001–02 are in the table.

[1] Defined as reported as a major or fatal injury under RIDDOR

	Agriculture		*Extractive and utility supply*		*Manufacturing*	
Year/Employment status	*Fatal injury*	*Serious injury*	*Fatal injury*	*Serious injury*	*Fatal injury*	*Serious injury*
1997–98						
Employee	—	1	—	1	—	36
Self-employed	—	—	—	—	—	—
Member of the public	—	—	—	—	—	1
Total	—	1	—	1	—	37
1998–99						
Employee	—	—	—	4	1	22
Self-employed	—	—	—	—	—	—
Member of the public	—	—	—	1	—	2
Total	—	—	—	5	1	24
1999–2000						
Employee	—	1	—	—	—	14
Self-employed	—	—	—	—	—	—
Member of the public	—	—	—	1	—	—
Total	—	1	—	1	—	14
2000–01						
Employee	—	3	—	2	1	14
Self-employed	—	1	—	—	—	—
Member of the public	—	—	—	—	—	—
Total	—	4	—	2	1	14
2001–02						
Employee	—	2	—	1	—	17
Self-employed	—	—	—	—	—	—
Member of the public	—	—	—	—	—	—
Total	—	2	—	1	—	17

	Construction		*Services*		*All industries*	
Year/Employment status	*Fatal injury*	*Serious injury*	*Fatal injury*	*Serious injury*	*Fatal injury*	*Serious injury*
1997–98						
Employee	1	52	2	153	3	243
Self-employed	—	1	—	—	—	1
Member of the public	—	3	1	203	1	207
Total	1	56	3	356	4	451
1998–99						
Employee	1	76	—	161	2	263
Self-employed	—	1	—	—	—	1
Member of the public	—	4	—	190	—	197
Total	1	81	—	351	2	461

Year/Employment status	Construction		Services		All industries	
	Fatal injury	Serious injury	Fatal injury	Serious injury	Fatal injury	Serious injury
1999–2000						
Employee	1	79	1	139	2	233
Self-employed	—	1	—	—	—	1
Member of the public	2	7	—	192	2	200
Total	3	87	1	331	4	434
2000–01						
Employee	1	80	—	150	2	249
Self-employed	—	1	—	—	—	2
Member of the public	—	8	—	93	—	101
Total	1	89	—	243	2	352
2001–02						
Employee	2	83	1	166	3	269
Self-employed	—	3	—	1	—	4
Member of the public	—	5	—	76	—	81
Total	2	91	1	243	3	354

Jobcentre Plus

Mr. Dismore: To ask the Secretary of State for Work and Pensions when he expects job points to be installed in *(a)* Burnt Oak Library, *(b)* Hendon Job Centre and *(c)* Mill Hill Job Centre; and if he will make a statement. [133062]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Andrew Dismore, dated 23 October 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning the installation of Jobpoints in Burnt Oak Library, Hendon and Mill Hill Jobcentres. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

I can confirm that a Jobpoint is scheduled to be installed in Burnt Oak Library on 28 October 2003. The availability of the Jobpoint in the Library will be publicised in local Jobcentres through posters and leaflets and leaflets will also be issued to customers using the library. To further publicise the new Jobpoint service an official launch is planned later this year in December.

Jobcentre Plus staff currently visit the Library every two weeks to provide face to face advice and jobsearch assistance. This will continue after the Jobpoint has been installed.

Hendon already has eight Jobpoints, which were installed in May 2001. Mill Hill also already has eight Jobpoints, which were installed in November 2001.

I hope this is helpful.

Paul Holmes: To ask the Secretary of State for Work and Pensions how many representations he has received in the last 12 months opposing the closure of local Jobcentre Plus offices; which organisations submitted these representations; and if he will make a statement. [113260]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of the Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Paul Holmes dated 28 July 2003:

As Jobcentre Plus is an Executive Agency, I have been asked to reply to your question concerning representations to the Secretary of State regarding the closure of local Jobcentre Plus offices. This falls within the responsibilities delegated to me as Chief Executive of the Agency.

During the past 12 months, there have been forteen represenations in the form of parliamentary questions or letters to the Secretary of State from MPs expressing concern about the delivery plans of Jobcentre Plus and specifically about the closure of offices. In addition to responding to these representations in writing, both the Minister of State for Work, Nick Brown, and the Project Director for Jobcentre Plus, Jeremy Groombridge, met with a number of MPs to give assurances about the level of service that will be provided.

At the Jobcentre Plus District level, managers have and will continue to consult with the widest possible range of people about the service they are planning to provide. Local advice and welfare groups, local authorities and MPs are essential sources of guidance in this matter. Any represention resulting from this consultation process are collated by District Managers.

Jobcentre Plus is delivering a radical change in the way that benefits and employment services are provided to people of working age. By 2006, there will be around 1,000 newly integrated offices across the country which will provide customers with a 'one-stop' service for benefits, advice and jobs. Over 250 offices are offering this new service already and 8 out of 10 customers tell us they are satisfied with all elements of the new service.

These new Jobcentre Plus services are customer focussed. The new offices enable customers to make enquiries about both their benefits and employment opportunities in the same place. Our new telephone contact centres mean that customers can make enquiries about both benefits and jobs without even having to come into one of our offices. The introduction of new technology is also enabling people to find the information they need about jobs and training via the Internet and our new Jobpoints. Jobpoints are not just being placed in Jobcentre Plus offices, they are also being placed in other public places such as libraries and supermarkets. All of these developments are making it easier for our customers to take advantage of the services we provide.

I hope this is helpful.

Tony Cunningham: To ask the Secretary of State for Work and Pensions how many job points there are in prisons in the UK. [133953]

Malcolm Wicks: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Tony Cunningham, dated 23 October 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning how many Jobpoints there are in prisons in the UK. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

We have piloted a new scheme placing Jobpoints in four prisons to establish if this will assist prisoners in finding jobs. These were installed between July and October 2002 and have proved to be successful. Jobpoints were distributed as follows:

HMP Featherstone: 1 Jobpoint

HMP Hollesley Bay: 1 Jobpoint

HMP Lewes: 2 Jobpoints

HMP Swansea: 2 Jobpoints

We are planning to install Jobpoints in a further ten prisons in late spring/early summer 2004.

I hope this is helpful.

Liability Insurance

Brian Cotter: To ask the Secretary of State for Work and Pensions what discussions his Department has had with the Office of Fair Trading on the introduction of compulsory notice renewal periods for liability insurance; and if he will make a statement. [127832]

Mr. Browne: We continue to be in discussion with the Office of Fair Trading on all aspects of Employers' Liability Compulsory Insurance. In relation to renewals the Government were pleased to see the introduction by the Association of British Insurers and the British Insurance Brokers' Association of new guidance to insurers and brokers on renewals. The guidance included a recommendation for providing policy holders with at least 21 days notice of their renewal terms. In the first instance the Government will look to see the response of the industry to this guidance.

Lone Parents

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the value of accrued entitlements to the child maintenance bonus among lone parents in receipt of income support; and if he will make it his policy to preserve accrued entitlements to the child maintenance bonus once the new child support rules are applied to all families. [132487]

Mr. Pond: The information on the value of accrued entitlements to the child maintenance bonus among lone parents on income support is not available and could be obtained only at disproportionate cost.

An extended period of one month, rather than the usual 14 days, to meet the work condition for the payment of child maintenance bonus has been put in place for cases transferring to the new child support scheme. To go further would require the maintenance of a substantial number of records for an indefinite period, thereby increasing administrative costs.

The child maintenance bonus was a feature of the old child support scheme, introduced in 1997 to give parents with care receiving income support or income-related Job Seeker's Allowance the benefit of up to £5 a week of the maintenance paid, when they returned to work. In the new scheme, the bonus will be replaced by the child maintenance premium, which will ensure that up to £10 a week of the maintenance that is paid will pass to the parent with care, while she is still on benefit. We estimate that the annual cost of child maintenance premium will be more than four times that which would have been spent in a year on a continued child maintenance bonus scheme.

Pension Credit

Mr. Dismore: To ask the Secretary of State for Work and Pensions how many pensioners in Hendon *(a)* are receiving pension credit, *(b)* are entitled to pension credit but not yet claiming it, *(c)* are receiving pension savings credit, *(d)* are entitled to pension savings credit but not yet claiming it, *(e)* received free eye tests in the last year for which figures are available, *(f)* received free TV licences in the last year for which figures are available and *(g)* will be entitled to winter fuel payment (i) at the standard rate and (ii) at the higher rate for older pensioners in 2003–04; and if he will make a statement. [134038]

Malcolm Wicks: The information requested about Pension Credit is not yet available in the format requested.

As at May 2003 there were 3,000 Minimum Income Guarantee claimants in the Hendon constituency. Around half of all pensioner households will be eligible for Pension Credit and stand to gain on average £400 a year (around £7 a week). We intend from November to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of applications. (1–4)

The number of sight tests paid for by the national health service for those aged 60 and over in Barnet, Enfield and Haringay health authority for the year ending 31 March, 2003 was 54,780. (5)

The information requested about TV licences and Winter Fuel payments is not available in the format requested, such information as is available is as follows.

The number of people aged 75 and over, in receipt of a key benefit as at 31 May 2003 in Hendon was 6,600. These people would be eligible to receive a free TV licence. (6–8)

The number of people in Hendon who received a Winter Fuel payment for Winter 2002–03 was 17,715 and we expect the number to be around the same for 2003–04. Of that figure 4,055 were over age 80 and therefore would be eligible to receive an additional payment. (9–11)

Notes:

1. Source: IAD Information Centre.
2. The number for MIG refers to benefit units where the claimant and/or their partner are aged 60 or over.
3. The figure for the number of MIG claimants is based on a 5 per cent. sample and therefore subject to sampling variation.
4. This figure has been rounded to the nearest hundred and quoted in thousands.
5. The total number of sight tests paid for by the NHS for this constituency was 146,380.
6. Source: IAD Information Centre 5 per cent sample
7. TV licence figures based on 5 per cent. data taken from the Client Group Analysis of the population over State Pension age as at 31 May 2003, and are therefore subject to a degree of sampling variation. These figures are expressed in thousands and rounded to the nearest hundred.
8. As only one TV licence is required per household, the number of free TV licences issued may be lower than the number of people entitled to one. Some households may contain more than one person aged 75 and over and not all households with a person aged 75 or over will have a television.
9. Source: IAD Information Centre 100 per cent. sample

10. Winter Fuel Payment figures taken from the Matching Intelligence Data Analysis Service Winter Fuels Payment 2002/2003 exercise 100 per cent data. 100 per cent data figures are rounded to the nearest five.
11. Key benefits are Attendance Allowance, Disability Living Allowance, Severe Disablement Allowance, Incapacity Benefit, Minimum Income Guarantee and State Pension.

Sex Shops

Tim Loughton: To ask the Secretary of State for Work and Pensions what his policy is on advertising jobs in job centres for posts in licensed sex shops. [116465]

Mr. Browne: The administration of Jobcentre Plus is a matter for the acting Chief Executive of Jobcentre Plus, David Anderson he will write to the hon. Member.

Letter from David Anderson to Tim Loughton, dated 28 July 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning Jobcentre Plus policy on advertising jobs in Jobcentres for posts in licensed sex shops. This is something that falls within the responsibilities delegated to me as Acting Chief Executive of the Agency.

The Ann Summers organisation recently challenged Jobcentre Plus' policy in refusing vacancies that are connected to the sale of sex related products. The outcome of the resulting Judicial Review was announced on Wednesday 18 June.

The outcome of the Ann Summers Judicial Review was to quash Jobcentre Plus' decision to refuse Ann Summers' vacancies and the policy that underpinned that decision. In response Jobcentre Plus have considered a range of options, taking into account the judge's observations in the case, the operational implications and the interests of all concerned.

Jobcentre Plus' decision is to accept all vacancies from the sex and related industries from 21 July 2003, provided that they are legal and fulfil our other criteria for accepting and displaying vacancies.

I hope this is helpful.

Small Business Council

Brian Cotter: To ask the Secretary of State for Work and Pensions when his Department will be responding to the recommendations put forward in the Small Business Council Annual Report 2003 in relation to insurance; and if he will make a statement. [127831]

Mr. Browne: The Department will co-ordinate its response with the Department of Trade and Industry, which expects to respond to the Small Business Council's recommendations in October 2003.

Pensions

Mr. Rosindell: To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that the Government's low-cost stakeholder pensions are taken up by the people towards whom the Government is aiming them. [133203]

Malcolm Wicks: Stakeholder pensions are for everyone, but particularly moderate earners without access to a company pension scheme. Employers that do not provide a company pension scheme must give their employees access to a stakeholder pension. Charges are capped to 1 per cent. of the value of the individual's fund each year, people can pay amounts from £20 upwards into them, and can stop and start contributions without penalty. Everyone now has access to a good value pension. Over three-quarters of first-year stakeholder pension sales (690,000) were to workers earning under £30,000 a year, with around two-thirds of first-year sales (530,000) going to workers earning under £20,000 a year. The Government is working to ensure that individuals actively and regularly plan for their retirement, that they are aware of the various options for saving for retirement, including stakeholder pensions, and where they can get information to help them make decisions.

Mr. Rosindell: To ask the Secretary of State for Work and Pensions what plans he has to change the state pension age. [133518]

Malcolm Wicks: Following consultation on the options for equality in State Pension age, the Pensions Act 1995 introduced measures to gradually equalise the State Pension age at 65 between 2010 and 2020.

Our Green Paper "Simplicity, security and choice: Working and saving for retirement" (Cm 5677), which was published in December 2002, reviewed the issue of State Pension age and announced that we do not propose an increase in the State Pension age. Such an increase would impact most heavily on those most dependant on the State Pension.

The Government's priority is to address the employment rates of those approaching 65 and to introduce new choices to encourage people to work past 65 where they want to.

FOREIGN AND COMMONWEALTH AFFAIRS

Democratic Republic of Congo

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the transitional Government of the Democratic Republic of Congo on the subject of child witches. [133618]

Mr. Mullin: None.

East Africa

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the peace process between Eritrea and Ethiopia. [133762]

Mr. Mullin: The current situation in the peace process is that the Boundary Commission set up under the Algiers Agreement has made a decision on the position of the boundary between Ethiopia and Eritrea, which is legally binding. We and the UN Security Council, most recently in Resolution 1507 of 12 September 2003, have called on both parties to implement this fully.

East Timor

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives from the UN Serious Crimes Unit regarding the progress of the East Timor humanitarian crimes trials in Jakarta; what steps the UN is taking to

monitor proceedings; whether a UN review of the proceedings is being considered; and if he will make a statement. [132997]

Mr. Mike O'Brien: I have not had discussions with the UN Serious Crimes Unit (SCU) or any other UN officials about the Jakarta Ad Hoc Tribunal on Human Rights Abuses in East Timor. The UN office in Jakarta, rather than the SCU is responsible for monitoring the Ad Hoc Tribunal, but neither they nor the Secretariat in New York have made public any of their reports on the Tribunal. We believe that the UN is considering whether to do a formal review of the Ad Hoc Tribunal but no decision has been taken on this yet. Our officials at the UN remain in regular contact with UN officials about issues affecting East Timor. In August 2003 the EU issued a statement criticising the deficiencies of the Ad Hoc Tribunal.

Global Conflict Prevention Pool

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs which Minister in his Department has responsibility for the Global Conflict Prevention Pool; and what responsibilities other Departments have for the Pool. [133143]

Mr. Rammell: A review of the Government's work on conflict prevention in 1999–2000 concluded that delivery would be improved by bringing together in a more co-ordinated way the existing activities of the Foreign and Commonwealth Office (FCO), the Department for International Development (DFID) and the Ministry of Defence (MoD) in this field. The Government therefore set up joint FCO/DFID/MoD Africa and Global Conflict Prevention Pools in 2000.

The Global Conflict Prevention Pool is overseen by a Cabinet Committee comprising my right hon. Friends the Foreign Secretary (the Chair), the Secretary of State for International Development, the Secretary of State for Defence and the Chief Secretary to HM Treasury. At Ministerial level, responsibility within the FCO rests with me.

The inter-departmental, tripartite management of the Pool is maintained at all official levels, including in the GCPP Steering Team and in the management teams for GCPP geographical and thematic strategies. While the FCO holds the Chair of the GCPP, responsibility for its management is shared equally between all three Departments.

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs in which countries the Global Conflict Prevention Pool has been active; and when meetings with *(a)* the UN, *(b)* the EU and *(c)* state representatives regarding conflict prevention were held. [133144]

Mr. Rammell: The Global Conflict Prevention Pool (GCPP) works through a wide range of programmes grouped under geographical, regional, thematic or international capacity building strategies. Its geographical strategies are:

Afghanistan;
The Balkans ;
Belize and Guatemala;
Central and Eastern Europe
Indonesia and East Timor;
India and Pakistan;
Iraq, The Middle East and North Africa;
Nepal;
Russia and the Former Soviet Union;
Sri Lanka.

The GCPP also has the following thematic and international capacity building strategies:

Security Sector Reform;
Small Arms Light Weapons;
OSCE and the Council of Europe;
The UN.

I refer my hon. Friend to the answer given to him today (UIN 133142) for more details on these strategies.

Meetings to discuss conflict prevention with representatives of the UN, EU and of particular states take place regularly. Examples include UK participation in negotiations and discussions in the UN General Assembly and Security Council, and with the UN Secretariat, in the EU Political and Security Committee and during bilateral meetings with visiting Ministers and officials. Recent meetings include a visit to the UK in June for discussions of UN Reform by Jean-Mairie Guehenno, Head of the Department of Peacekeeping Operations in the UN Secretariat, negotiations on the UN General Assembly Resolution on the Secretary General's Report on Conflict Prevention in June and July, a call by the Swedish Ambassador for Conflict Prevention on the FCO in September, and bilateral discussions with the President of Afghanistan, Hamid Karzai during his visit to the UK in October 2003.

Guantanamo Bay (Feroz Abbasi)

Geraint Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the mental health of Feroz Abbasi in Guantanamo Bay; and if it is intended that he will be repatriated to the UK if he is deemed unfit to face trial. [133396]

Mr. Mullin: Any health concerns there may be about the British nationals at Guantanamo Bay are being addressed and we are in contact with the families of those concerned. The issue of the mental health of a British national is information of a private and confidential nature.

Although Mr Abbasi has been designated as eligible to face prosecution before a Military Commission, he has not been charged. Furthermore, all legal proceedings against the British nationals detained at Guantanamo Bay are currently suspended. The question of fitness to face trial is therefore hypothetical at this stage. We are pressing the US authorities to move forward with the process of determining the future of all the British detainees at Guantanamo Bay. We have discussed, and are discussing, a range of options with the US, including the possibility of repatriation.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on co-operation by Indonesia with the UN Serious Crimes Unit. [132998]

Mr. Mike O'Brien: I am advised that Indonesia has not co-operated with the Serious Crimes Unit's investigations. There was a request to do so from the late Sergio Vieira de Mello when he was the Special Representative of the Secretary General to East Timor, and there was lobbying from the EU in support of this request.

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Indonesia regarding the activities of Laskar Jihad members. [133538]

Mr. Mike O'Brien: We have discussed counter-terrorism issues a number of times with the Government of Indonesia over the past year, although we have not specifically raised the activities of Laskar Jihad members.

Our bilateral counter-terrorism assistance involves capacity-building assistance, including training in counter-terrorism crisis management skills. We are encouraging moderate Islam in Indonesia to be more vocal. We are also offering specialist help and training in capacity building for provincial officials, focusing our help in provinces where improved governance will benefit the poor. Indonesia is a priority country for the Global Conflict Prevention Pool, and we are working to identify programmes to reduce sectarian violence and relieve humanitarian crises.

Middle East

Mr. Edwards: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press the United Nations to take steps to secure the presence of international observers in the Occupied Territories. [133513]

Mr. Rammell: The Quartet, of which the UN is a member, has provided for third party monitoring of its roadmap. On 26 September 2003, the Quartet reaffirmed its commitment to follow closely the implementation by the parties of their obligations. This is done using the resources Quartet Members already have in the region, including the US team led by John Wolf and UN representatives.

We have no plans to press the UN for more international observers in the Occupied Territories at this time.

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the United Kingdom's *(a)* diplomatic and *(b)* trade relations with Israel will change as a result of the construction of the security wall. [133150]

Mr. Rammell: No.

The Government continue to use diplomatic channels to Israel to press for the route of the wall to be reconsidered. My right hon. Friends the Prime Minister and the Foreign Secretary made clear our concerns over its route and likely impact to the Israeli Prime Minister during his visit to London on 14 July 2003. My noble Friend the Baroness Symons of Vernham Dean also raised the matter with the Israeli Foreign Minster during her visit to Israel on 30 September 2003.

The wall should not be built within occupied territory. As the 17 October 2003 European Council statement made clear, we and our EU Partners are particularly concerned that the route marked out for the fence in the West Bank will cause further humanitarian and economic hardship to the Palestinians and could prejudge final status negotiations. We deplore this seizure of Palestinian land, the isolation of Palestinian villages and the creation of a further physical obstacle to the two-state solution.

Military Equipment

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the military equipment purchased under the Global Conflict Prevention Pool, stating in each case *(a)* the recipient, *(b)* the amount spent and *(c)* the end use; and if he will make a statement. [133026]

Mr. Straw *[holding answer 22 October 2003]*: The following table indicates the purchase of military equipment under the Global Conflict Prevention Pool (GCPP) since it was set up in 2000, and updates the information given in the response from the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Harlow in his reply to my hon. Friend the member for Richmond Park (Dr. Tonge) on 5 December 2002.

Pool funding is used to supply military equipment where this forms part of an integrated conflict prevention strategy, and is crucial to ensuring the stability of a conflict area and to the success of the strategy. The GCPP takes into account the risk of any equipment supplied being misused by the recipient or falling into other hands, and the likely political consequences. Ministers will always take the final decision on any supply of weapons and ammunition.

More general information on the details of the GCPP is available in the recent publication "The Global Conflict Prevention Pool—A joint UK Government approach to reducing conflict", which is available in the Library of the House. A copy of the booklet has been placed on the FCO website (www.fco.gov.uk) accessible under Global Issues—International Organisations—UN—Conflict Preventions.

Recipient	*Financial year*	*Cost (£)*	*Description (end use)*
Afghanistan			
Afghan National Army and ISAF/Afghan police and military controls at Kabul entry points	2002–03	1.44 million	Hard and soft-top jeeps, trucks, communication equipment, security equipment including spotlights, radio, metal detectors
	2003–04 (to date)	1 million	Follow-on funding for further communications equipment to be provided in October 2003

Recipient	Financial year	Cost (£)	Description (end use)
Nepal			
Royal Nepalese Army	2001–02	285,818	Land Rovers spares and maintenance training, communications equipment
	2002–03	3,099,347	Communications equipment, binoculars, compasses, Swiftscopes, Explosive Ordnance Disposal (EOD) equipment, two transport helicopters
Belize			
Belize Defence Force	2001–02	169,555	Aircraft parts and freight costs, Land Rovers and spares, radio equipment
	2002–03	127,259	Uniforms, mess kits, tents, hammocks, radio equipment
	2003–04	84,434	Uniforms, trucks, outboard motors, mess kits
Macedonia			
Macedonian authorities	2001–02	282,500	EOD equipment, body armour, global positioning system, mine detector sets, flares
		75,000	Four fort-lift trucks
Sri Lanka			
Sri Lankan Army	2002–03	92,000	EOD equipment
	2003–04	12,000	EOD training, MOD short-term training team
Uruguay			
Uruguay Peacekeeping	2001–02	27,014	Three NERA satellite phones and airtime
Capacity training	2002–03	30,000	FATS firearms training simulator

Mobile Telephone Costs

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent on calls from mobile telephones in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [133531]

Mr. Rammell: This information is not held in the form requested and, particularly with regard to posts overseas, could be obtained only at disproportionate cost.

Responsibility for renting mobile phone services at over 200 diplomatic missions overseas is delegated to those missions.

Morocco

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the forthcoming visit of the King of Morocco, with specific reference to the Government's policy on the Western Sahara. [133614]

Mr. Rammell: The King of Morocco has been invited to visit the United Kingdom, but no date has been agreed. We regularly discuss the Western Sahara in our contacts with the Moroccan Government.

Mr. Kirtan Singh

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when the appeal papers in respect of Mr. Kirtan Singh, date of birth 6 May 1973, were sent from New Delhi. [133480]

Mr. Mullin: The applicant has made two applications for Entry Clearance to the United Kingdom as the spouse of Lakhvir Kaur. The first application was made on 20 December 2001 and was refused on 26 June 2002. The appellant's solicitors informed us on 27 January 2003 that an appeal against this decision had been lodged on 5 July 2002. It later became apparent that the appeal had been lodged in error at the Deputy High Commission in Mumbai. In view of the circumstances the Visa Department in New Delhi suggested to the solicitors that a fresh application should be lodged.

The applicant reapplied on 23 July 2003 and was refused on 4 September 2003. Notice of Appeal against the Entry Clearance Officer's decision was received on 23 September. The explanatory statement will be prepared and despatched as soon as possible.

Nuclear Non-proliferation Treaty

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by the United Kingdom in relation to the implementation of the disarmament objectives set out at the end of the Nuclear Non-Proliferation Treaty Review Conference in 2000; and if he will make a statement. [133027]

Mr. Straw *[holding answer 22 October 2003]*: The United Kingdom remains fully committed to all aspects of the Nuclear Non-Proliferation Treaty (NPT), including global and verifiable nuclear disarmament. We have an excellent record in fulfilling our NPT obligations on nuclear disarmament. Consistent with the policy set out in the 1998 Strategic Defence Review, the UK has gone further than other Nuclear Weapon States in implementing the measures agreed in the Final Document of the 2000 NPT Review Conference.

More specifically, the UK has:

withdrawn and dismantled the RAF's freefall nuclear bomb so that Trident is now our only nuclear weapons system;

reduced our operationally available stockpile to fewer than 200 warheads, which is a reduction of more than 70 per cent. in the potential explosive power of our nuclear forces since the end of the Cold War;

dismantled the UK's last Chevaline warhead last year;

reduced the readiness of our nuclear forces: only a single Trident submarine is now on deterrent patrol, carrying 48 warheads. The submarine on patrol is normally on several days 'notice to fire' and its missiles are de-targeted;

placed fissile material no longer required for defence purposes under international safeguards. All enrichment and reprocessing facilities in the UK are now liable to international inspection; and

been more transparent about our nuclear and fissile material stockpiles and begun a national historical accounting study for fissile material produced.

The UK continues to play a full part in the NPT Review process, including most recently in the Second Session of the Preparatory Committee (PrepCom), which was held in Geneva in April and May this year. The UK issued a working paper at the PrepCom on its research into verification of nuclear disarmament and presented the conclusions of this interim study at a seminar during the PrepCom. We anticipate publishing a further paper for the 2004 session of the PrepCom and a consolidated paper at the Review Conference in 2005.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the states in the Middle East that have *(a)* signed and *(b)* ratified the (i) Nuclear Non-Proliferation Treaty, (ii) Chemical Weapons Convention and (iii) Biological and Toxin Weapons Convention. [133028]

Mr. Straw *[holding answer 22 October 2003]*: States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) include:

Algeria, Bahrain, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Morocco, Libya, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen.

States parties to the Chemical Weapons Convention (CWC) include:

Algeria, Bahrain, Iran, Jordan, Kuwait, Morocco, Oman, Qatar, Saudi Arabia, United Arab Emirates, Yemen. Israel has signed but not ratified the CWC.

States parties to the Biological and Toxins Weapons Convention (BWC) include:

Algeria, Bahrain, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Yemen. Egypt. United Arab Emirates and Syria have signed but not ratified the BWC.

The United Kingdom regularly calls on all states of the region to accede to these regimes whenever the opportunity arises. We have also made clear our support for a Middle East zone free from weapons of mass destruction.

Pakistan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Pakistan on the proposal of exempting religious universities from the imposition of Shariah Law. [133615]

Mr. Mike O'Brien: I discussed the Shariah Law with the Pakistani High Commissioner on 22 September 2003. I understand that the authorities in the North West Frontier Province will apply the Sharia Law to educational institutions.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Pakistani authorities on the current status of the blasphemy law. [133616]

Mr. Mike O'Brien: I discussed the blasphemy laws with the Pakistani High Commissioner on 22 September 2003. She told me that her Government was taking action to prevent abuses of these laws. The British High Commission in Islamabad remains in close touch with representatives of Christian and other religious minorities in Pakistan.

Soviet Arctic Circle Region Medal

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from veterans who wish to accept the Russian Defence of the Soviet Arctic Circle Region Medal. [133543]

Mr. Rammell: Since June 2003, the Foreign and Commonwealth Office has received two telephone inquiries and one letter from veterans wishing to accept the Russian Defence of the Soviet Arctic Circle Region Medal.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the release from house arrest of Dr. al-Turabi by the Government of the Sudan. [133617]

Mr. Mullin: We welcome the release of Dr. al-Turabi and other political prisoners. We hope that the Government of Sudan will continue the process of reconciliation with all other parties.

Zimbabwe

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy on the potential attendance of *(a)* Robert Mugabe and *(b)* Zimbabwe officials and Ministers on the EU travel ban list at the Commonwealth Heads of Government Meeting in December 2003. [132573]

Mr. Straw: As it is suspended from the Councils of the Commonwealth, no invitation has been issued to the Government of Zimbabwe. This is in line with past Commonwealth practice. The EU's travel ban obviously does not apply to Abuja, Nigeria, where the Commonwealth Heads of Government meeting is being held as Nigeria is not a member of the EU.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the British Government *(a)* has had and *(b)* plans to have with the government of (i) Australia, (ii) South Africa and (iii) Nigeria on President Robert Mugabe's attendance at the Commonwealth Heads of Government Meeting in December. [132574]

Mr. Straw: We have had regular discussions with the governments of Australia, South Africa and Nigeria on this issue. These discussions will continue in the run-up to CHOGM.

DEPUTY PRIME MINISTER

Buildmark Warranty Scheme

Huw Irranca-Davies: To ask the Deputy Prime Minister if he will make representations to the chief executive of the National Home-Building Council to extend the cover provided by the Buildmark Warranty Scheme to include permanent external fixtures in addition to structural defects. [133357]

Phil Hope: The terms of the Buildmark scheme are a matter for the council and board of the National House-Building Council (NHBC). I am aware that the NHBC keeps the terms of the scheme under review. The cover provided in years three to 10 of Buildmark agreements has been extended over recent years to include damage occurring in external render and external vertical tile hanging, tile and slate roof coverings, and multiple glazing, as well as structural matters and various non-structural internal features. The Office of the Deputy Prime Minister has no plans at present for any representations to the NHBC about adding to the list of non-structural external features included in the cover.

Huw Irranca-Davies: To ask the Deputy Prime Minister what recent meetings he has had with the chief executive of the National Home-Building Council to discuss its Buildmark Warranty Scheme. [133358]

Keith Hill: My right hon. Friend the Lord Rooker met the chairman and the chief executive of the National House Building Council in April this year, to discuss matters of common interest, including the Buildmark scheme.

Council Housing Stock

Mr. Skinner: To ask the Deputy Prime Minister (1) how many local authorities have transferred the whole or part of their housing stock in each year since 1990; [133768]

(2) how many local councils have transferred *(a)* all and *(b)* some of their housing stock to (i) housing associations and (ii) bodies other than housing associations. [133772]

Keith Hill: The number of local authorities who have transferred whole or part of their housing stock in each year since 1990 are tabled as follows:

	Number of Authorities transferring stock
1990	8
1991	5
1992	2
1993	5
1994	12
1995	9
1996	10
1997	5
1998	15
1999	24
2000	18
2001	15
2002	16
2003	[1]10

[1] to date

A local authority may only transfer its tenanted stock to a Registered Social Landlord.

Mr. Skinner: To ask the Deputy Prime Minister if he will hold discussions with representatives of local councils wishing to retain control of their housing stock. [133769]

Keith Hill: The Office of the Deputy Prime Minister would welcome discussions with local authorities to discuss the options for delivering the decent homes target.

Mr. Skinner: To ask the Deputy Prime Minister what central government financial inducements are available to local councils when transferring housing stock to *(a)* housing associations and *(b)* other outside bodies. [133771]

Keith Hill: There are no central government financial inducements available to a local authority when transferring its housing stock. A local authority may only transfer its tenanted housing stock to a Registered Social Landlord, a housing organisation registered with the Housing Corporation, of which a housing association is one such organisation.

Mr. Skinner: To ask the Deputy Prime Minister if he will take steps to ensure that local authorities which retain control of their housing stock receive the same financial assistance as local authorities which transfer their housing stock. [134014]

Keith Hill: The Sustainable Communities Plan made it clear that local authorities seeking additional investment in their housing stock, in order to meet the decent home standard, are able to choose from three options: stock transfer, the Private Finance Initiative and setting up an Arms Length Management Organisation.

The resources available for social housing, although greatly increased under this Government, are limited. To make best use of those resources the Office of the Deputy Prime Minister will only provide additional funding to councils that separate their landlord and strategic functions. This provides a strong incentive to better performance; ensures a sharper focus on the two distinct housing functions; and guarantees that tenants have a greater role in the future management of their homes.

In a number of cases local authorities are able to meet the decent homes standard out of their mainstream funding.

Council Tax

Mr. Alan Campbell: To ask the Deputy Prime Minister which local authorities take into account war pensions when assessing council tax. [131317]

Mr. Pond: I have been asked to reply.

A statutory disregard of £10 is applied to War Disablement Pensions and War Widows Pensions when calculating entitlement to income-related benefits. In the case of Housing Benefit and Council Tax Benefit, local authorities have the discretion to apply a further disregard up to the full amount of any War Pension in payment.

At April 2003, 392 local authorities disregarded War Pensions in full and two authorities, Middlesbrough and Bolton, applied a full disregard to War Pensions but not

War Widows' Pensions. A further 12 authorities applied a disregard in excess of the statutory £10. They are, as follows: Barrow; Chester-le-Street; Gateshead; Newcastle; North Tyneside; Preston; Salford; South Tyneside; Sunderland; Surrey Heath; Tynedale; and Weymouth and Portland. The remaining two authorities, Easington and Wear Valley, applied the statutory disregard only.

This answer corrects the information given in the reply to the hon. Member for Havant (Mr. Willetts) on 14 April 2003, *Official Report*, column 513W.

Source:
Ministry of Defence Veterans' Task Force from information supplied by the Royal British Legion.

Euro

Mr. Stephen O'Brien: To ask the Deputy Prime Minister how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131598]

Yvette Cooper: I refer the hon. Member to the answer given by my right hon. Friend the Minister for Local Government, Regional Governance and Fire on 6 October 2003, *Official Report*, column 1027W.

Fire Scheme

Miss McIntosh: To ask the Deputy Prime Minister what representations he has received from *(a)* individuals and *(b)* organisations in North Yorkshire on the Fire Scheme. [133586]

Mr. Raynsford: The Office of the Deputy Prime Minister understands the hon. Member is referring to the North Yorkshire Fire & Rescue Authority's Draft Integrated Risk Management Plan. The Office of the Deputy Prime Minister has received no representations on the Scheme from either individuals or organisations in North Yorkshire.

Marine Aggregates

Mr. Blizzard: To ask the Deputy Prime Minister what assessment he has made of the effects of global warming in drawing up the guidance issued for determining applications for the extraction of marine aggregates. [133249]

Yvette Cooper: The effects of global warming were not assessed during the preparation of Marine Minerals Guidance Note 1 (MMG1) published in July 2002. The progressive effects of climate change due to global warming on the marine environment are still relatively uncertain. However, at present, these appear to include rising sea levels, increased storminess, changes to sea floor habitats and modified behavioural patterns of marine organisms. These are all matters that can be taken into account, as appropriate and as knowledge increases, in the Environmental Statements that accompany each marine minerals dredging licence application. Each Environmental Statement is examined carefully and widely consulted upon before that application is determined. Licences for dredging of marine minerals are both time-limited and subject to conditions that include monitoring of the marine environment to ensure that action can be taken if unforeseen effects take place. As regards general policy, MMG1, as with all Government guidance, is subject to periodical review and to revision when necessary. Where the impacts of climate change both become more certain and are sufficiently significant to influence the stance of policy in these areas, the guidance can be revised to take them into account.

Mr. Blizzard: To ask the Deputy Prime Minister how much marine aggregate has been extracted from UK coasts in the last 10 years; and what his assessment is of the total amount that may be removed within safe environmental limits. [133252]

Yvette Cooper: Most marine dredging for aggregate takes place over five kilometres away from the immediate vicinity of the coast. There is little extraction closer to the coast. The total amount of sand and gravel extracted for use as aggregate from all licensed areas in UK waters over the past 10 years is about 253.3 million tonnes. It is not possible to estimate with any certainty how much can be removed within safe environmental limits since the total size of the resource is not yet known. In addition, impacts on the sea-floor, marine currents and waves, habitats and uses of the sea all need to be assessed in detail, on a project-by-project basis, to establish whether any individual proposal is environmental acceptable. Each licence application is subject to an environmental impact assessment which includes a coastal impact study. This is the subject of careful analysis and wide consultation and, if necessary, additional investigations before a decision is taken. All licences that are issued by the Crown Estate are subject to conditions specified by Government to make sure that any environmental impacts are minimised. Licences are time-limited so that the position can be reconsidered if further dredging is proposed.

Mobile Phone Base Stations

Mr. Whittingdale: To ask the Deputy Prime Minister what the maximum distance is from a mobile phone base station that a school can be located in order to meet the definition 'near' thus requiring the relevant body of the school to be consulted under paragraph 62 of Planning Policy Guidance Note 8 (Telecommunications). [133886]

Yvette Cooper: The Government have not defined the maximum distance from a mobile phone base station that a school can be located in order to meet the definition "near" thus requiring the relevant body of the school to be consulted under paragraph 62 of Planning Policy Guidance Note 8 (Telecommunications).

The Code of Best Practice on Mobile Phone Network Development published in November 2002 states that in determining whether a school or college should be consulted the following factors should be taken into account by network operators and local planning authorities:

the proposed site is on school/college grounds;

the proposed development would be seen from the school/college or its grounds;

the site is on the main access point used by pupils/students to the school/college;

there is a history of concern about base stations within the local community;

the local planning authority has requested consultation with the school/college;

the school/college has requested that it be included in any consultation (DfES has advised schools and colleges that if they wish to be consulted about base stations in their locality they should notify the local planning authority setting out the circumstance in which they would wish to be consulted).

Neighbourhood Renewal

Mr. Cousins: To ask the Deputy Prime Minister if he will place in the Library the calculations, indicators and assessments for each Neighbourhood Renewal Fund authority which led to the identification of 26 such authorities for additional residual NRF support. [132751]

Yvette Cooper: A copy of the table showing the allocations to the 26 local authority areas eligible for residual Neighbourhood Renewal Fund (NRF) resources in 2004–05 and 2005–06; the list of indicators against which the Office of the Deputy Prime Minister measured the distance travelled by each area towards floor target achievement, and the set of base data used in these measurements is available in the Library of the House.

Ordnance Survey Framework Document

Andrew Bennett: To ask the Deputy Prime Minister when he expects to publish the Ordnance Survey Framework Document. [133861]

Yvette Cooper: My predecessor, my hon. Friend the Member for Harrow, East (Mr. McNulty) announced in July 2002 that a new Ordnance Survey Framework Document would be produced, following the conclusion of the Quinquennial Review.

The Office of the Deputy Prime Minister is not in a position to say when the Framework Document will be finalised and published, but the Government is well aware of the need to conclude this matter without unnecessary further delay.

Planning Law

Mr. Burns: To ask the Deputy Prime Minister if he will make a statement on his plans to amend the planning laws to give local authorities and planning departments more powers to overcome abuses of planning law, with special reference to the removal of travellers and others from land without the consent of the landowner. [132927]

Yvette Cooper: When travellers have bought and developed land without planning permission, this would be an unauthorised development, which is a breach of current planning laws. A range of powers already exists to deal with unauthorised development, which is a planning matter. When travellers have trespassed onto land they do not own, that is an unauthorised encampment.

The police can issue a Section 61 Direction under the Criminal Justice and Public Order Act 1994, directing trespassers to leave land. Failure to comply with such a direction is an offence. Local authorities may issue a Direction to Travellers on unauthorised encampments under Section 77 of the 1994 Act. Again, failure to comply is an offence. Landowners have power under the common law to remove trespassers from their land. The procedure to be used is contained in Part 55 of the Civil Procedure Rules.

There are also proposals contained in Clause 62 of the Anti-Social Behaviour Bill, to give the police power to direct illegally camped travellers to leave land. The new power could only be used if the local authority has available pitches on sites in their area.

Mr. Burns: To ask the Deputy Prime Minister if his Department will make a grant to Chelmsford borough council to assist it in offsetting the money they will have to spend to enforce planning laws through direct action at Cranham road, Little Waltham, Chelmsford; and if he will make a statement. [132929]

Keith Hill: No. Local planning authorities already have powers under section 178 of the Town and Country Planning Act 1990 to take direct enforcement action and recover their costs from the owner of the land.

RAF Newton

Mr. Clarke: To ask the Deputy Prime Minister when he expects to receive the report of the Inspector into the proposal to build an asylum seekers accommodation centre on the site of RAF Newton in Nottinghamshire; and when he expects to announce a decision. [134062]

Keith Hill: The Inspector's report was received on 22 July and is under active consideration. The Office of the Deputy Prime Minister will proceed to a decision as soon as possible.

South Sefton Partnership

Mrs. Curtis-Thomas: To ask the Deputy Prime Minister what steps have been taken by the South Sefton Partnership to build a stronger community by helping local people *(a)* to be involved in planning and decision-making at local level and *(b)* supporting community initiatives. [128881]

Yvette Cooper: This is one of Sefton Partnership's four key objectives. The Partnership has recently prepared a small booklet "South Sefton Partnership—The Story So Far" which aims to illustrate steps taken to date on these four key objectives.

The steps taken in respect of this objective are as follows:

Supporting the creation of the 13 Neighbourhood Action Groups (NAG) in South Sefton to co-ordinate regeneration activity at local level.

Creating and funding 12-month Making it Real capacity-building project to help the NAGs complete neighbourhood audits and develop local action plans.

Creating the NAG Support Team and the NAG Development Fund to support the on-going work of the NAGs at neighbourhood level.

Funding a consultation exercise, run by Venus, to identify ways that young people can be actively involved in the regeneration process.

Funding the Neighbourhood Skills Works project to provide NAG members with the skilled required to play an active role in local regeneration activities.

Funding the Volunteer Support Project in Netherton and Litherland which aims to help groups provide a high-quality youth services through training and supporting volunteer workers.

Launching the South Sefton Key Fund, a project to provide groups with easy access to grants of up to £10,000 to support community projects in South Sefton.

Sunset Clauses

Bob Spink: To ask the Deputy Prime Minister if he will make it his policy to include a sunset clause in all new legislation promoted by his Department unless a specific case can be made to exclude a sunset clause. [120863]

Yvette Cooper: The Office of the Deputy Prime Minister actively promotes the better regulation agenda and the use of sunsetting where appropriate.

Sustainable Communities Plan

Mr. Lidington: To ask the Deputy Prime Minister (1) if he will list the sites in each of the growth areas defined in the Government's Sustainable Development Plan that have been designated as sites of European importance for birds under the Birds Directive; [132671]

(2) if he will list the sites of special scientific interest that are within each of the grant areas in South-East England designated under the Sustainable Communities Plan; [132674]

(3) if he will list the *(a)* areas of outstanding natural beauty, *(b)* ancient woodland and *(c)* national nature reserves that lie within the grant areas designated under his Sustainable Communities Plan. [132675]

Yvette Cooper: The Chilterns and Kent Downs Areas of Outstanding Natural Beauty (AONB) fall within the growth areas.

A list of Sites of Special Interests (SSSI), National Nature Reserves (NNRs), ancient woodlands and Special Protection Areas under the Birds Directive (SPAs), within local authorities covered by the growth areas is available in the Library of the House. All NNRs and SPAs are also SSSIs, as are some ancient woodlands. Owners and occupiers of SSSIs must obtain consent from English Nature before carrying out any operations on their SSSIs that are likely to damage the special conservation interest. Government Departments and public bodies must similarly consult English Nature before carrying out or permitting any operation likely to damage the special conservation interest of SSSIs.

The Communities Plan sets out a framework for housing growth within the principles of sustainable development. That means high density, high quality design and easy access to public transport and other public services. It restates our commitment to develop brownfield first, and to protect and enhance the green belt, minimising adverse environmental impacts. In the Milton Keynes South Midlands area, for example, local and regional partners have put forward proposals for housing growth which fall overwhelmingly in and around the existing urban areas.

These and other growth proposals will be examined through the Regional Planning Guidance process. Areas such as AONBs and SSSIs receive a high degree of protection from the planning system because of the national importance of their landscapes and their nature conservation value. National planning policies on these areas are set out in Planning Policy Guidance Notes 7 and 9.

In order to ensure that growth proposals enhance and improve countryside and nature conservation, we are actively enhancing green spaces within the growth areas. The Office of the Deputy Prime Minister is currently drawing up a green space strategy for the Thames Gateway, and are developing a programme to improve the quality and accessibility of strategic green spaces in and around the other growth areas.

HEALTH

3G Telephone Masts

Mrs. Lait: To ask the Secretary of State for Health what advice has been issued by the Department on the effect of 3G telephone masts on public health. [133037]

Miss Melanie Johnson: The National Radiological Protection Board (NRPB) has statutory responsibility for providing advice on health risks from exposure to electromagnetic fields including radio waves. It has received a number of inquiries about a recent Dutch study, the effects of third generation (3G) signals from the Netherlands and has posted a response statement on its website at www.nrpb.org.

Government advice on mobile phones and health is based on the Stewart Report, issued in May 2000 and available at www.iegmp.org.uk. In respect of base stations the report concluded:

"The balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of guidelines."

The operators of mobile telephone equipment, including 3G systems, should ensure that public exposure does not exceed the guidelines of the International Commission on Non-Ionizing Radiation Protection. Measurements to date undertaken by the NRPB and the Radiocommunications Agency (www.radio.gov.uk) have confirmed that public exposures are very much lower than the international guidelines.

Research published since the Stewart Report is currently being reviewed by the NRPB's Advisory Group on Non-ionising Radiation. The group's review is expected in the next few months.

Breast Cancer

Jim Dobbin: To ask the Secretary of State for Health who the members are of the Cancer Research UK study team studying potential risk factors for breast cancer. [133147]

Miss Melanie Johnson: This is an independent research project, which has not been directly commissioned or funded by the Government. The Department does not, therefore, hold details of the members of the study team. Cancer Research UK may be able to provide the information requested.

Accident and Emergency Services

David Davis: To ask the Secretary of State for Health how many staff were employed in the accident and emergency departments in Hull and East Yorkshire NHS Trust on 1October *(a)* 2003 and *(b)* 2002, broken down by grade. [134050]

Miss Melanie Johnson: Figures for the number of staff employed in accident and emergency departments on 1 October 2003 have not yet been published. The figures for 2002 are in the table.

Hospital, Public Health Medicine and Community Health Services (HCHS): Medical Staff within Hull & East Yorkshire NHS Trust with a speciality in Accident & Emergency medicine As at 30 September 2002

	Numbers (headcount)	
	All staff	Of which: A&E specialists
Total	603	33
Of which:		
Consultant	208	5
Non consultant Career Grade	55	7
Registrar Group	106	4
Senior House Officer	165	16
House Officer	25	[1]–
Hospital Practitioner/Clinical Assistant	44	1

[1] Zero

Source:
Department of Health medical and dental workforce census.

Arthritis

Sir Teddy Taylor: To ask the Secretary of State for Health if he will make a statement on the progress made by the NHS in providing treatment for arthritis sufferers. [133826]

Dr. Ladyman: The Government is aware that arthritis is a major cause of disability in the United Kingdom and that it has a significant impact, not only on health and community services, but also on the people who experience its painful symptoms. We are sympathetic to the needs of patients with arthritis and have helped make new generation drugs for arthritis treatment such as etanercept and infliximab available to National Health Service patients.

Maximum waiting times have fallen over the past few years and will continue to do so. By the end of 2005, the maximum waiting time for a first outpatient appointment with a consultant will fall to three months and the maximum wait for inpatient treatment will fall to six months. This will help all NHS patients, including those with arthritis.

Over the years 2003–04 to 2007–08, expenditure on the NHS in England will increase on average by 7.4 per cent., a year over and above inflation—a total increase over the period of 43 per cent., in real terms. This will take the total spent on the NHS in England from 56 billion in 2002–03 to over 90 billion in 2007–08 and lead to better services for all patients.

Cancer Research

Mrs. Anne Campbell: To ask the Secretary of State for Health if he will make a statement on implementation of the promise made by his Department to match charitable spending on cancer research pound for pound in 2003. [133190]

Miss Melanie Johnson: In the NHS Cancer Plan, the government stated its commitment to increasing funds for cancer research so as to play a full part alongside its funding partners. We said that, by 2003, we would be investing an additional £20 million each year in the infrastructure for cancer research and an extra £4 million on prostate cancer research. This new funding would mean that, for the first time, Government (through the Department, the Higher Education Funding Council and the Research Councils) would match the current investment of the voluntary sector.

In June 2002, we confirmed to the House of Commons Science and Technology Committee that Government investment in cancer research had already reached the level of the charities. Nevertheless, we remain committed to investing the extra £24 million, as described in the Cancer Plan.

Paul Holmes: To ask the Secretary of State for Health how much money will be spent in 2003–04 on research into *(a)* cures and *(b)* early diagnosis of (i) mesothelioma, (ii) breast cancer, (iii) other lung cancers, (iv) prostate cancer and (v) skin cancer; and if he will make a statement. [133496]

Miss Melanie Johnson: Over 75 per cent. of the Departments total expenditure on research, including that on cancer, is devolved to national health service providers and details of these figures are not collected centrally.

The International Cancer Research Portfolio database at www.cancerportfolio.org contains details of projects supported by cancer research funding organisations in the United Kingdom and the United States. Data submitted by the National Cancer Research Institute includes the research portfolios of the 15 largest Government and charitable funders of cancer research in the UK where the research was active on 1 January 2003. The database can be searched by type of cancer, area of research, and funding organisation. It does not contain details of research funded through allocations to NHS providers.

National Care Standards Commission

Mr. Peter Ainsworth: To ask the Secretary of State for Health what provision he has made for the annual cost to public funds of the National Care Standards Commission's inspection of independent boarding schools. [119655]

Dr. Ladyman *[holding answer 16 June 2003]:* The National Care Standards Commission (NCSC) is funded partly by grant in aid from the Department of Health and partly by the income it generates through its registration and inspection work. This Department's

grant in aid funds the entire range of the NCSC's regulatory activities and is not broken down into components according to service.

Criminal Records Checks

Mr. Pickthall: To ask the Secretary of State for Health how many employees in the NHS require Criminal Records Bureau checks; what the total cost of those checks is; and who pays for them. [133304]

Mr. Hutton *[holding answer 22 October 2003]:* Since the start of the Criminal Records Bureau in March 2002, approximately 170,000 disclosure applications have been received by the CRB from the national health service and primary care. The total cost in fees of these disclosures is estimated at £2,744,000. The fee for disclosures is normally met in the NHS by employers.

Dentistry

Mr. Pike: To ask the Secretary of State for Health how many people in England have been registered with an NHS dentist in each of the last 10 years; and if he will make a statement. [131416]

Ms Rosie Winterton: At 31 July 2003, 23.1 million patients were registered with a general dental service (GDS) dentist in England. The information is shown in the table for 30 September for the years 1994 to 2002 and for 31 July 2003.

General Dental Service: Number of persons registered with a dentist, 1994 to 2003—England

	Million
At 30 September	
1994	28.4
1995	27.3
1996	26.8
1997	26.8
1998[1]	23.5
1999[1]	23.5
2000[1]	23.7
2001[1]	23.6
2002[1]	23.5
At 31 July 2003	23.1

[1] Registration data for these years is not comparable with earlier years due to the change in the registration period.

The registration figures exclude patients who have not been to their GDS dentist within the past 15 months. The figures also exclude patients who receive dental treatment from other national health service dental services including dental access centres and patients who access treatment from dentists on an occasional basis.

The registration periods for adults and children were changed for new registrations from September 1996. This affected registration numbers after November 1997 and, as a result, registration numbers from December 1997 onwards, when the first 15 months registrations expired, cannot be compared with the earlier figures. Some of the reduction in recorded registration numbers is due to improvements in the methods of removing duplicate registration records which were first employed by the Dental Practice Board in 1993.

Mr. Paul Marsden: To ask the Secretary of State for Health (1) if he will list for each primary care trust the number of children in the last year who have required dental treatment under a general anaesthetic; [132299]

(2) if he will list for each primary care trust the average cost of dental treatment for children requiring a general anaesthetic in the last year. [132300]

Ms Rosie Winterton: This information is not held centrally. Since January 2002, all national health service dental treatment under general anaesthesia has been carried out in a hospital setting. Information on dental treatment for children carried out in NHS hospitals does not identify where general anaesthesia has been used, nor the cost per case.

Departmental Costs

Mr. Flight: To ask the Secretary of State for Health what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123082]

Ms Rosie Winterton: Information relating to the cost of ministerial cars and drivers has been addressed in a letter to the hon. Member from the Chief Executive of the Government Car and Despatch Agency. Information relating to the cost of planes chartered for ministerial travel is the responsibility of the Cabinet Office.

Information on the various elements of travel costs available from the Department's accounting system is given as follows. Figures are for financial years ending 31 March. Separate information on taxi expenditure was not kept before 2001–02.

	Cost £
Taxis	
2001–02	312,226
2002–03	336,659
Train travel	
1997–98	2,500,136
1998–99	3,622,829
1999–2000	4,825,844
2000–01	3,187,127
2001–02	4,741,888
2002–03	4,265,410
Airline tickets	
1997–98	438,633
1998–99	367,992
1999–2000	454,484
2000–01	614,316
2001–02	655,581
2002–03	639,508

There has been no expenditure on helicopters

All official travel is undertaken in accordance with the rules contained in the Department's published departmental staff handbook and all ministerial travel is undertaken in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Library.

Departmental Staff

Mr. Flight: To ask the Secretary of State for Health how many *(a)* special advisers, *(b)* press officers, *(c)* civil servants, *(d)* advisers to civil servants and *(e)* permanent staff were working for his Department in each year since 1996. [126472]

Ms Rosie Winterton: Between 1996 and 12 June 2003, there have been two special advisers in the Department of Health. Since 12 June 2003, there have been three special advisers at the Department of Health.

Information on the number of press officers is shown in the table.

	Numbers
1996–97	15
1997–98	16
1998–99	18
1999–2000	21
2000–01	22
2001–02	22
2002–03	23

The term "advisers to civil servants" is not recognised.

Data on staffing levels in the civil service is collected from Departments and Agencies twice-yearly, in April and October. Headline figures are published under National Statistics guidelines via a press notice. Those for October 2002 were published on 27 February 2003.

A copy of the press notice, accompanying media brief and supporting tables is available at www.civil-service.gov.uk/statistics. Copies of these documents are also available in the Library.

More detailed information on the civil service is published annually in "Civil Service Statistics", copies of which are available in the Library. The last edition, based on April 2001 data, is due to be published at the end of July 2003.

Elderly Care

Mr. Hancock: To ask the Secretary of State for Health if he will commission research into the provision of elderly care by the independent care sector; and if he will make a statement. [132914]

Dr. Ladyman: There are no current plans to commission research into the provision of older people's care by the independent care sector. We believe that older people and their families should be able to choose from a range of options that will best meet their needs. The quality of care available to individuals is much more important to them than the type of organisation that provides the care.

Foundation Hospital Trusts

Mr. Dobson: To ask the Secretary of State for Health if he will publish the criteria he intends to apply when deciding the value of the asset base and the charge on assets for foundation trusts. [132144]

Mr. Hutton *[holding answer 14 October 2003]:* All national health service bodies are at present required to earn an annual return of 3.5 per cent. of their average relevant net assets held during the year. This charge is paid by NHS trusts as public dividend capital dividend. Relevant net assets are all the assets and liabilities held by the NHS body, with the exceptions of donated assets, assets provided by Government grant and cash held in paymaster accounts. The legislation currently before Parliament requires that the Public Dividend Capital dividend payment required from foundation trusts would be calculated on the same basis as that for NHS trusts.

Foundation Trusts (Assets)

Mr. Dobson: To ask the Secretary of State for Health whether the criteria which he intends to apply when deciding the value of the asset base and the charge on assets for foundation trusts will be the same for private finance initiative hospitals and other hospitals. [132145]

Mr. Hutton *[holding answer 14 October 2003]:* All national health service bodies are at present required to earn an annual return of 3.5 per cent. of their average relevant net assets held during the year. This charge is paid by NHS trusts as Public Dividend Capital (PDC) dividend. The assets of NHS foundation trusts will be valued on the same basis as those of NHS trusts at present, using the current cost accounting base.

The cost of capital charged on NHS foundation trusts' asset base in 2004–05 will also be calculated on the same basis as for NHS trusts at present. Clause 13(4) of the Health and Social Care (Community Health and Standards) Bill will require that the PDC dividend payment required from foundation trusts would be calculated on the same basis as that for NHS trusts. Details of the criteria are available in the "NHS Capital Accounting Manual", which is obtainable from the Department's website at www.doh.gov.uk.

GP Contract

Mr. Hancock: To ask the Secretary of State for Health if he will make a statement on the implementation of the new general practitioner contract. [132351]

Mr. Hutton: The Government remain committed to the implementation of the new practice-based general medical services contract by April 2004, as set out in contract document "Investing in General Practice", a copy of which is available in the Library.

Home Improvements (Waiting Times)

Mrs. Calton: To ask the Secretary of State for Health what assessment he has made of waiting times for *(a)* stairlifts and *(b)* downstairs extensions and modifications when people have been assessed as unable to climb stairs or to use standard toilet or washing facilities; and if he will make a statement. [133484]

Phil Hope: I have been asked to reply.

Housing adaptations for disabled people such as stair lifts, level access showers and downstairs extensions can be grant aided under the disabled facilities grant programme. This is a mandatory grant available to eligible applicants in order to help them to continue to live independently in their own homes. It is funded by the Office of the Deputy Prime Minister and administered through local authorities.

The Office of the Deputy Prime Minister's budget for this grant has been increased substantially to £100 million for this year. However demand for the grant remains high and waiting lists do occur. Local authorities are required to respond to any full application for a disabled facilities grant within six months.

The Government do not collect information on the length of any waiting lists. However jointly with the Department of Health we have issued draft guidance to local authorities setting out best practice in delivering this service. This includes target times for the complete delivery process including needs assessment, processing of the application and the completion of building works. These target times will depend on the complexity of, and priority attached to, individual cases but the guidance suggests that the maximum target time for the entire process should in any event be no more than 260 working days and only 80 working days in high priority cases. We are currently considering responses to this consultation and hope to issue final guidance to local housing and social service authorities before the end of this year.

Hospital Subsidies

Mr. Dobson: To ask the Secretary of State for Health whether the criteria he will use in exercising his discretion over subsidies to hospitals will be the same for foundation and non-foundation trusts. [132146]

Mr. Hutton *[holding answer 14 October 2003]:* To the extent that any public funds are made available for any central initiative from the Department (for example, implementation of national service framework initiatives) national health service foundation trusts should have access to an equitable proportion of those funds, whatever the actual source.

This is why we are taking powers, under Section 11 of the Health and Social Care (Community Health and Standards) Bill, to ensure that the Secretary of State is able to make loans, issue Public Dividend Capital or grants when providing financial assistance to NHS foundation trusts. These powers mirror the equivalent legislative provisions applying to NHS trusts.

Influenza Vaccinations

Mr. Hepburn: To ask the Secretary of State for Health what measures the Department is taking to encourage older people to get immunised against influenza. [133213]

Miss Melanie Johnson: We launched a campaign on 1 October incorporating a number of strategies aimed at encouraging older people to receive their influenza immunisation. The campaign incorporates:

National television advertising.

Advertising in national and regional newspapers and magazines, including ethnic media.

Advertising in buses, on pharmacy bags and online.

Work with commercial partners, such as Gala Bingo and voluntary organisations such as Heart UK and the National Asthma Campaign.

The Chief Medical Officer wrote to all general practitioners with details of this year's influenza programme in his letter of 6 August 2003.

Mrs. Dean: To ask the Secretary of State for Health what impact the new guidelines issued by his Department on eligibility for protective injections against influenza will have on those with *(a)* asthma and *(b)* other medical respiratory conditions. [133091]

Miss Melanie Johnson: The guidelines on eligibility for influenza vaccination has remained unchanged since its introduction in 2000–01. Those with asthma and other chronic respiratory disease should therefore continue to receive their free flu vaccination, as they have in previous years.

Living Wills

Mr. Laurence Robertson: To ask the Secretary of State for Health what responsibility *(a)* primary care trusts and *(b)* hospital trusts have to check whether patients have signed living wills; what the procedure is for carrying out such checks; what guidance he gives on recognition of such documents; and if he will make a statement. [134047]

Ms Rosie Winterton: It is a general principle of law and medical practice that a person with the necessary capacity has the right to consent to or refuse treatment. A healthcare professional will therefore discuss with a patient possible treatment options. This would, where it is appropriate and as a matter of good practice, include how a patient would like to be treated if he or she were to become incapacitated.

There are no formal procedures for checking whether a patient has made a "living will". But the process of obtaining consent should lead to a discussion of the subject where a patient's condition makes it appropriate.

Guidance on advance refusals is included in the Department of Health's ReferenceGuide to Consent for Examination or Treatment published in March 2001.

The draft Mental Incapacity Bill contains proposals for putting advance decisions to refuse treatment on a statutory footing.

Meat Inspections

Mr. Weir: To ask the Secretary of State for Health which *(a)* countries of the present European Union and *(b)* applicant countries allow meat inspection by the meat industry. [133119]

Miss Melanie Johnson: European Union legislation, that applies to all member states and will apply to applicant countries on their accession, requires meat inspection to be carried out by the official competent authorities. The legislation does not allow the meat industry to carry out meat inspection. However, the legislation does permit, in some circumstances, trained plant staff to assist with post-mortem inspection of poultry and rabbits, but only under the direct supervision of the official veterinarian. This system of inspection is currently in place in a number of United Kingdom poultry plants.

Information about the extent to which the meat industry in other member states makes use of this provision and the current situation in applicant countries is not available.

Medical Equipment

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 2 October 2003, reference 130874, on training of nurses, what monitoring arrangements his Department has in place to ensure that NHS trusts follow the guidelines in "Working Together—Learning Together", on training for using existing and new medical equipment; and if he will make a statement. [132509]

Mr. Hutton: Strategic health authorities are responsible for performance managing national health service trusts on the basis of local accountability agreements. They will ensure that NHS Trusts implement the lifelong learning framework targets, as set out in "Working Together—Learning Together", by monitoring progress through their mainstream performance management processes.

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 2 October 2003, ref 130877, regarding re-use of single use medical equipment, if he will set out the results of the previous research; and what action was taken in response to its findings. [132217]

Mr. Hutton: The Patients Association, in collaboration with the Infection Control Nurses Association, the Institute of Sterile Services Management and the National Association of Theatre Nurses, reported from a survey in 2000 ("Hospital Acquired Infection and the Reuse of Medical Devices: The Patient's Association") that ten per cent. of responding hospitals were re-using single use devices. The Medical Devices Agency issued a revised Bulletin in August 2000 ("Single-use Medical Devices: Implications and Consequences of Reuse") and further guidance was issued by the Department in circular HSC 2000/32 "The Decontamination of Medical Devices".

Midwifery

Mr. Baron: To ask the Secretary of State for Health how many people *(a)* began studying as a midwife and *(b)* completed their studies as a midwife, broken down by region, in each of the last 10 years for which figures are available; and what proportion of those successfully completing their studies went on (i) to register and (ii) to practise as a midwife in the NHS. [133168]

Mr. Hutton [holding answer 20 October 2003]: Information on the number of people entering training to become a midwife by strategic health authority in 2002–03 and by regional office area between 1996–97 and 2001–02 has been placed in the Library. Information by region is not available centrally before 1996–97. Information on the number of midwives completing their studies is not collected centrally.

Information from the Nursing and Midwifery Council on midwives on the register and intending to practise is available from the website www.nmc-uk.orq.uk. Information on midwives going on to practise in the national health service after completing training is not collected centrally.

Mr. Baron: To ask the Secretary of State for Health (1) what targets he has set relating to *(a)* the recruitment of midwives into the NHS and *(b)* the overall numbers of midwives employed within the NHS; [133169]

(2) how many midwives worked in the national health service, expressed as *(a)* a headcount and *(b)* whole time equivalent, in each of the last 10 years for which figures are available. [133170]

Mr. Hutton *[holding answer 20 October 2003]:* Information on the number of midwives employed in the national health service is shown in the table. The Government expects to see an extra 2,000 midwives employed in the NHS by 2006, over a 2,000 baseline. As at September 2002, there were 23,249 midwives, an increase of 680 since 2000.

NHS Hospital and Community Health Services (HCHS): Registered midwives in England as at 30 September each year

	Whole-time equivalent	*Numbers (headcount)*
1992	20,345	24,092
1993	19,629	23,443
1994	19,337	23,103
1995	18,034	22,022
1996	18,262	22,595
1997	18,053	22,385
1998	18,168	22,841
1999	17,876	22,799
2000	17,662	22,572
2001	18,048	23,075
2002	18,119	23,249

Notes:
1. Figures are rounded to the nearest whole number.
2. A new system of occupation coding for NHS non-medical staff was introduced in 1995. The new codes classify staff according to what they do rather than the terms and conditions under which they are employed ie national payscales. Figures based on new occupation codes are not directly comparable with those based on the old payscale classification.
3. Therefore figures since 1995 are not comparable with earlier years.

Source:
Department of Health Non-Medical Workforce Census.

Harry Cohen: To ask the Secretary of State for Health what the total cost to public funds of supporting student midwives was in the last year for which figures are available; and how many student midwives were supported. [133326]

Mr. Hutton: National health service-funded student midwives are eligible for financial support under the terms of the NHS bursary scheme. The total value of bursary payments made to midwifery students for the academic year 2002–03 was £14.8 million, with 3,164 students being in receipt of a bursary. All NHS-funded students also have their liability for a tuition fee contribution (worth up to £1,100 for the academic year 2002–03) met on their behalf, without means testing.

Harry Cohen: To ask the Secretary of State for Health when ministers or officials last examined financial support arrangements for student midwives; what principle decisions were made; and what plans there are to re-examine support arrangements. [133327]

Mr. Hutton: The Department undertook a comprehensive review of all national health service-funded student support arrangements during 2000–01

and a number of options for change were considered. It was decided to retain the existing overall format of the NHS package, but to provide a range of other improvements targeted at specific areas of need. NHS bursary rates across all the professions are considered each year and have been uplifted annually since 1998, including an increase of 10.4 per cent, (well ahead of inflation) in 2001. My ministerial colleagues and I continue to keep NHS-funded student support arrangements under review in order to ensure they continue to meet our objectives for the service.

Mr. Baron: To ask the Secretary of State for Health if he will make an assessment of staffing levels in NHS maternity units, with particular reference to the number of midwives. [133633]

Mr. Hutton *[holding answer 21 October 2003]:* The Government are committed to nationally increasing the number of midwives. By 2006, we expect there to be 2,000 more midwives being employed in the national health service than in 2000. Since September 2000, the number of midwives employed in the NHS has increased by 680 to 23,249. Information on the number of midwives by NHS maternity unit is not collected centrally.

Mr. Baron: To ask the Secretary of State for Health what recent assessment he has made of the number of places available for those wishing to study to become a midwife. [133634]

Mr. Hutton *[holding answer 21 October]:* The Government are increasing the number of training places for midwives as part of the NHS Plan commitment for an extra 5,500 nurses and midwives entering training by 2004, over a 1999 baseline. In 2002–03, 1,445 students started training for a first qualification to become a midwife, an increase of 42 per cent., since 1999–2000. A further 677 started post-registration courses to become a midwife. Latest figures from workforce development confederations suggest a further overall increase of over 100 in the current financial year. Further increases in the future to improve midwifery services and to achieve the NHS Plan target.

Mr. Baron: To ask the Secretary of State for Health what assessment he has made of the level of financial support available for those wishing to study to become a midwife. [133635]

Mr. Hutton *[holding answer 21 October 2003]:* The Department of Health undertook a comprehensive review of all national health service-funded student support arrangements during 2000–01, and a number of options for change were considered. It was decided to retain the existing overall format of the NHS package, but provide a range of other improvements targetted at specific areas of need. NHS Bursary rates across all the professions are considered each year and have been uplifted annually since 1998, including an increase of 10.4 per cent., (well ahead of inflation) in 2001.

NHS Direct

Mr. Gordon Prentice: To ask the Secretary of State for Health how many calls received by each NHS Direct centre in the latest month for which figures are available concerned access to an NHS dentist; and what percentage of total calls in each case this figure represents. [131448]

Ms Rosie Winterton: The information is not centrally collected in the form requested. The number of clinical calls relating to dentistry by call centre is shown in the table.

Dentist calls to NHS Direct for September 2003

Site	*Dental calls*
Avon, Gloucestershire and Wiltshire	302
Essex	262
Thames Valley and Northamptonshire	279
West Country	630
Birmingham, Black Country and Solihull	257
West Yorkshire	2,375
East Midlands	1,115
Manchester, Cheshire and Wirral	626
North West Coast	3,642
Midlandshires	556
Tees, East and North Yorkshire	716
Bedfordshire and Hertfordshire	511
Hampshire	573
Kent, Surrey and Sussex	227
North East	950
South Yorkshire and South Humber	269
Anglia	373
North and Central London	233
North East London	98
South East London	222
South West London	191
West London	140

In addition, NHS Direct will have dealt with a number of health information calls to do with dentistry but these calls are not separately currently identified.

NHS Overseas Treatment

Mr. Jon Owen Jones: To ask the Secretary of State for Health pursuant to his answer of 19 May, *Official Report*, column 615W, on NHS treatment abroad, whether his Department has considered its position on the European Court of Justice judgment published on 13 May in case C385/99 Muller-Faure/Van Riet; and if he will make a statement. [129673]

Mr. Hutton *[holding answer 17 September 2003]:* On 1 October 2003, the High Court gave judgment in the case of Watts *v.* Bedford Primary Care Trust and the Secretary of State for Health. In that case, judgment was reserved explicitly in order that account could be taken by the judge of the European Court of Justice ruling in case C385/99 Muller-Faure/van Riet, which was central to the issues involved in Watts. The Department has been given permission to appeal in Watts and is currently considering whether to proceed.

Public Health Legislation

Mr. Hancock: To ask the Secretary of State for Health what plans he has to reform public health legislation; and if he will make a statement. [133393]

Miss Melanie Johnson: We announced in "Getting Ahead of the Curve", the strategy for health protection published by the Chief Medical Officer in January 2002, that we intend to carry out a review of the infectious disease law. As stated in the answer of 6 October 2003,

Official Report, column 1333W, no specific timetable has been set for the review, but we intend that it should take account of the new emergency powers which it is planned to provide through the Civil Contingencies Bill.

Stroke

Mr. Baron: To ask the Secretary of State for Health what percentage of stroke patients he estimates will be able to be treated in specialist stroke units for the majority of their hospital stay from April 2004. [133011]

Dr. Ladyman: Stroke is one of the condition specific standards (Standard 5) incorporated into the national service framework for older people. The target is that, by April 2004, 100 per cent. of all general hospitals which care for people with stroke will have a specialised stroke service, as described in the stroke service model and that all people who are thought to have had a stroke will have access to diagnostic services and access to specialist stroke services as appropriate.

Waiting Times

David Davis: To ask the Secretary of State for Health how many people in Hull and the East Riding waited 13 weeks or more for an out-patient appointment in *(a)* 2002 and *(b)* 2003. [132393]

Miss Melanie Johnson: The information requested is shown in the table.

Number of patients waiting over 13 weeks for first outpatient appointment following General Practitioner or Dental Practitioner written referral at Hull and East Yorkshire Hospitals NHS Trust

	Number of patients
2001–02	18,067
2002–03	17,814

Source:
Department of Health form QM08

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 411**

SESSION 2002–2003

14th October—23rd October 2003

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

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- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

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  - *Debates Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings); and
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division
- (HL)=Bill starting in House of Lords
- (SP)=Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
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